

MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
ALEX HINDS, DIRECTOR

April 23, 2007

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

SUBJECT: Public Hearing on Draft Marin Countywide Plan Update (CWP)

Dear Planning Commission Members:

RECOMMENDATIONS:

1. Conduct public hearing.
2. Conduct straw votes (non-binding motions of intent) on selected issues.
3. Continue the public hearing to Monday, April 30, 2007 at 9:30 a.m.

Today's meeting is the 10th public hearing in 2007 on the Draft Marin Countywide Plan (CWP) Update, and the third meeting on the *Built Environment* Element. This hearing will focus on the Planning Areas and Ridge and Upland Greenbelt topics. Subsequent meetings will continue to progress through the Countywide Plan with one additional hearing scheduled for the *Built Environment* Element. The dates and major topics of discussion include:

<u>Date</u>	<u>Topic</u>
April 30, 2007	Socioeconomic Element and Built Environment Topics as necessary (continued HOD discussion)
May 7, 2007 (proposed)	Wrap up of all Built Environment and Socioeconomic issues

Following today's public hearing, it will be necessary to continue the public hearing to a specific date and time. In order to keep to the schedule, staff is recommending that each topic area be reviewed as follows:

1. Staff presentation and introduction of topics for discussion
2. Public testimony (limited to three minutes or less per individual or 6 minutes or less per organization.)
3. Close public testimony and conduct Commission deliberations.
4. Conduct straw votes. Straw votes are non binding motions of intent that will be taken on selected issues.

Planning Areas Overview

In addition to the four environmental corridors, there are seven planning areas that define Marin County. Six of the planning areas comprise the City-Centered and Baylands Corridors and generally represent the watersheds that drain to the bay. The seventh planning area covers both the Coastal and Inland Rural Corridors of West Marin (Map 3–33). The seven planning areas are:

- Novato
- Las Gallinas
- San Rafael Basin
- Upper Ross Valley
- Lower Ross Valley
- Richardson Bay
- West Marin

Novato Planning Area - The Novato planning area is generally bounded by Big Rock Ridge to the south, Stafford Lake to the west, the Sonoma County line to the north and the Petaluma River and San Pablo Bay to the east. This area includes the City of Novato and Rancho Olompali State Park as well as the unincorporated communities of Green Point, Black Point, Bel Marin Keys, Loma Verde, and Indian Valley, as well as neighborhoods along Atherton Avenue and Vineyard Road. Black Point/Green Point and Indian Valley have adopted Community Plans.

Las Gallinas Planning Area - The Las Gallinas planning area includes the Lucas (Gallinas) and Santa Margarita Valleys and is bounded by Big Rock Ridge to the north, the bay to the east, San Pedro Ridge to the south and the Terra Linda Divide to the west. It includes Terra Linda, which is part of the City of San Rafael, and the unincorporated communities of Marinwood and Santa Venetia along with the Los Ranchitos neighborhood. This area also includes the St. Vincent's School for Boys, Silveira Ranch, and China Camp State Park.

San Rafael Basin Planning Area - The San Rafael Basin planning area includes the City of San Rafael south of San Rafael Hill and San Pedro Ridge, north of the Southern Heights Ridge and San Quentin Ridge, and east of San Anselmo with the bay to the east. There are five unincorporated pockets within this planning area: California Park, Upper Sun Valley, Bayside Acres, Country Club, and Point San Pedro (San Rafael Rock Quarry).

Upper Ross Valley Planning Area - The Upper Ross Valley planning area includes the towns of Fairfax, Ross, and San Anselmo as well as the unincorporated neighborhoods west and southwest of Fairfax and Sleepy Hollow.

Lower Ross Valley Planning Area - The Lower Ross Valley planning area includes lands south of Southern Heights and San Quentin Ridges, north of Corte Madera Ridge, and east of Phoenix Lake. It includes the City of Larkspur, the Town of Corte Madera, and the unincorporated communities of Kentfield, Greenbrae, San Quentin, and the Greenbrae Boardwalk. Kentfield and Greenbrae have an adopted Community Plan.

Richardson Bay Planning Area - The Richardson Bay planning area includes lands southeast of Mt. Tamalpais, south of Corte Madera Ridge and north of Fort Baker. It includes all of the Tiburon Peninsula, the cities of Belvedere, Sausalito, and Mill Valley, the Town of Tiburon, and the unincorporated communities of Strawberry, Marin City, and Tamalpais Valley, as well as the unincorporated neighborhoods of Alto, Homestead Valley, Almonte, Muir Woods Park, and the houseboat docks on Richardson Bay. There are adopted community plans for Marin City, Strawberry, and Tamalpais, which

includes Tamalpais Valley, Homestead Valley, Almonte, and Muir Woods Park. The Marin City and Strawberry Shopping Centers, as well as the Tamalpais commercial area, are targeted for mixed-use opportunities. The planning area has been the subject of several recent studies including the Richardson Bay Boat Dock Study, Comprehensive Transportation Management Plan and Community Development Activities, and analysis by LAFCO to address spheres of influence in the area.

West Marin Planning Area - The West Marin planning area generally consists of open space and agricultural lands and small villages located west of the City-Centered Corridor from Fort Cronkite in the south to the Sonoma County line in the north. This area includes the Golden Gate National Recreation Area, Mt. Tamalpais, Mt. Tamalpais Watershed, Muir Woods, Point Reyes National Seashore, Samuel P. Taylor, and Tomales Bay State Parks. It also includes many villages, including Bolinas, Dillon Beach, Inverness, Muir Beach, Nicasio, Point Reyes Station, Stinson Beach, and Tomales, each of which have their own community plan. The San Geronimo Valley also has a community plan and includes the villages of Forest Knolls, Lagunitas, San Geronimo, and Woodacre. Marshall is in the East Shore community plan area.

PLANING AREAS ISSUES

ISSUE BE-18: What Option for the St. Vincent's and Silveira Properties Should Be Selected?

There are a number of protected resources on the St. Vincent's and Silveira lands, which include: tidelands, diked baylands, of which a portion are owned by the Las Gallinas Valley Sanitary District and used for watershed ponds and irrigation; Miller creek and its riparian corridor, lands within the 100-year floodplain; and hills leading up to Pacheco Ridge at the northern boundary of the site (see Map 3-34, St. Vincent's/ Silveira Environmental features).

The goals for land use on the St Vincent's and Silveira properties in the Draft 2005 Countywide Plan include:

- GoalSV-1** *Environmental Protection*
- Goal SV-2** *Comprehensive Site Planning*
- Goal SV-3** *Design Excellence*
- Goal SV-4** *Cultural Resources Preservation*
- Goal SV-5** *Affordable housing*
- Goal SV-6** *Transportation Choices; and*
- Goal SV-7** *Continued Social Services*

The policy options related to potential intensity of development on the site are addressed under **Goal SV-2, Comprehensive Site Planning**, and include:

SV-2.5. Establish Land Use Categories. The St. Vincent’s/Silveira area is assigned the Planned Designation—Agricultural and Environmental Resource Area land use category. Potential uses include agriculture and related uses, residential development, education and tourism, places of worship, institutional, and small-scale hospitality uses, as described more fully in Policy **SV-2.3**, *Allow For a Mix of Uses*

Option 1 In addition to existing uses, a combined total of 221 dwelling units may be allowed consisting of up to 121 market rate dwelling units plus up to 100 additional dwelling units for very low and/or low income households. Within these standards, the Master Plan approval process will determine the specific types and amounts of development suitable for these properties taking into consideration environmental constraints and the community benefits associated with providing higher levels of housing affordable to low and very low income persons and smaller residential unit sizes. Pursuant to the PD-Agricultural and Environmental Resource Area land use category, non-residential uses may be permitted in lieu of some dwelling units, provided that the impacts of the non-residential development on peak hour traffic do not exceed those projected for the residential development being replaced.

Option 2 In addition to existing uses, a combined total of 350 dwelling units may be allowed. A senior housing and care facility may be considered with a capacity to serve up to 350 residents, including a combination of apartment style and/or congregate care units at varying degrees of affordability. Only senior care units with kitchens would be considered dwelling units subject to the dwelling unit limitations. Within these standards, the Master Plan approval process will determine the specific types and amounts of development suitable for these properties taking into consideration environmental constraints and the community benefits associated with providing higher levels of housing affordable to low and very low income persons and smaller residential unit sizes. Pursuant to the PD-Agricultural and Environmental Resource Area land use category, non-residential uses may be permitted in lieu of some dwelling units, provided that the impacts of the non-residential development on peak hour traffic do not exceed those projected for the residential development being replaced.

Option 3 In addition to existing uses, a combined total of 500 dwelling units may be allowed. A senior housing and care facility may be considered with a capacity to serve up to 350 residents, including a combination of apartment style and/or congregate care units at varying degrees of affordability. Only senior care units with kitchens would be considered dwelling units subject to the dwelling unit limitations. Within these standards, the Master Plan approval process will determine the specific types and amounts of development suitable for these properties taking into consideration environmental constraints and the community benefits associated with providing higher levels of housing affordable to low and very low income persons and smaller residential unit sizes. Pursuant to the PD-Agricultural and Environmental Resource Area land use category, non-residential uses may be permitted in lieu of some dwelling units, provided that the impacts of the non-residential development on peak hour traffic do not exceed those projected for the residential development being replaced.

Option 4 In addition to existing uses, a range consisting of a combined total of 221 through 500 dwelling units may be allowed. A senior housing and care facility may be considered with a capacity to serve up to 350 residents, including a combination of apartment style and/or congregate care units at varying degrees of affordability. Only senior care units with kitchens would be considered dwelling units subject to the dwelling unit limitations.

Within these standards, the Master Plan approval process will determine the specific types and amounts of development suitable for these properties taking into consideration environmental constraints and the community benefits associated with providing higher levels of housing affordable to low and very low income persons and smaller residential unit sizes. Pursuant to the PD-Agricultural and Environmental Resource Area land use category, non-residential uses may be permitted in lieu of some dwelling units, provided that the impacts of the non-residential development on peak hour traffic do not exceed those projected for the residential development being replaced.

In addition to providing a range for the potential intensity of development on the St Vincent's and Silveira properties, the Draft 2005 CWP Policy requires the clustering of non-agricultural development on up to five percent of the lands. See Policy SV-2.4, *Cluster Development*.

Policy SV-2.4 Cluster Development. Non-agricultural development on either the St. Vincent's or the Silveira property shall be clustered on up to five percent of the land area of each property, or as determined through a site specific analysis of agricultural and environmental constraints and resources, observing habitat protection policies including, but not limited to, streamside conservation, ridge and upland greenbelt, wetlands, tidelands, and community separation. Existing development shall not be counted toward the 5 percent cluster requirement for the land area for each property.

In addition, development on the St. Vincent's property shall be clustered around the "H" complex with the Chapel and the "H" complex buildings retained as the community center.

Policy **SV-2.4** coincides with the zoning requirement for clustering on Agricultural properties. See Development Code 22.08.040.

Recommendation

The potential number of units for the St Vincent's properties and Silveira properties proposed in the Draft 2005 Countywide Plan ranges from 220-500 units. Staff recommends accepting up to 500 units (Option 3) for a variety of reasons. First, the above reference clustering requirements, will equally serve to avoid environmentally sensitive areas regardless of the number. In addition, around 500 residences could be considered under existing zoning, although circumstances have changed as a result of decisions by the City of San Rafael and LAFCO to not proceed with annexation. 500 residences was the low end of the recommendation by the SV Task Force and an argument could be made supporting this as the maximum unit potential to be considered by the County.

The Planning Commission made a tentative decision to accept Option 2 for the Baylands Corridor. According to the DEIR, the decision to approve 221 or up to 501 residences would not result in an appreciable difference in traffic impacts. This option was also recommended in the DEIR as part of the Mitigated Alternative to provide additional protection to adjacent uplands that are ecologically connected to the historic baylands at this location and supported by staff. Staff also believes that there is not a big environmental difference between the 220 and 500 units due to the tight clustering standards and Master Plan requirement.

The Mitigated Alternative, *Alternative 4*, would designate up to 501 housing units on the St. Vincent's / Silveira properties (Policy **SV-2.5**, *Establish Land Use Categories*, Option 3) within the footprint limitations recommended in Policy **SV-2.4**, *Cluster Development*.

The EIR also recommends that development potential assigned to the each of the two properties should be based on their relative percentage of the total acreage. The property owners are encouraged to plan the properties collaboratively and consider transfer of potential development to the most appropriate locations.

Property	Acreage	Percent Developed**
St. Vincent's*	673.8	4.6% (31.15 acres)
Siveira	340	5.98% (20.3 acres)
Total	1,013.8	5% (51.45 acres)

*Excluding 2 tideland properties (740 acres) and portion of property 055-010-90 going to the Las Gallinas Valley Sanitary District (66.18 acres) pending Lot Line Adjustment approval.

**Includes agriculture and non-agriculture development, although clustering requirement only applies to non-agriculture development.

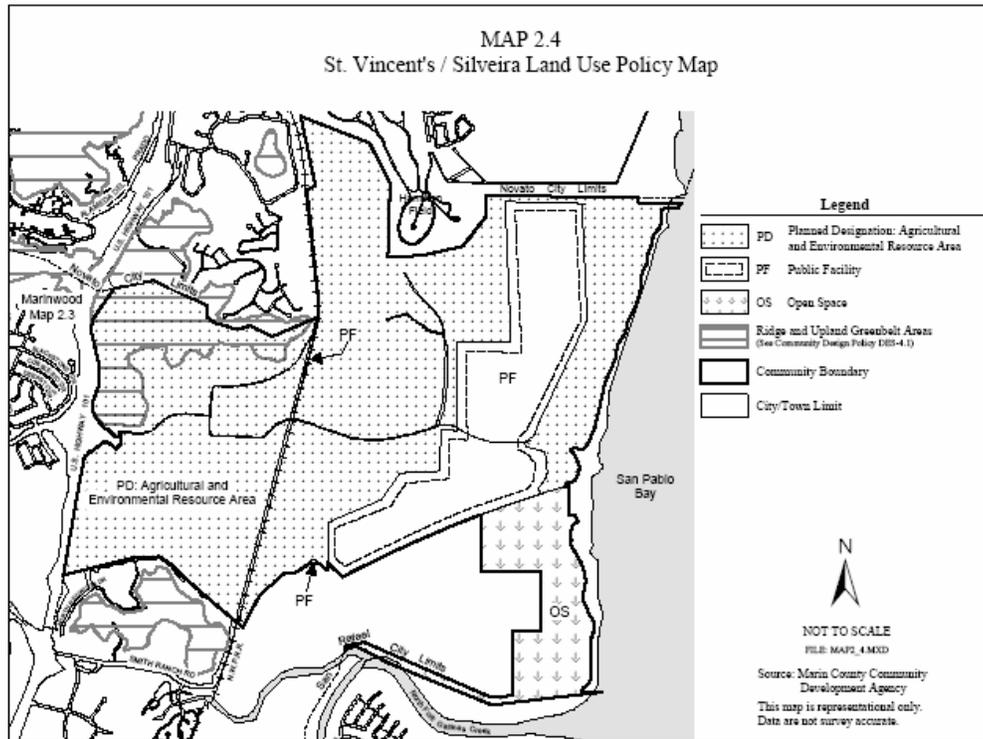
{For planning purposes, the land totals for St. Vincent's properties are exclusive of the two tideland parcels (155-010-73 and 74), which total 130 acres. The remaining five parcels owned by St. Vincent's total 740 acres; however, the County is currently reviewing a Lot Line Adjustment request from St. Vincent's. If approved, this adjustment would contribute 66.18 acres from parcel 155-010-70 to the Las Gallinas Valley Sanitary District, leaving 673.82 acres in St. Vincent's ownership. The Silveira properties total 340 acres, making the total land area of St. Vincent's and Silveira 1,013.80 acres. Currently, approximately 51.45 acres (5 %) of the land area is developed. See table above }

ISSUE BE-19: Should The Land Use Designation At the St. Vincent's and Silveria Properties Be Changed to Planned District: Agricultural and Environmental Resources Area?

Discussion

The St Vincent's and Silveira properties have a previously agreed upon interim designation of Urban and Conservation Reserve (UCR), 1 unit per 100 acres. (See Map 2.6) Under the *1994 Plan*, up to 501 housing units could be developed on the St. Vincent's and Silveira properties. On Map 2.4 in the Draft 2005 CWP, the approximately 1,204 acres of the St. Vincent's and Silveira lands currently designated UCR would be changed to Planned Development – Agriculture and Environmental Resource Area (PD–ERA). Approximately 165 acres shown as Tidelands would also be changed to the new PD–ERA designation. Four acres of privately owned property that is leased by the County and used as the “Honor Farm” would also be changed from PF–UCR to PD–ERA.

The PD-ERA land use category is intended for reuse and redevelopment of the St. Vincent's and Silveira area. Potential uses include agriculture and related uses, residential development, education and tourism, and small scale hospitality uses, as described more fully in **SV-2.3, Allow for a Mix of Uses**



Building intensity standards for the PD-ERA are 221 to 500 dwelling units in addition to existing development (depending upon the option selected for Policy **SV-2.5**, *Establish Land Use Categories*), or equivalent amounts of non-residential development based on impacts on peak-hour traffic.

Recommendation

Accept the Planned Development – Agriculture and Environmental Resource Area land use category for the St. Vincent’s property and the Silveira property.

SUB-ISSUE BE-19a (Previous Natural Systems Issue 11): Should additional language supporting trees and Community Forests be considered?

Discussion

On March 19th the Planning Commission accepted New **BIO-1.h**, and revised **SV-1.7**, *Preserve Trees*, below. On March 26th the Planning Commission directed that revised **SV-1.7** be brought back for further review and discussion at the Built Environment Hearing on St. Vincent’s scheduled for April 23, 2007

SV-1.7 Preserve Trees. Protect major native oak groves and specimen oak trees. Preserve the native oak woodlands on Pacheco Ridge. *Preserve healthy and safe eucalyptus groves which currently support colonies of Monarch Butterfly, colonial nesting birds such as heron rookeries and/or are known raptor*

~~nesting sites.. Preserve healthy and safe eucalyptus groves and maintain them in a healthy condition. 9~~
(to be brought back at April 23 PC)

Recommendation

Accept Policy **SV-1.7, Preserve Trees**, as revised above.

ISSUE BE-20: Should The Land Use Designation At the San Rafael Rock Quarry Be Changed to Planned District: Reclamation Area?

The PD-Reclamation Area land use category is intended for the ultimate reclamation of the San Rafael Rock Quarry and McNear’s Brickyard site at the time the quarrying operations cease. As part of an updated reclamation plan, the ultimate reuse of the site will be identified, as will a time horizon as to when such reclamation would occur. While the Countywide Plan assumes that reuse of the site would most likely result in annexation by the City of San Rafael, if annexation should not take place, the Plan contemplates development under the County’s jurisdiction. In general, uses would be primarily residential, a marina, and limited, supporting commercial, as reflected in Policy **CD-8.6, Establish Land Use Categories: PD-Reclamation Area**.

EIR Consideration

The Mitigated Alternative, *Alternative 4*, assumes a range of housing units (75 to 350 housing units) for future development at the San Rafael Rock Quarry. *Alternative 4* evaluates a range of traffic at the San Rafael Rock Quarry based on what is currently allowed as well as the potential trips created by the amended San Rafael Rock Quarry Reclamation Plan since it is reasonably foreseeable that a project would occur within the life expectancy of the Countywide Plan Update. The application for an amended Reclamation Plan ¹ proposes as many as 350 housing units with 3,500 vehicle trips / day as the end use for this site. These 350 units would represent the upper end of density for evaluating the range of traffic. Both the current and proposed Reclamation Plan provide that:

Residential densities will need to be responsive to traffic impacts they will impose and land use studies will be submitted as quarrying on the property nears completion to fully analyze that problem in relation to a development plan that will be designed to fit the market demands and local objectives of that time. It is impossible to make more detailed predictions at this time (approximately ten to 12 years before the earliest development is likely to take place).²

Since current quarry operations as well as the application for an amended quarry permit would only allow for 250 truck trips / day, the lower end of the density traffic range can be calculated based on existing road capacity utilized by quarry operations converted to an equivalent level of residential automobile traffic. Since a six-axle truck equates to approximately three personal vehicles, the equivalent residential use (i.e., for traffic counting purposes) would be 750 vehicle trips or 75 housing units.

Recommendation

Accept as proposed in the Mitigated Alternative. Thus 75 residential units along with recreational and commercial uses would be considered at such time as an application is submitted to the County.

¹ San Rafael Rock Quarry Amended Reclamation Plan 2004, October 12, 2004.

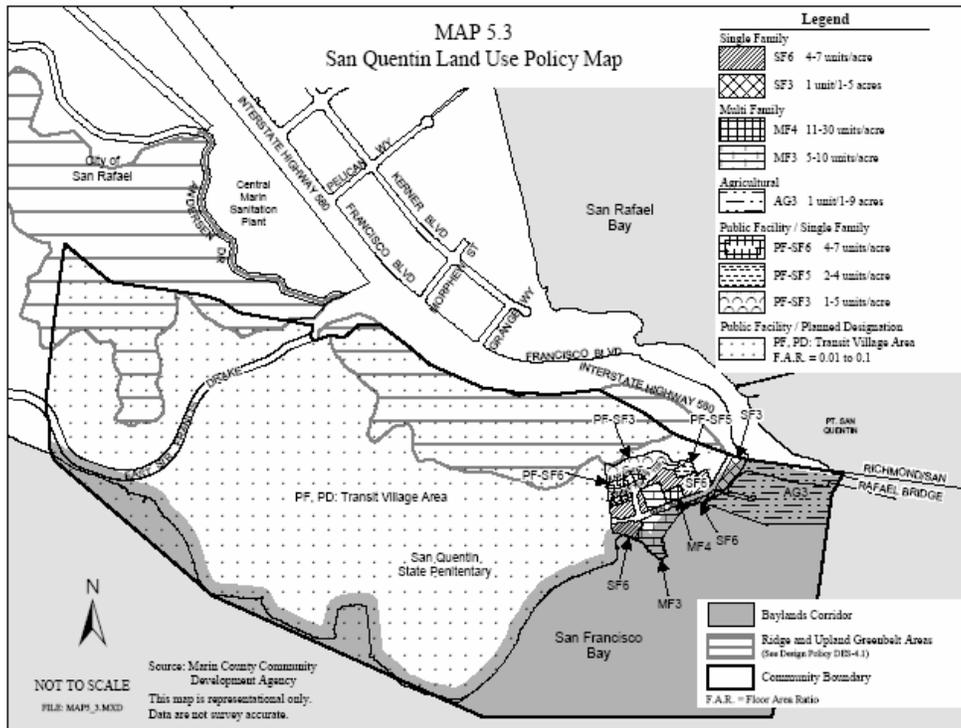
² San Rafael Rock Quarry Amended Reclamation Plan 2004, October 12, 2004.

The Mitigated Alternative analyzed the range of residential unit numbers for the site although neither this alternative nor the *Draft 2005 CWP Update* proposes an increase in intensity in the Planned Designation: Reclamation Area (PD-Reclamation Area) as it would be premature to do so prior to completion of a Reclamation Plan and a Master or Specific Plan. Traffic modeling for EIR purposes assumed a range of potential units at the site from 75 – 300.

ISSUE BE-21: Should The Land Use Designation At San Quentin Be Changed to Planned District: Transit Village Area?

The PD-Transit Village Area land use category is intended for reuse of the San Quentin prison site as a mixed-use, transit-oriented community. Reuse of the site under the County’s land use authority is highly speculative at this time and will remain so unless and until the State of California determines to make a change in the site’s use and ownership. Therefore, the Plan recognizes both prison use under the State’s authority, reflected in an underlying Public Facilities land designation, and its potential future reuse pursuant to the PD-Transit Village Area designation, which reflects the County’s long term vision for the site’s reuse, represented by a series of goal statements. Generally anticipated uses under the PD-Transit Village Area designation include an integrated mix of residential and commercial development, a transportation hub, and public areas. Building intensity standards for the site reflect its prison use under the State’s jurisdiction and corresponding Public Facilities land use designation, as depicted on Land Use Policy Map 5.3.

Development of the site under the County’s PD-Transit Village Area designation would be limited to that which would result in impacts no greater than impacts from prison use prior to its reuse. For the purposes of this building intensity standard, impacts shall include effects on peak hour traffic levels of service, water use, wastewater generation, and nonrenewable energy use. This “performance-based” approach to establishing standards of building intensity reflects the County’s overall goals, consistent with the substantial uncertainty that the County will obtain land use authority over the site from the State of California.



San Quentin State Prison – In 2005, the California Department of Corrections approved an expansion of the prison to include a new housing complex and associated support facilities to house the condemned male inmate population at the prison. In 2005, Marin County filed two unsuccessful legal challenges of this expansion project. The *Draft 2005 CWP Update* includes a Vision Plan for San Quentin. However, it is the clear intent of the State of California to continue and expand the use of the San Quentin site as a State Prison for the foreseeable future. Therefore, the Vision Plan is no longer under consideration for inclusion in the Countywide Plan and is not discussed in the EIR. Reference to the San Quentin Vision Plan will therefore be removed prior to adoption of the Countywide Plan.

Recommendation

Maintain the Public Facilities designation and although not reasonably foreseeable, should the state decide to make the property available, staff would support a transit village concept which would not result in additional impacts to peak hour traffic levels of service, water use, wastewater generation, and nonrenewable energy use. The detailed text and maps pertaining to the San Quentin Vision Plan should be deleted.

Issue BE-22– Circulation Impacts of City-Centered Corridor Housing Sites

As discussed in *Chapter 3.0 Description of the Proposed Project in the DEIR*, the *Draft 2005 CWP Update* assumes varying degrees of development on the St. Vincent's and Silveira properties and the San Rafael Rock Quarry. In addition, the *Draft 2005 CWP Update* proposes the establishment of a Housing Overlay Designation (Policy **CD-2.3**) and Housing Bank (Policy **CD-2.2**). The Housing Overlay Designation as proposed in the *Draft 2005 CWP Update* includes four specific sites: Marinwood Shopping Center, Strawberry Shopping Center, Marin City Shopping Center, and the Fairfax / Oak Manor Shopping Center.

Consequently, according to the DEIR, project traffic impacts in these areas would differ based on the *Draft 2005 CWP Update* scenario that is ultimately selected for implementation. While the CWP and DEIR provide for a variety of measures to address transportation concerns, this section presents a discussion of the localized impacts of the *Draft 2005 CWP Update* Scenarios on select roadways and intersections near each of these development locations. As a general rule, planning staff considers roadway improvements for pedestrians, bicycles, and public safety to be a high priority where applicable, along with other measures to reduce peak hour single occupancy vehicle use.

Sub-Issue: *Impact 4.2-20 Impacts from housing developments at St. Vincent's / Silveira / Marinwood Development in the St. Vincent's / Silveira / Marinwood area consistent with the Draft 2005 CWP Update would result in significant project and cumulative traffic and intersection impacts.*

Mitigation Measure 4.2-20(a) Signalize the Miller Creek Road and Las Gallinas intersection plus add a westbound left turn pocket on Miller Creek Road.

Mitigation Measure 4.2-20(b) Signalize the Miller Creek Road and U.S. 101 SB off-ramp intersection.

Mitigation Measure 4.2-20(c) Signalize the Miller Creek Road and U.S. 101 NB off ramp intersection plus add eastbound and northbound left turn pockets.

Mitigation Measure 4.2-20(d) Currently Lucas Valley Road is one lane in the each direction which provides 800 vehicles per hour of capacity in each direction. Under worst case conditions, traffic volumes are forecast to exceed this capacity and acceptable LOS by 270 vehicles per hour. In order to accommodate this excess capacity via roadway expansion, Lucas Valley Road would need to be expanded from one to two lanes in the both directions from Las Gallinas Avenue to Los Gamos. This would expand roadway capacity from 800 to 1600 vehicles per hour.

Significance After Mitigation Implementation of this Mitigation Measure 4.2-20(a) would make the impact to Miller Creek Road and Las Gallinas intersection less-than-significant. Implementation of this Mitigation Measure 4.2-20(b) would make the impact to Miller Creek Road and U.S. 101 SB off-ramp intersection less-than-significant. Implementation of Mitigation Measure 4.2-20(c) would make the impact to Miller Creek Road and U.S. 101 NB off ramp intersection less-than-significant under Scenarios 2 and 3 but would still create a significant impact under Scenario 1 during the PM peak. The intersections described in Mitigation Measures 4.2-20(a), 4.2-20(b), and 4.2-20(c) are covered by Marin County's Transportation Improvement Fee Ordinance which collects fees that would be used to mitigate impacts from developments that would significantly impact these intersections. However, development would only pay its fair share, which would not necessarily fully fund these improvements. Therefore, these would be significant unavoidable cumulative impacts.

Mitigation Measure 4.2-20(d) would reduce the impact to Lucas Valley Road between Las Gallinas Avenue and Los Gamos to a less-than-significant level. As this improvement is neither funded nor designed, implementation of this project within the *Draft 2005 CWP Update* planning period is unlikely. Therefore, as Mitigation Measure 4.2-20(d) may be infeasible, this would be a significant unavoidable project and cumulative impact.

Impact 4.2-21 San Rafael Rock Quarry

Development at the San Rafael Rock Quarry consistent with the Draft 2005 CWP Update would result in significant cumulative intersection impacts.

Mitigation Measure 4.2-21(a) Add a right turn lane to the northbound Grand Avenue approach at the Second Street and Grand Avenue intersection. This improvement is included as part of a fully funded roadway improvement project listed in the *San Rafael General Plan 2020*.

Mitigation Measure 4.2-21(b) Add a westbound through lane on Third Street at the intersection of Third Street and Grand Avenue.

Significance After Mitigation Implementation of Mitigation Measure 4.2-21(a) would create LOS E conditions during the PM peak under all three scenarios at the Second Street and Grand Avenue intersection. Though this mitigation would improve traffic conditions, the intersection would still operate at an unacceptable level-of-service. Because no further improvements are planned this would be a significant unavoidable cumulative impact.

Implementation of Mitigation Measure 4.2-21(b) would improve the LOS at the intersection of Third Street and Grand Avenue to C and D during the AM peak but would only achieve LOS E during the PM peak. This improvement is neither funded nor designed, thus implementation of this project within the *Draft 2005 CWP Update* planning period is unlikely. Therefore, as Mitigation Measure 4.2-20(b) may be infeasible, this would be a significant unavoidable cumulative impact.

Impact 4.2-22 Kentfield

Development in the Kentfield area consistent with the Draft 2005 CWP Update would result in significant project and cumulative traffic impacts.

Mitigation Measure 4.2-22(a) Expand Sir Francis Drake Boulevard between the Bon Air Road and Wolfe Grade in the westbound direction from two to three lanes. This would expand capacity from 2400 to 3600 vehicles per hour, providing an acceptable LOS A under worst-case conditions. Note that under worst-case conditions traffic only exceeds the significance threshold by 42 vehicles per hour.

Mitigation Measure 4.2-22(b) Widen Sir Francis Drake Boulevard from two to three lanes in each direction from U.S. 101 to Eliseo Drive in order to mitigate this impact via roadway expansion. This would increase roadway capacity from 2,400 to 3,600 vehicles per hour in each direction and provide LOS D operations, under the worst-case scenario. This would satisfy the LOS requirements for this roadway.

Significance After Mitigation Mitigation Measure 4.2-22(a) would reduce the impact to Sir Francis Drake Boulevard between the Bon Air Road and Wolfe Grade a less-than-significant level. As this improvement is neither funded nor designed, implementation of this project within the *Draft 2005 CWP Update* planning period is unlikely. Therefore, as Mitigation Measure 4.2-22(a) may be infeasible, this would be a significant unavoidable cumulative impact.

Mitigation Measure 4.2-22(b) would reduce the impact to Sir Francis Drake Boulevard between U.S. 101 and Eliseo Drive to a less-than-significant level. As this improvement is neither funded nor designed, implementation of this project within the *Draft 2005 CWP Update* planning period is unlikely. Furthermore, expanding Sir Francis Drake Boulevard from two to three lanes in each direction may be infeasible due to existing residential and commercial development. Therefore, as Mitigation Measure 4.2-22(b) may be infeasible, this would be a significant unavoidable project impact and a significant unavoidable cumulative impact.

Impact 4.2-23 Strawberry

Development in the Strawberry area consistent with the Draft 2005 CWP Update would result in significant project and cumulative traffic and intersection impacts.

Mitigation Measure 4.2-23(a) Expand State Route 131 from two to three lanes in the eastbound direction from U.S. 101 to Strawberry Drive. This would expand roadway capacity in the eastbound direction from 1,920 to 2,880 vehicles per hour providing an acceptable LOS C under worst-case conditions.

Mitigation Measure 4.2-23(b) Add an eastbound through lane on Tiburon Boulevard and a northbound right turn lane on the Redwood Highway Frontage Road.

Significance After Mitigation 4.2-23(a) Mitigation Measure 4.2-23(a) would reduce the traffic impact to State Route 131 (Tiburon Boulevard) from U.S. 101 to Strawberry Drive to a less-than-significant level. Funding for this mitigation measure is not currently available and, therefore, it is uncertain whether this improvement would be completed within the time frame of the *Draft 2005 CWP Update*. Therefore, as Mitigation Measure 4.2-23(a) may be infeasible, this would be a significant unavoidable project and cumulative impact.

Mitigation Measure 4.2-23(b) would reduce the traffic impact to Tiburon Boulevard (State Route 131) at Redwood Highway Frontage Road to less-than-significant during the AM peak but the intersection would still fail during the PM peak. As this improvement is neither funded nor designed, implementation of this project within the *Draft 2005 CWP Update* planning period is unlikely. Therefore, as Mitigation Measure 4.2-23(b) may be infeasible, this would be a significant unavoidable cumulative impact.

Impact 4.2-24 Tam Valley / Almonte

Development in the Tam Valley / Almonte area consistent with the Draft 2005 CWP Update would result in significant project and cumulative traffic impact.

Mitigation Measure 4.2-24 Widen State Route 1 between U.S. 101 and Almonte Boulevard from one to two lanes in each direction, which would increase roadway capacity from 800 vehicles per hour to 1,600 vehicles per hour in each direction. This would improve conditions to LOS E, which would at least provide capacity that exceeds traffic demand, but would still not satisfy the

LOS D criteria for this roadway. Though full mitigation would require three full traffic lanes in each direction, this improvement is unlikely due to significant environmental impacts and lack of community support. Currently there are no plans or funds for this improvement; therefore, it is unlikely it would be completed within the timeframe of the *Draft 2005 CWP Update*.

Significance After Mitigation Improvements noted in Mitigation Measure 4.2-24 would not reduce this impact to a less-than-significant level and implementation within the timeframe of this plan is uncertain. Therefore, this would be a significant unavoidable project and cumulative impact.

Impact 4.2-25 Marin City

Development in the Marin City area consistent with the Draft 2005 CWP Update would result in a less-than-significant impact.

Mitigation Measure 4.2-25 None required.

Recommendation

To be provided pending the tentative direction from the April 16th Planning Commission hearing.

RIDGE AND UPLAND GREENBELT

ISSUE BE-23: How is development regulated in the Ridge and Upland Greenbelt?

SUB-ISSUE 23a: How was the Ridge and Upland Greenbelt boundary revised for the Plan 2005 Countywide Plan update?

Discussion

The purpose of the Ridge and Upland Greenbelt is to identify ridgelines of countywide significance and ensure visually sensitive site design and low density development in these areas. The Ridge and Upland Greenbelt (RUG) does not preclude development; however, potential residential density and commercial Floor Area Ratio (FAR) would be calculated at the low end of the applicable range on sites within the Ridge and Upland Greenbelt per policy **CD-1.3 *Reduce Potential Impacts***.

The Draft 2005 CWP Update primarily provides for the protection of scenic resources through the use of the Ridge and Upland Greenbelt designation. Map 3-4 (Ridge and Upland Greenbelt Areas) of the Draft 2005 CWP Update illustrates the extent of these lands, the majority of which lie along the western boundary of the City-Centered and Inland Rural Corridor. This designation provides for development setbacks from ridgelines, clustering of residences, and other design considerations as set forth in the Development Code (see discussion below) in order to preserve scenic resources. The Design Section of the Plan requires continued protection of views to ridge and upland greenbelt areas. The following policies and programs in the Draft 2005 CWP address view protection within the RUG.

DES-4.d *Protect Views of Hillsides* Implement Development Code standards that require development proposed on or near visually prominent ridgelines (including in the Ridge and Upland Greenbelt Areas shown on Map 3–4) to be clustered below the ridgeline on the least visually prominent portion of the site. Expand the implementation of these standards by including in the Ridge and Upland Greenbelt Area those unmapped ridgelines identified as having countywide significance and rezoning Ridge and Upland

Greenbelt lands to Planned District categories and adjacent buffer area to a transitional district. (See Program DES-4.e.)

DES-4.e *Protect Views of Ridge and Upland Greenbelt Areas.* Employ a variety of strategies to protect views of Ridge and Upland Greenbelt areas, including by:

- Identifying any unmapped ridgelines of countywide significance and adding them to the adopted County Ridge and Upland Greenbelt Areas map;
- Amending the Development Code and County zoning maps to designate a suburban edge on all parcels contiguous to the City-Centered Corridor that abut the Ridge and Upland Greenbelt, and requiring that those parcels develop at rural densities with visually sensitive site design;
- Rezoning Ridge and Upland Greenbelt lands to the Planned District category and adjacent buffer areas to a transitional district, thereby subjecting them to County Design Review Requirements that include hillside protection;
- Requiring buildings in Ridge and Upland Greenbelt areas to be screened from view by wooded areas, rock outcrops, or topographical features (see program DES-3.b); and
- Calculating density for Ridge and Upland Greenbelt subdivisions at the lowest end of the General Plan designation range.

SUB-ISSUE: SUB-ISSUE 23a: How was the Ridge and Upland Greenbelt boundary revised for the Plan 2005 Countywide Plan update?

Definition - Ridge and Upland Greenbelt – In the eastern portions of the county, the uppermost portions of ridges and hills, and associated wooded hillsides identified in the Community Design Section of the Built Environment Element..

The Draft 2005 Countywide Plan update more accurately refines the Ridge and Upland Greenbelt (RUG) boundary using the County’s GIS and mapping tools. The existing RUG boundary was originally drawn using rudimentary software. . Analysis of topographic maps and aerial photographs determined in many cases that the RUG boundary included lowland and areas of flat terrain. In other instances properties on steep hillsides were excluded.

As part of the update to the 1994 Countywide Plan, CDA staff reviewed the existing Ridge and Upland Greenbelt (RUG) boundaries, which are currently shown as a layer on the 1997 Community Development Land Use maps in the Community Development Element. The boundary is now an Arcview shape file in the GIS.

In most cases the existing RUG boundary was updated to follow contour lines and parcel boundaries, where feasible. In most areas the RUG boundary was expanded to include publicly owned hillside parcels, such as Marin County Open Space District and city-owned parcels. Privately owned lands were considered for inclusion in the RUG boundary if the parcels were clustered together and undeveloped. For parcels in unincorporated areas, those with Planned District zoning were also considered. Information on lot size, zoning, and development potential was queried from the land use database. In generally, already developed parcels were not considered for addition into the RUG boundary.

The RUG generally remains unchanged in the incorporated areas, except within the Cities of Novato and San Rafael. Changes were made to the RUG boundary within Novato’s jurisdiction to more closely align with the city’s Scenic Hills and Ridges boundary as shown on the Novato General Plan EN-Map 3.

Changes within the City of San Rafael occurred along San Pedro Ridge. CDA staff met with San Rafael Planning staff to review proposed changes within the city's jurisdiction. Minor changes were made to areas along the Tiburon Peninsula and Ring Mountain to include publicly owned parcels.

No minimum contour interval was established for the Ridge and Upland Greenbelt. The contour line was determined for each area on a case-by-case basis by reviewing topographic and aerial maps.

Recommendation

Accept Ridge and Upland Greenbelt as proposed on Map 3-4, and accept policies related to view protection within the Ridge and Upland Greenbelt in the Design section.

EIR IDENTIFIED IMPACTS – OTHER BUILT ENVIRONMENT TOPICS

ISSUE BE-24 How does the CWP address Visual Resource impacts?

Most visual impacts would be mitigated through implementation of the policies and programs proposed in the Design Section of the Countywide Plan, especially the application of design standards, primarily in designated Ridgeline and Upland Greenbelt areas. However, two significant impacts were identified in the Visual Resources section of the DEIR concerning Community Character and Nighttime Sky.

Impact 4.12-2 Community Character. Land uses and development consistent with the Draft 2005 CWP Update would adversely affect the visual quality and character of Marin County's unincorporated communities and rural areas. This would be a significant impact.

The DEIR recommends the following mitigation.

Mitigation Measure 4.12-2 In order to reduce impacts to the visual character of Marin County's communities to a less-than-significant level, the County would be required to obtain funding for program **DES-1.a** (*Add Design Components to Community Plans*) and revise the time frame of its implementation to the medium-term or sooner. In addition, the Marin County Community Development Agency would be responsible for revising design guidelines of community plans to be consistent with the *Draft 2005 CWP Update*.

Significance After Mitigation

Revisions to funding and timeframe of implementation of program **DES-1.a** would reduce adverse effects of development to the character of Marin County's urban and rural communities to a less-than-significant level and the project's contribution to cumulative impacts would be less than cumulatively considerable.

Impact 4.12-4 Light Pollution and Nighttime Sky. Land uses and development consistent with the Draft 2005 CWP Update would adversely affect the visual quality and character of Marin County's unincorporated communities and rural areas. This would be a significant impact.

The DEIR recommends the following mitigation.

Mitigation Measure 4.12-4 In order to minimize light trespass, light pollution, and glare, new development and projects that would make significant parking lot improvements or add new lighting would be required to prepare a lighting plan for design review by County staff. Therefore, the following new program would need to be added to the Built Environment Element of the *Draft 2005 CWP Update*:

Program DES-1.(new) Lighting Design Guidelines. Amend the Development Code to include lighting design guidelines. Require new development and projects that would make significant parking lot improvements or add new lighting to submit a lighting plan consistent with these guidelines for design review by County staff. Lighting design guidelines should address:

- Efficiency – Cost effective energy efficient standards for outdoor lighting shall be developed to conserve energy thereby reducing excessive lighting, light pollution, light trespass, and glare;
- Reasonableness of Intensity – Acceptable standards shall be defined for various land uses and development types specifying the maximum allowable total lumens per acre;
- Directional Control – Standards shall be developed to minimize the upward transmission and intensity of light at various distances from its source through the use of full-cutoff lighting, downward casting, shielding, visors etc;
- Signage – Standards with respect to illuminated signs shall be developed that prohibit or limit the size, spacing, design, upward transmission of light, and hours of operation. In addition, signs should be white or light colored lettering on dark backgrounds;
- Night Lighting – Hours of operation for various uses shall be specified in order to prohibit all-night lighting except when warranted for public safety reasons. On demand lighting shall be encouraged;
- Education – A voluntary educational component of this program shall include the distribution of informational materials for use by county residents, developers, and lighting supply retailers. These materials shall provide specific methods and product information necessary for compliance of new development as well as aiding the conversion of existing lighting sources;
- Incentives – The County shall develop incentives for residents and businesses encouraging the conversion of existing lighting sources to compliant ones; and
- Enforcement – These standards shall be incorporated into the County Development Code and design review process for new development.

Significance After Mitigation Adoption and implementation of Mitigation Measure 4.12-4 would reduce adverse changes to visual resources resulting from additional sources of lighting that would occur from implementation of the *Draft 2005 CWP Update*. However, because some of the additional sources of lighting would be beyond the control of the County (i.e., from the cities or from ministerial projects) it may not be reasonable to assume this visual impact would be reduced to a less-than-significant level. Therefore, this would be a significant unavoidable project and cumulative impact.

Recommendation

Accept Mitigation Measures 4.12-2 and 4.12-4 as proposed

ISSUE BE-25: How does the Countywide Plan address solid waste disposal and landfill capacity issues?

According to the DEIR, policies and their implementing programs in the *Draft 2005 CWP Update* would reduce the amount of solid waste generated by land uses and development. Although the future expansion of the Redwood Landfill remains uncertain, the estimated disposal capacity is at least 20.5 years of permitted disposal capacity. Disposal capacity remains above the California Integrated Waste

Management Act (CIWMA) and Regional Integrated Waste Management Plan Report (RIWMP) 15-year capacity siting requirements. The existing and proposed land use designation for the Redwood Landfill is AG1 (1 unit/31-60 acres). The property is also located within the proposed Baylands Corridor.

As a point of information, USA Waste California, Inc. has submitted expansion plans and a solid waste facilities permit request to increase the capacity and extend the life of the Redwood Landfill. While the processing of this permit is separate from the CWP Update process, based on the remaining capacity currently permitted at the Redwood Landfill, its site life is approximately 20.5 years, with its earliest possible closure as 2024. The proposed expansion plans estimate the landfill could extend site life by as much as 13 years to 2037, depending upon permitted revisions to the rate of fill. Alternatives for expansion evaluated in the project's EIR could extend site to as long as 2051.

As mentioned above, the *Draft 2005 CWP Update* contains policies and programs to reduce solid waste generation. Goal **PFS-4**, *Efficient Processing and Reduced Landfill of Solid Waste*, would strive to treat and safely process solid waste in a manner that protects natural resources from pollution. Policies associated with this goal include Policy **PFS-4.1**, *Reduce the Solid Waste Stream*, which would decrease the amount of solid waste generated and increase recycling and reuse of materials. Policy **PFS-4.2**, *Protect Environmental Health*, would require the use of waste processing and disposal techniques that prevent the contamination or other impairment of natural resources. Policy **PFS-4.3**, *Plan for Transformation or Disposal*, would plan for the transformation or disposal of wastes generated that cannot be reduced, recycled or composted.

Several proposed programs would also reduce the generation of solid waste during the construction phase of development. Program **EN-3.c**, *Divert Construction Waste*, would require building projects to recycle or reuse a minimum of 50 percent of unused materials. Program **DES-1.d**, *Reduce Wood Waste and Encourage Reuse of Urban Lumber*, would develop an urban wood utilization program to reduce wood waste and to educate residents on the benefits of its reuse. Policy **MIN-1.1**, *Preserve Mineral Resources Sites*, would promote the use of alternative (e.g., recycled) materials and optimize recycling of construction and demolition waste.

Policy **CD-5.2**, *Assign Financial Responsibility for Growth*, would assign financial responsibility for growth by requiring new development to pay its fair share of the costs of public facilities, services, and infrastructure. This would include but not be limited to transportation, incremental water supply, sewer and wastewater treatment, solid waste, flood control and drainage, schools, fire and police protection, and parks and recreation facilities.

EIR Considerations

Foodwaste collection would target the largest category remaining of landfill refuse that is not currently being recycled. Waste to energy conversion or large-scale composting of green waste and food waste, when not used for alternative daily cover, would generate a useful product while reducing pressure on landfills for expansion. As discussed above, specific goals, policies, and programs have been included in the *Draft 2005 CWP Update* to reduce potential impacts on waste generation related to population and landfill capacity. These measures focus on a reduction early in the process of waste creation and include support for product buy back programs, product redesign, composting, and waste to energy activities, product reuse, and recycling. This specific activity would be supported by programs in the *Draft 2005 CWP Update* including: **PFS-4.c** *Reduce Waste at Landfill* and **PFS-4.d** *Offer Recycling Education*.

As a part of *Alternative 4* the following revisions to goals, policies, and programs related to solid waste are included (shown as strikethrough and underlining):

GOAL PFS-4 *Efficient Processing and Reduced Landfill of Solid Waste Materials.* Minimize, treat, and safely process solid waste materials in a manner that protects natural resources from pollution while planning for the eventual reuse or recycling of discarded material to achieve zero waste.

Policies

PFS 4.1 *Reduce the Solid Waste Stream.* ~~Decrease the amount of solid waste generated and increase recycling and reuse of materials.~~ Promote the highest and best use of discarded materials through redesign, reuse, composting and shared producer responsibility, emphasizing a closed-loop system of production and consumption.

PFS-4.3 *Plan for Waste Transformation or Disposal.* Plan for the transformation or ~~disposal~~ elimination of waste materials generated that cannot be reused, recycled, or composted.

PFS 4.(new) *Promote Regulatory Efforts.* Support State legislative or regulatory efforts that will aid in achieving zero waste.

Programs

PFS-4.d *Offer Recycling Waste Materials Education.* Enact educational programs to inform residents about reuse, recycling, composting waste to energy, and zero waste programs.

PFS-4.(new) *Promote Product Redesign.* Pursue and support upstream redesign strategies to reduce the volume and toxicity of discarded products and materials.

PFS-4.(new) *Stimulate Waste-Reuse Economic Activities.* Foster and support use of discarded products and waste materials to stimulate and drive local economic and workforce development.

PFS-4.(new) *Phase in Highest and Best Use of Products.* Improve downstream reuse/recycling of end-of-life products and materials to ensure their highest and best use.

PFS-4.(new) *Foodwaste Collection Program* The County should actively promote the launching of a curbside foodwaste collection program by integrating this measure into bid specification.

Recommendation

Accept policies and programs aimed at waste reduction and regulatory efforts as proposed in the Draft 2005 Countywide Plan and as revised by the Mitigated Alternative. Accept new Public Facilities and Services policies and programs as recommended in the Mitigated Alternative. Please note that the recommended policies and programs referred to above are in alignment with the long term goal of pursuing a zero waste strategy.

ISSUE BE-26 How does the CWP address Construction Noise?

Discussion

This issue is only related to impacts identified in the DEIR. Construction of new development would temporarily elevate noise levels at adjacent noise sensitive land uses. This would be a significant impact.

EIR Considerations

According to the DEIR, the temporary elevated noise from the construction of new development would be a significant impact. The following mitigation is recommended.

Mitigation Measure 4.4-5 Revise Program **NO-1.i** (*Regulate Noise Sources*) of the *Draft 2005 CWP Update* as follows:

NO-1.i; Regulate Noise Sources. ~~Adopt a noise ordinance that sets~~ Sections 6.70.030(5) and 6.70.040 of the Marin County Code establish allowable hours of operation for construction-related activities. As a condition of permit approval for projects generating significant construction noise impacts during the construction phase, construction management for any project shall develop a construction noise reduction plan and designate a disturbance coordinator at the construction site to implement the provisions of the plan.

Significance After Mitigation Adoption and implementation of the revised program in Mitigation Measure 4.4-5 would mitigate this impact but noise levels could continue to exceed 60 dBA L_{eq} or 80 dBA L_{max} at sensitive receivers. Construction noise would be a significant unavoidable project and cumulative impact.

Recommendation

Staff recommends adoption of Mitigation Measure **4.4-5**.

ISSUE BE-27 How does the Countywide Plan address Wastewater and Stormwater?

Discussion

This issue is only related to impacts identified in the DEIR. The following wastewater and stormwater recommendations are compatible with the revised policies, programs, and mitigation measures previously adopted by the Commission for the Natural Systems and Agriculture Element of the Countywide Plan.

EIR Considerations

The Mitigated Alternative in the DEIR recommends modifications and additions for the Public Facilities and Services Section of the Plan to reduce stormwater and wastewater volume. The following language is proposed.

Reduction, Safe Processing, and Re-Use of Wastewater. Continue to enhance the Alternative Onsite Wastewater Monitoring Program. This program ensures the proper operation of alternative and innovative wastewater system designs. Continue to work with manufacturers, designers, installers, end users, and the Regional Water Quality Control Board to evaluate the effectiveness and

capabilities of these alternatives to traditional septic system designs. Work with stakeholders to periodically update design guidelines and regulations in the light of evolving best practices.

Policies

PFS-3.(new) Reduce Stormwater Volume Implement appropriate upstream water-saving technologies to reduce stormwater volumes and increase percolation. Increase permeable surfaces and encourage on-site percolation to reduce stormwater volume and potential overflow of wastewater treatment facilities.

Programs

PFS-3.a Reduce Wastewater Volume. Work with sanitary districts and Environmental Health to assess alternative point-source wastewater technologies including State-approved graywater systems NSF-approved waterless urinals, composting toilets, pervious surfaces for roads, driveways and parking lots, and subsurface drip dispersal. Provide public information and update Codes to promote safe, appropriate technologies. Urge water districts to consider volumetric billing and tiered water rate structure and to partner with water districts to reduce the volume of wastewater that must be treated.

PFS-3.(new) Develop Appropriate Wastewater Treatment Technologies Work with sanitary districts to assess appropriate wastewater treatment technologies including advance biological treatments, living machines, bio-solid composting and methane capture for electrical generation

Recommendation

Staff recommends acceptance of policies and programs in PFS-3 as proposed in the Mitigated Alternative.

Respectfully Submitted,

Alex Hinds

Kris Krasnove

Attachments:

1. Map 2.4, St. Vincent's/Silveira Land Use Policy Map
2. Map 2.6, St. Vincent's/Silveira Interim Land Use Policy Map
3. Map 3-34, St. Vincent's/Silveira Environmental Features
4. Map 3.2, Point San Pedro Land Use Policy Map
5. Map 5.3, San Quentin Land Use Policy Map
6. Map 3-35, San Quentin Opportunities and Constraints
7. Map 3-4, Ridge and Upland Greenbelt Areas
8. Draft Marin Countywide Plan Referenced Goals, Policies and Programs for Planning Areas and Public Facilities
9. Draft Marin Countywide Plan Referenced Goals, Policies and Programs for Ridge and Upland Greenbelt