

MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
ALEX HINDS, DIRECTOR

September 10, 2007

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Marin County Draft Countywide Plan Update

Dear Board Members:

RECOMMENDATIONS:

1. Conduct a public hearing on the Draft Countywide Plan
2. Close public testimony on today's agenda
3. Board deliberations and direction to staff
4. Continue the public hearing to Tuesday, September 11 at 1:30 p.m.

BACKGROUND

In 2000 the Board of Supervisors approved a work program and public participation program to update the Countywide Plan (CWP) with the first of four working groups convening in 2001. Although the existing Countywide Plan has generally withstood the test of time, the draft CWP Update has been updated to reflect the overarching theme of planning sustainable communities. Toward this end the CWP is one of the first local general plans in the nation to address climate change issues and use the ecological footprint to measure the amount of land and water required to support the average local resident. Similar to the preparation of the original CWP in 1973, this update has received considerable national and statewide attention. Furthermore, the Draft CWP includes other innovative features such as a series of indicators, benchmarks and targets and addresses a variety of optional topics, for example, public health, that are not required by law.

In addition, there has been extensive public input including over 115 meetings open to the public regarding the draft CWP Update. A Public Review Draft of the Marin Countywide Plan was released in February 2004, which was followed by twenty-three public hearings in order to finalize the project description to be evaluated in the environmental impact report. A Revised Public Review Draft of the Countywide Plan was completed in August 2005 which incorporated input from several hundred letters, previous public hearings, and extensive legal review. The Draft EIR was released in early 2007, followed by 15 Planning Commission hearings to review the Environmental Impact Report and consider merits of the Draft Countywide Plan (Draft CWP).

The Planning Commission Recommended Draft Countywide Plan (dated July 23, 2007) was reproduced and made available on Friday, August 24, 2007. Copies may be obtained at the Community Development Agency and it is posted on the County's website. This version incorporates all of the Planning Commission's recommendations (technical and substantive) to date, as well as accepted mitigation measures from the Environmental Impact Report and technical edits. The Plan is currently being

reviewed by a technical editor. These limited, technical edits will ensure consistent application of grammar and style throughout the document - and will be incorporated into the Draft Plan prior to final consideration in October.

B. Environmental Review

Environmental review was conducted in compliance with the California Environmental Quality Act (CEQA) as required for consideration of the Draft 2005 CWP Update. An Initial Study, completed by Marin County in February 2004 and revised in July 2005, confirmed the need for a full scope EIR, covering all the topical impact areas under CEQA. In January 2004, the County independently selected and contracted with the environmental consultant firm, Nichols Berman Environmental Planning, to prepare the EIR.

Marin County prepared and circulated the Draft EIR on January 16, 2007. Following the 60 day review period, the County worked to prepare the Response to Comments for the Final EIR. On June 4, 2007, the County circulated the *Marin Countywide Plan Update Final Environmental Impact Report*. A Notice of Availability of the Final EIR for review and notice of the public hearing of the Planning Commission to consider the Final EIR was published and began a 14 day review and comment period on the Final EIR ending on June 18, 2007. At their July 23rd meeting, the Planning Commission recommended certification of the Marin Countywide Plan Final Environmental Impact Report.

DISCUSSION

Today's hearing is intended to provide an opportunity for public comment on any topic covered in the Draft Marin Countywide Plan (CWP) Update. Subsequent meetings will continue to progress through the document. The public is invited to visit the Countywide Plan website at www.future-marin.org or check with Community Development Agency staff at (415) 499-7309 for updates to the schedule.

As previously stated, the overarching theme presented in the *CWP Update* is planning sustainable communities. In alignment with this theme, the *1994 CWP* has been substantially reformatted into three main elements: the Natural Systems and Agriculture Element, the Built Environment Element, and the Socioeconomic Element. While the basic components of a general plan are established by the requirements of California State planning law, the organization of the document is left to local discretion. The law states that each city and county must adopt a general plan that includes seven sections or elements, which are: conservation, open space, safety, land use, housing, circulation, and noise. A city or county may also adopt optional elements. State law establishes that each element is of equal importance and that the elements must be consistent with one another.

The Introduction to the Plan includes information about the history of the Countywide Plan, information about sustainability countywide goals, and a description of how the Plan is organized.

Countywide goals include:

- ◆ A Preserved and Restored Natural Environment
- ◆ Sustainable Agricultural Community
- ◆ A High-Quality Built Environment
- ◆ More-Affordable Housing
- ◆ Less Traffic Congestion

- ◆ A Vibrant Economy
- ◆ A Reduced Ecological Footprint
- ◆ Collaboration and Partnerships
- ◆ A Healthy and Safe Lifestyle
- ◆ A Creative, Diverse and Just Community

This update reorganizes the Countywide Plan into three sections. Most legally required general plan topics have been incorporated into the Natural Systems and Agriculture and Built Environment Elements of this Plan, while most optional subjects have been concentrated in the Socioeconomic Element.

The Natural Systems and Agriculture Element focuses on “Nature” and life support systems, including:

- ◆ **biological resources** (addresses contents for Conservation Element)
- ◆ **water resources** (addresses contents for Conservation, Safety, and Land Use Elements)
- ◆ **environmental hazards** (addresses contents for Safety Element)
- ◆ **atmosphere and climate**
- ◆ **open space** (addresses contents for Open Space Element)
- ◆ **trails** (addresses contents for Open Space Element)
- ◆ **agriculture and food** (addresses contents for Open Space and Conservation Elements)

The Built Environment Element principally addresses villages, towns and construction-related activities including:

- ◆ **community development** (addresses contents for Land Use Element)
- ◆ **community design**
- ◆ **energy and green building**
- ◆ **mineral resources** (addresses contents for Conservation Element)
- ◆ **housing** (implements portions of the County’s Housing Element)
- ◆ **transportation** (addresses contents for Circulation Element)
- ◆ **noise** (addresses contents for Noise Element)
- ◆ **public facilities and services** (addresses contents for Circulation Element)
- ◆ **planning areas** (addresses contents for Land Use Element)

The Socioeconomic Element focuses on people and what they do for each other, including:

- ◆ **the economy**
- ◆ **childcare**
- ◆ **public safety** (addresses contents for Safety Element)
- ◆ **community participation**
- ◆ **diversity**
- ◆ **education**
- ◆ **environmental justice** (addresses environmental justice requirement)
- ◆ **public health**
- ◆ **arts and culture**
- ◆ **historical and archaeological resources**
- ◆ **parks and recreation** (addresses contents for Open Space Element)

The Natural Systems and Agriculture Element includes eight sections, briefly described below:

- ◆ **Biological Resources:** Marin is home to a wide variety of plants and animals, as well as a number of unique natural communities and highly sensitive biological and wetland resources. Protecting and restoring native habitat are the most effective methods of preserving plant and animal diversity.
- ◆ **Water Resources:** Watersheds are dynamic systems that transport water, sediments, and nutrients from ridgetops to watercourses, and perform many vital water quality and storage functions along the way. Preserving and improving water and watershed quality depends on maintaining equilibrium between inflow and consumption, and avoiding human alterations that can diminish natural functions.
- ◆ **Environmental Hazards:** Environmental conditions can threaten habitat, wildlife, the built environment, and human life. Since Marin is in a seismically active area, groundshaking from earthquakes is a major potential hazard, as are wildland fires and flooding. Countywide Plan policies and programs are proposed to minimize the impact of hazards related to these natural phenomena.
- ◆ **Atmosphere and Climate:** Marin's relatively good air quality is compromised by high concentrations of ozone caused by vehicle traffic, and localized high volumes of particulate matter caused by construction activities, wood burning, off-road travel and agricultural operations. Scientists generally concur that the earth's climate is changing through a buildup of gases that trap heat in the atmosphere. With the uncertainty about location, rate, and magnitude of possible climate-changing impacts, it is more important than ever to take steps to improve air quality and minimize greenhouse gas emissions.
- ◆ **Open Space:** Public open space contributes significantly to the way people think and feel about Marin. Open lands are managed primarily for resource preservation, and secondarily for lower impact recreational uses such as hiking, horseback riding, and mountain biking. Preserving natural resources while providing access to open space lands poses an ongoing challenge.
- ◆ **Trails:** Marin County has approximately 639 miles of public trails. The countywide trail system connects environmentally important areas (such as bayland, coastal and ridgeland areas), parks and open space, and greenbelts between urban areas. Preserving existing trails, acquiring new rights-of-way, minimizing environmental impacts, and balancing access and property-rights remain key issues in managing local trails.
- ◆ **Agriculture and Food:** The viability of Marin farms and ranches is threatened by a combination of low profit margins and pressure to convert agricultural lands to single family estates. Access to locally and responsibly grown, healthy food requires successful protection of agricultural land, support for local farmers and ranchers, and efforts to promote diversification of local products.

The Built Environment Element includes nine sections, briefly described below

- ◆ **Community Development:** This section of the Countywide Plan addresses coordination of planning, service provision, and growth management with local jurisdictions and regional, State, and federal agencies. It includes land use designations and allowable types, densities, and intensities of development in all unincorporated areas of the county.
- ◆ **Community Design:** Much of the development in the last 30 years has consisted of low density, single family houses not within easy walking distance of shops, schools, or parks, and of low density, single-use office and retail buildings surrounded by parking lots. With the high cost of land and growing concern about traffic and air quality, a clear need has emerged for more compact urban pedestrian oriented development. This section encourages making neighborhoods walkable by designing streets with the needs of pedestrians and bicyclists in mind and through mixed-use and infill development. Preservation of views and visual quality and design issues are also addressed.
- ◆ **Energy and Green Building:** The manner in which the built environment is designed, constructed, and operated has a significant impact on energy use. Built-environment design decisions of every scale — region, city, neighborhood, block, street, and building — determine the rate at which people use energy in their daily lives. Marin’s energy future, addressed in this section, includes actions to reduce energy and resource consumption, increase the use of energy-efficient design and green building materials, obtain funding for energy-conserving projects, and increase public education about the need to conserve and recycle resources.
- ◆ **Mineral Resources:** State regulations require counties to preserve mineral resource sites and ensure that nearby land uses are compatible with extraction. The underlying rationale — that construction materials should come from sites close to consumer markets — supports the reduction of some transportation impacts associated with imports. The volume of deposits remaining in local quarries needs to be determined, reclamation plans updated, best practices required, and extraction proposals considered along with the needs of surrounding communities.
- ◆ **Housing:** In order to solve many of the housing problems that exist today, such as low vacancy rates, high housing costs and demand pressures, the Countywide Plan addresses population growth potential, regional housing needs, housing type and cost distribution, and use of vacant or underutilized land. Objectives of the plan address the pressing need for affordable housing while retaining Marin’s character, diversity, appearance, historical heritage, existing neighborhood character and the quality of housing.
- ◆ **Transportation:** Land uses that generate traffic must be evaluated in concert with the facilities designed to accommodate resulting transportation needs. New development must mitigate any additional potential traffic impacts. This section addresses the heavy use of the road and highway system by single-occupant automobiles, and promotes efforts to provide additional transportation choices and to use the system more efficiently through increased transit use, carpooling, walking, and bicycling.
- ◆ **Noise:** Vehicle traffic is the primary source of noise in Marin County. Noise will continue to be an important factor in the planning process as pressure increases to develop properties exposed to high noise levels and to place noisy activities near noise-sensitive receptors. The Plan addresses ways to assure that people are not subjected to noise that exceeds appropriate and healthful levels.

- ◆ **Public Facilities and Services:** New development generates a need for new and expanded public facilities related to water supply; sewage collection, treatment, and disposal; solid waste recycling and disposal; and disposal of hazardous waste and materials. The Countywide Plan addresses supply and demand issues and limits growth based on the availability of services. The Plan also establishes methods for addressing these service needs while recognizing resource supply limitations and the need for increased efficiency and conservation.
- ◆ **Planning Areas:** This section helps to organize and define how the policies and programs of the Countywide Plan will be implemented within individual communities. Toward that end the Countywide Plan is divided into seven planning areas whose geographic boundaries are derived from ridgelines and watershed features. This section includes community based policies, and land use maps.

The Socioeconomic Element includes eleven sections, briefly described below:

- ◆ **Economy:** Actions required to ensure economic vitality in Marin are described in this section of the Countywide Plan. A diverse mix of commercial uses provides jobs, stimulates capital investment, and supports public services. Maintaining a strong economy will rely on retaining existing businesses and creating limited opportunities for them to expand, as well as appropriately attracting new commercial enterprises to the county. It also will require finding ways to provide goods and services needed by residents and visitors that currently are in short supply.

(See the Housing and Transportation sections of the Built Environment Element for additional programs pertaining to the economy.)

- ◆ **Child Care:** Increasing the number of child care facilities countywide will be encouraged through zoning and permitting revisions and incentives for developers and employers. Identifying appropriate sites for child care would also facilitate establishment of new facilities. Enhanced child care options will be encouraged further through school programs, training for providers and parents, and financial support.
- ◆ **Public Safety:** Community involvement in public safety issues helps to keep Marin's neighborhoods safe. Participation will be encouraged in improved design and management of public facilities, fire protection, emergency preparedness and crime control. Residents will be encouraged to be proactive in the identification of issues in their neighborhoods that may diminish safety such as overcrowding, interpersonal disputes, and unreported crimes. Community educational, restorative justice, and neighborhood awareness programs will complement traditional law enforcement roles. Community involvement in crime control and improved design and management of public facilities will be encouraged to keep Marin's neighborhoods safe. Traditional law enforcement will be complemented by therapeutic and restorative concepts in the criminal justice system. Mandatory counseling for perpetrators and safe havens for victims of domestic violence can aid in post-abuse recovery, and community-policing efforts may help prevent crime. Expansion of recreational and substance-control programs, including for youth, also may help reduce the threat of crime and foster community pride.

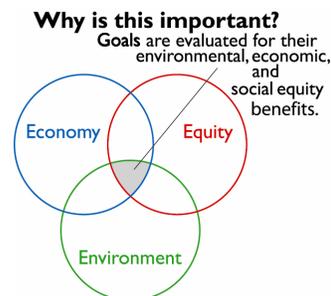
- ◆ **Community Participation:** Groups that historically have not been as involved in the community need to be given opportunities for increased participation. Public meetings should be made accessible to all interested citizens through outreach, appropriate locations, translation, and child care. Balanced ethnic representation on County committees and commissions will also be encouraged.
- ◆ **Diversity:** Diversity should be celebrated at community events, workplaces and schools. Reaching out to, recognizing, and encouraging leadership among minority communities will go a long way toward including currently underrepresented groups in important decision-making.
- ◆ **Education:** Adequate educational opportunities will be sought through after-school and summer programs, and through adult education such as parenting and English as a Second Language classes. Library programs may be enhanced through marketing and teen and adult volunteer involvement.
- ◆ **Environmental Justice:** A healthy environment will be sought for all Marin residents through reduction of toxins, particularly those concentrated in lower-income residential areas.
- ◆ **Public Health:** Preventive treatment and universal access to care will be promoted by working with local healthcare agencies. Healthy lifestyles and living and work environments will be a primary focus of these programs.
- ◆ **Arts and Culture:** Efforts will be undertaken to increase access to arts and culture in the county, heighten awareness of existing cultural resources, and expand opportunities for local artists and performers.
- ◆ **Historical and Archaeological Resources:** Preservation of cultural and archaeological sites will be enhanced through requirements for surveying and protecting resources, and collaboration with other agencies.
- ◆ **Parks and Recreation:** County parks will need to continue to provide opportunities for active recreation, including playing fields, swimming pools, golf courses, tennis courts, picnic areas, children’s playgrounds.

Basic Building Blocks of the Plan

The Plan includes background information and key trends, as well as goals, policies, programs and diagrams and maps. These components represent the development policies, diagrams and maps, objectives, principles, standards, and plan proposals called for in California’s planning law.

Each element of the Plan is organized to answer the following questions:

- What are the desired outcomes? These discussions lay out the Plan’s Goals and Policies.
- Why is it important? These discussions focus on how specific Goals and Policies in the Plan promote the “Three E’s” of sustainability – Environment, Economy, and social Equity.



- How will results be achieved? These discussions describe the Plan's Programs (specific implementation measures).
- How will success be measured? The Plan includes "indicators," "benchmarks," and "targets" to help measure and evaluate progress in achieving Goals and promoting related Policies (indicators, benchmarks, and targets are discussed in more detail later in this section of the Plan).

At the end of each section there are three tables. First, there is a matrix showing how each goal relates to the sustainability guiding principles. Second, there is a list of indicators and targets that have been selected to track progress towards the goals in that section. Finally, there is an implementation chart which details out the implementation plan for each program in the section. Because the implementation charts, indicators, benchmarks, and targets are intended only as an aid in implementation of the general plan and are not policies or programs of the general plan, they are included in the plan only for convenience and updates will not be considered amendments to the general plan. The implementation charts, targets and indicators are currently being revised to reflect the existing county conditions. These revisions will be brought back to your Board before the October 16 hearing.

Policy Issues Considered by the Planning Commission

In brief, a wide variety of policy issues were considered by the Planning Commission over the course of this past year's hearings. In particular, the following issues are likely to receive substantial public comment in the upcoming hearings. These issues will be discussed in further detail in future staff reports to your Board. In addition, background information is available in prior Planning Commission (PC) staff reports - dates have been noted for reference.

- Baylands Corridor: Establishment of a Baylands corridor has become an even more timely issue in light of increased concerns about the effects of climate change and sea level rise. Option 2 was recommended and the boundary was refined to include areas previously included in the Bayfront Conservation Zones as shown in Figure EQ-9 in the 1994 Countywide Plan. Furthermore, non-tidal portions of small, developed, privately-owned parcels—which were previously excluded—have also been included. For all parcels of all sizes, existing uses are grandfathered and for small properties already in the Bayfront Conservation Zone, no additional regulations are imposed by including them in the Baylands Corridor. This option of the Baylands Corridor extends west to Highway 101 in portions of the Las Gallinas and North Novato Planning Areas. A policy and program were added to study the option of extending the Baylands Corridor to include additional properties containing associated habitats (see PC staff reports dated March 5, March 19, April 2, and May 7, 2007).
- Stream Conservation Areas and Wetland Conservation Areas: Protection of stream conservation and wetland conservation areas were also considered critical concerns. In response to public comment, new minimum setbacks were added to small parcels (< 2 acres) and regulations were clarified (see PC staff reports dated February 26, March 19, April 2, and May 7, 2007).
- Global warming and sea level rise: Existing goals, policies and programs were expanded and new goals, policies, and programs were added to further address the issue by reducing greenhouse gas emissions, counteracting the effects of sea level rise, and protecting residents from the adverse effects of global warming (see PC staff reports dated March 5, March 19, April 2, and

May 7). For example, the Planning Commission added a new program to consider sea level rise in future countywide and community plan efforts.

- Agricultural home sizes: Among the many challenges related to agricultural viability, the construction of large estate homes surfaced as one of the most hotly debated topics. Option one was selected, limiting non-agricultural accessory structures to an aggregate of 6,000 square feet with an additional 2,500 square feet permitted to enable inter-generational transfer (see PC staff reports dated March 12, March 19, and April 2, 2007).
- Trails: Similarly, siting trails on agricultural land also received considerable discussion. Select trails were removed from agricultural properties and technical modifications were made to the trail maps (see PC staff reports dated March 12 and April 2, 2007).
- Housing: The need to provide for more affordable housing was one of the central concerns addressed in the Plan. Existing goals, policies, and programs were revised to disperse 1,694 housing units between the Housing Overlay Designation and Mixed-Use sites. The Housing Overlay Designation was modified to include 658 housing units allocated to 11 sites within eight traffic impact areas. The Mixed Use policy was revised to ensure that residential development would come out of permissible commercial floor area instead of being additive to it, thereby reducing potential commercial development. In addition, a requirement to develop a minimum percentage of residential for all new commercial square footage was added (see PC staff reports dated April 9, April 23, April 30, and May 7, 2007).
- Circulation: Traffic congestion is consistently one of the greatest issues of concern. The Transportation section was refined to ensure that the County consider sustainable alternatives to the standard road widening congestion solutions and prioritize projects that will reduce fossil fuel use and reduce single-occupancy vehicle trips. Also in an effort to reduce congestion, residential density and commercial floor area were restricted to the low end of the density range where Level of Service Standards would be exceeded - with exceptions for HOD projects, mixed-use development, and new housing units affordable to low and very low income households (see PC staff reports dated April 16, April 30, and May 7, 2007).
- Water supply issues: In light of ongoing concern about sufficient water supply, the Planning Commission included new policies in the CWP directed at ensuring a sustainable water supply for all development and directing that new water demand in districts with insufficient water be offset so that there is no net increase in water use. These policies would be achieved in partnership with the water districts (see PC staff reports dated April 16, 2007).
- Land uses on the St Vincent, Silveira properties: In addition to existing uses, a total of 221 units for the combined St. Vincent's and Silveira properties was recommended -121 market-rate and 100 affordable units clustered on up to an additional 5% of the land (see PC staff reports dated April 23 and May 7, 2007). In addition, non-residential uses may be permitted in lieu of some dwelling units, provided the impacts of senior care and other non-residential development on peak hour traffic do not exceed those projected for the residential development being replaced.
- Land uses at the San Rafael Rock Quarry: In order not to exceed current traffic levels, which include truck and other vehicle trips generated by quarry activity, the total number of dwelling units, or their equivalent in commercial or other uses, were limited to no more than 75 dwelling units (see PC staff reports dated April 23 and May 7, 2007).

NEXT STEPS:

The dates and major topics for upcoming Board hearings include:

<u>Date</u>	<u>Topic</u>
September 11, 2007	Natural Systems and Agriculture topics
September 25, 2007	Built Environment topics; Socioeconomic topics; Wrap-up Natural Systems topics; and topics added by the Board from public testimony
October 16, 2007	Consider any carry over topics and provide initial direction on certification of the Final EIR and adoption of the CWP
October 23, 2007	Consideration of EIR Certification and CWP Action

Respectfully Submitted,

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Agency Director

Kris Krasnove
Planner

Attachments:

1. Marin County Planning Commission Resolution No. 07-009 recommending that the Board of Supervisors certify the Final EIR and adopt the 2007 Marin Countywide Plan
2. Errata for the Planning Commission Recommended Draft CWP (July 23, 2007)