

MARIN COUNTY PLANNING COMMISSION HEARING MINUTES

July 12, 2004

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

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

Commissioners Absent: None

Staff Present: Alex Hinds, Director, Community Development Agency
Brian C. Crawford, Deputy Director, Planning Services
Kristin Drumm, Senior Planner
Jason Nutt, Engineer, Traffic Operations
Dan Dawson, Senior Planner
Jessica Woods, Recording Secretary

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

Convened at 1:05 p.m.
Adjourned at 6:59 p.m.
Reconvened at 7:37 p.m.
Adjourned at 9:37 p.m.

1. ROUTINE TRANSACTIONS

- a. Incorporate Staff Reports into Minutes

M/s, Holland/Julin, and passed unanimously, to incorporate the staff reports into the Minutes. Motion passed 7/0.

- b. Continuances - None

- c. Approval of Minutes –.

M/s, Holland/ Thompson, and passed unanimously of those present, to approve the Minutes of June 14, 2004 as amended. Motion passed 6/0 (Commissioner Julin absent).

2. COMMUNICATIONS

The Commission acknowledged several pieces of correspondence for their review.

3. DIRECTOR'S ORAL REPORT

- a. Discussion regarding Department of Public Works methodology for calculating Transportation Facilities Fees

Jason Nutt, Traffic Operations Manager, provided the Commission with a summary of the memo distributed at the June 21, 2004 Planning Commission meeting that included material related to the Transportation Facilities Ordinance as well as several maps for their review.

In response to Commissioner Holland's question about whether other zones should be established in the County, Transportation Operations Manager Nutt responded that the five listed are the primary locations.

In response to Commissioner Holland's question about "pass-by rate," Transportation Operations Manager Nutt responded that it is 50% of the total PM peak trips that would be pass-by travelers.

In response to Commissioner Dickenson's concern about Figure 4 regarding St. Vincent's/Silveira, Transportation Operations Manager Nutt responded that every transmittal sent to the applicant and the City discussed the responsibility for paying fees as a result of those interchanges in regard to St. Vincent's/Silveira.

Brian Crawford, Deputy Director, noted that, as a general proposition on larger projects, it is common for the County to require a peer review.

Bruce Corcoran, Mill Valley resident, provided the Commission with material related to recommendations for improving the project approval process along with a survey and a chart for their review. He believed the Planning Commission deserves the right to respond to his recommendations because he desired answers to the serious problem.

Commissioner Barner encouraged staff to analyze the recommendations as to whether or not the recommendations are feasible, and if there is a manner for the County to justifiably and legally increase fees, then that should occur. Commissioner Dickenson disagreed with an additional report from staff on this issue because the staff reports have been very thorough as well as explained the rational for the calculations.

The majority of the Commission felt that an additional staff report in response to Mr. Corcoran's recommendations is not necessary.

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

There were no public comments.

5. FUTURE AGENDA DISCUSSION ITEMS, FIELD TRIPS

Update on Planning Commission Actions

July 19th – Special Meeting Countywide Plan Update

July 26th – Special Meeting Countywide Plan Update

The project is a proposal to construct a 1,777 square foot, two-story, single-family residence with an attached 291 square foot garage on a 7,823 square foot lot. Including the 26 square foot window seat, and the 106 square foot vaulted ceiling space in the living room, the “visually apparent” floor area would be 1,897 square feet. The subject property is located at the corner of Hawthorne Road and Ocean Parkway, the first public road on the bluff adjacent to the Pacific Ocean. The residence would result in the redevelopment of the residential property that previously was improved with a single-family residence and a second unit that were destroyed by fire in December 2002. An existing septic system that exists on the property would be utilized for the proposed residence. The project would result in a Floor Area Ratio of 23% and a “visually apparent” FAR of 25%. The single-family residence would have a maximum height of 24.75 feet above grade. The proposal includes the following additional structures/improvements: (1) a lap pool; (2) a 6-foot wood fence; and (3) a tool storage area within a 6-foot tall, 120 square foot, wood fence enclosure. The 10-foot by 40-foot lap pool would be located in the southern corner of the property with the 40-foot length of the pool along the Hawthorne Road frontage. The pool would have property line setbacks of 0.5 feet from Ocean Parkway and Hawthorne Road. The 6-foot tall wood fence would be located around the pool, along Hawthorne Road, along the rear property line, and partially along the northeast side property line, and then would connect to the side of the residence to enclose the side and rear yard areas. The subject property is located at **216 Ocean Parkway, Bolinas**, and is further identified as **Assessor's Parcel 191-191-08**.

(This item has been rescheduled to July 26, 2004.)

M/s Barner/Julin, and passed unanimously of those present, to reschedule this matter to the hearing of July 26, 2004 as requested by staff. Motion passed 7/0.

Workshop to consider a Draft Single Family Residential Design Guidelines manual (Design Guidelines) to establish clear and comprehensive design recommendations for single-family residential development located within the unincorporated communities of Marin. The Design Guidelines are especially relevant to development proposals that are subject to the County's Design Review process by supplementing and reinforcing the findings and criteria used by the County to issue decisions on Design Review applications. The document includes general guidelines that apply to all single-family residential development as well as additional guidelines that apply to hillside areas. The Design Guidelines also incorporate current regulations from the Countywide Plan and Development Code (Zoning Ordinance) that apply to special environmental areas. The Design Guidelines are intended to provide project applicants with direction in designing single-family residential projects that reflect the County's design objectives. They should also provide local design review boards and County decision makers with an improved set of tools for evaluating Design Review applications and other discretionary permit requests proposing single-family development in the unincorporated county.

(This item is being recommended for rescheduling to the hearing of September 13, 2004.)

M/s Barner/Julin, and passed unanimously of those present, to reschedule this matter to the hearing of September 13, 2004 as requested by staff. Motion passed 7/0.

8. DRAFT MARIN COUNTYWIDE PLAN

Public hearing on the Draft Countywide Plan

Agency Director Hinds summarized the staff report and recommended that the Commission review the administrative record, conduct a public hearing, and continue the hearing to the July 19th, 2004 Planning Commission meeting at 1:00 p.m.

Agency Director Hinds discussed St. Vincent's/Silveira for the Commission's consideration that included the following:

- San Rafael has decided not to annex the property. Site currently separates Novato and San Rafael
- Agricultural and Conservation 2 is proposed (AGC2 land Use Designation 1 du/10 acres) + 100 affordable
- New development should be clustered on 5% of the land
- Consider impacts such as noise and sewage odors
- Protect views
- Allowable Uses include
 - Current agricultural and institutional uses
 - Agricultural activities compatible with natural habitats.
 - A variety of other low impact, compatible uses such as a bed and breakfast, spa, etc.
- Goal SV-1: Environmental Protection
- Goal SV-2 Comprehensive Site Planning
- Goal SV-3 Design Excellence
- Goal SV-5 Affordable Housing
- Goal SV-6 Transportation Choices
- Goal SV-7 Continued Social Services

In response to the Commission's comments, Agency Director Hinds responded that a senior care facility would be allowed, but explained that any project not consistent with the Countywide Plan would require an amendment.

The hearing was opened to the public.

Megan Baxter, Marin resident, submitted an email to the Commission expressing concern for 500+ units at St. Vincent's/Silveira due to the traffic congestion.

Dr. Sid Fosser, Chair, Community Relations Committee at Smith Ranch, appreciated the fact that the 2,100-unit rumor at St. Vincent's/Silveira is false. He also supported County staff's recommendation for AGC2 and that new development should be clustered on 5% of the land.

Roger Duba, Marinwood resident, supported staff's proposal for St. Vincent's/Silveira.

Dan Dawson, Senior Planner, explained that the number of 2,100 units at St. Vincent's/Silveira was a previous recommendation from the 1995 St. Vincent's/Silveira Taskforce.

John Busterud, Smith Ranch resident, supported the AGC2 Zoning for St Vincent's/Silveira.

Nona Dennis, Mill Valley resident, summarized her concerns, comments and suggestions regarding St. Vincent's/Silveira that were emailed to the Commission for their consideration.

Commissioner Dickenson asked Ms. Dennis if she agreed with the 2000 Advisory Taskforce Report. Ms. Dennis responded that she disagreed with the 2000 Advisory Taskforce recommendations and did not believe the lands could be optimized for both development and resource protection. She further supports the current approach to the draft Countywide Plan.

Reynolds Cameron, Glenwood resident, opposed development adjacent to China Camp State Park and noted that he would prepare a summary document and submit it to staff for further consideration.

Marjorie Macris, representing the Sierra Club, pointed out that the major recommendation of the Advisory Taskforce Report is that it be used for a basis for revisions in the General Plan for the City of San Rafael and the County, but it had not gone through the process of environmental review and public scrutiny. She also pointed out that she was the Marin County Planning Director when the Bayfront Conservation Zone was created and the BCZ simply added a process overlay and it did not change the land use designations for the areas covered. They strongly recommended the inclusion of the Baylands Corridor to extend up to Highway 101 and it is very important to remember that the corridor concept must be based on broad planning principles. She then discussed the following principles in regard to St. Vincent's/Silveira development and urged the Commission's consideration:

- Public health and safety
- Baylands Corridor represents an interconnected link
- Views to Bay
- Area functions as a community separator between San Rafael and Novato
- Economic issues
- Traffic impacts
- Historic resource value

Commissioner Dickenson asked Ms. Macris if she supported the 2000 Taskforce Report. Ms. Macris responded that she did not support the 2000 Taskforce Report.

Judy Binsacca, Co-Chair, Land Use Transportation Housing Committee/representing the League of Women Voters, summarized her comments and concerns related to St. Vincent's/Silveira that were emailed to the Commission for their review. She then asked that the Taskforce recommendations be included for the entire Marin community.

Commissioner Dickenson discussed annexation regarding St. Vincent's/Silveira in regard to the fact that the City of San Rafael did not desire to annex the property. Ms. Binsacca responded that the Taskforce recommendations tried to balance the interest and to develop the best possible recommendations for both the City and County.

Commissioner Holland asked Ms. Binsacca to explain the three levels of density in regard to the 500 to 1,800 chart. Ms. Binsacca responded that the Taskforce provided a range. They tried to balance the interests and felt a more specific number would be developed during the EIR process. She believed rather than focusing on a particular number to leave it open for discussion, but include the parameters. She agreed that the League desired more than 500 units.

Commissioner Greenberg asked if the League's position is that the County should include consideration up to 1,800 units for St. Vincent's/Silveira. Ms. Binsacca responded in the affirmative. Sue Beittel, representing the League of Women Voters, responded that at that time there was an "up to" limit that worked its way down and the League counted on the environmental review process to determine the number and it was a maximum of 1,800 units, but certainly they had no expectations.

Elizabeth Moody, Mill Valley resident, noted that St. Vincent's/Silveira is the last housing site left in the County and the County desperately needs low-income and affordable housing. She then recommended 1,200 units at St. Vincent's/Silveira with rental, low, and very low-income units. She believed it is an ideal infill site that is transit oriented.

Commissioner Barner asked Ms. Moody to discuss other types of services needed to serve those who live in facilities like the Redwoods. Ms. Moody responded that a mix of housing is needed, so it would be wonderful if service workers could live in the area along with retail services.

Commissioner Dickenson believed the property did not meet the criteria for infill and asked Ms. Moody to explain. Ms. Moody responded that she did not consider St. Vincent's/Silveira auto oriented due to the bus service, train and shuttle service. Commissioner Dickenson explained that construction of any rail transit station on this property was prohibited and SMART staff supported that prohibition. Ms. Moody believed the train stop was eliminated in order to avoid development at St. Vincent's/Silveira.

Irving Schwartz, Civil Engineer representing the Silveira Ranch, submitted a letter on behalf of Silveira Ranches outlining their concerns and suggestions for the Commission's review and requested that Marin resume working with both the City of San Rafael and the property owners to develop an appropriate plan for the property that will protect the rights of the property owner while also taking into account the concerns of other groups and organizations with an interest in this property.

Allen Bortel, representing the Marin County Commission on Aging, submitted a letter for the Commission's review requesting that the Plan consider the many low-income, voiceless older residents of Marin, living on the economic edge of high-cost rental housing they can barely afford, who need lower cost housing and a better quality of life as they age.

Chairman Berland asked Mr. Bortel's view regarding the property size of senior housing development. Mr. Bortel responded that in his view it would be 350 units for senior housing.

Roy Chernus, representing Legal Aid of Marin, believed St. Vincent's/Silveira is an opportunity site for housing in Marin County. He noted that affordable housing and senior housing projects would have fewer trips per unit and less traffic. He stated that affordable housing should not suffer due to the bad policy decisions in the past.

Chairman Berland announced at 4:35 p.m. that the Commission would take a short recess and then reconvene with further public comment on St. Vincent's/Silveira.

Virginia Brunini, representing the Marin Economic Commission, noted that they provided two reports addressing the economic needs of the County and they asked the Commission to take advantage of the opportunity to receive additional housing at St. Vincent's/Silveira. She pointed out that the infill housing is not adequate to accomplish the need of affordable housing. They also expressed concern for receiving the proper land use designation. She then asked the Commission for recognition about what the Economic Commission has done in regard to the need for affordable housing.

Barbara Salzman, representing the Marin Audubon Society, noted that she is very impressed with the list of open space lands in Marin County. She pointed out that there are very few sites along the Bay and that is the reason for protecting St. Vincent's/Silveira. She then provided the Commission with materials regarding Countywide Plan revisions to St. Vincent's/Silveira lands. They continue to urge inclusion of all of the St. Vincent's/Silveira lands in the Baylands Corridor and recommended a land use designation of AGC2. She also provided excerpts from the Baylands Habitat Goals Report and a document from the Point Reyes Bird Observatory for the Commission's consideration.

In response to Chairman Berland's question, Ms. Salzman responded that they desired to acquire both properties in order to protect the ecological unit.

In response to Commissioner Thompson's question, Ms. Salzman responded that St. Vincent's/Silveira is a high priority.

In response to Chairman Berland's comments regarding the cover letter, Ms. Salzman responded that they are not a government agency and did not have a direct financial interest. She explained that they all must review and consider the public cost. Agency Director Hinds recommended that the Commission not consider the financial interest in their proceedings.

Commissioner Julin believed there is a great public interest in the disposition of this project and desired to know all the options because her decision would be based on other factors rather than a financial interest.

Dirck Brinckerhoff, Chair, Marin Consortium for Workforce Housing, submitted a letter to the Commission for their review outlining their concerns and recommendations for St. Vincent's/Silveira and San Quentin. He explained that St. Vincent's/Silveira is the last remaining infill site in the urban corridor that could accommodate a substantial number of affordable units. He explained that it is difficult to achieve affordability on small, infill sites, and it seems inappropriate and shortsighted to eliminate the potential for affordable homes for seniors and critical workers by clouding these properties with a "baylands" designation.

In response to Commissioner Greenberg's questions about the number of market rate units that would be required to support the affordable unit goal, Mr. Brinckerhoff responded that without a thorough economic analysis of the types of units allowed, what would be required as well as public and non-profit money, it is very difficult to figure out a realistic number. He noted that what works for all parties would depend on the type of housing. He also added that, in his opinion, he desired a range of 800 to 1,200 housing units.

In response to Commissioner Dickenson's questions regarding CYO, Mr. Brinckerhoff responded that his understanding is that at least the operations, if not the real estate, is funded separately and they are in a position that the resource would disappear from the County.

In response to Commissioner Thompson's question, Mr. Brinckerhoff responded most households would earn about \$35,000 to \$45,000, and, if possible, they would take public transit.

Perry Newman, President, League of Women Voters, provided the Commission with some background information regarding the League. They believed sustainability is the central focus of Marin and somehow Marin County must provide for all residents and asked the Commission to provide for all residents if possible in planning. She further strongly supported workforce and senior housing.

Frank Nelson, Marinwood resident, discussed St. Vincent's/Silveira Taskforce recommendations and noted that they established a range of 500 to 1,800 units and in essence they were indicating that they could not agree on the urban village assumptions. He explained that the voters spoke and the City of San Rafael listened and noted that the City of San Rafael has a very savvy city government. He argued that it is time to re-examine the urban village assumption and the fatal flaw is that it did not respond to the constraints of the land and public opinion. He supported flexibility to provide for the opportunity of affordable housing.

Commissioner Dickenson asked Mr. Nelson if he supported the recommendations of the League that the County adopt the Taskforce recommendations including the range of 500 to 1,800 units. Mr. Nelson responded that the assumptions must be changed and the range has no meaning and the assumption should be protection of the Baylands and Miller Creek.

Commissioner Barner asked Mr. Nelson if there was a notion that they were developing recommendations for an area that was probably going to be within a City limit. For example, if it had been known that the land would be in the unincorporated area, would that change any of the Taskforce recommendations? Mr. Nelson responded that if it was to be part of the County that would change all policies. Commissioner Barner stated that there was an assumption that the proposed development would occur in San Rafael and would be much more dense than in the unincorporated areas.

In response to Commissioner Holland's questions, Mr. Nelson's responded that if the assumptions are changed and the Commission pursued the staff's recommendations, the details and numbers would evolve through the hearings.

Commissioner Dickenson noted that through the correspondence received through emails, all supported staff's recommendations of AGC2. Chairman Berland noted that many were alarmed about the rumor of a 2,100-unit development.

Alan Cherrigan, representing Marin Soccer League, reiterated his comments made verbally and in the letter presented to the Commission at the May 10th hearing promoting the goal of soccer fields in Marin County and they objected to the restrictive language on page 3-202 of the Built Environment section and that they strongly urge the Commission to eliminate the restrictive language.

Commissioner Dickenson pointed out that there are hundreds of acres west of the railroad tracks that could be used for soccer fields. Mr. Cherrigan responded that they must act from a conservative broad sense and explained that any restriction would severely hurt their opportunities.

Roger Roberts, San Rafael resident, provided the Commission with the following maps for their consideration:

- Map 3-4 Seismic Hazard
- Map 3-6 Liquefaction Hazard
- Map 3-8 Flooding

Mr. Roberts asked the Commission at the very least to review the maps and apply AGC2 to those areas.

David Kimball, Bolinas resident, submitted material to staff and the Commission for their consideration. He noted that there is a commonly held conviction that affordable housing is needed across the County. He added that the County has limited resources such as water, infrastructure, roadways, clean air, and a growing population of seniors. He explained that infill housing would not resolve all the issues, but reminded the Commission that they are considering a 20-year planning document. He believed if the decision regarding St. Vincent's/Silveira is delayed then the next generation must deal with the issue.

Karen Nygren, Tiburon resident, provided an article to the Commission from 1995 where the environmental communities came together and had a proposed document where they all agreed that Silveira Ranch and St. Vincent's would be AGC2 as staff now recommends. She also supported staff's recommendation and hoped the Commission would concur with staff. She believed the Taskforce recommendations should be set aside and not included in the General Plan because there was no professional environmental review conducted. She commented on the Baylands Corridor and noted that the concept is more than a line and should be established by the multitude of criteria being discussed. She further believed available funds must be taken into account as well.

Dave Coury, representing the Housing Council, noted his disappointment in relation to choosing between housing and habitat. He believed there must be a realization that some of the policies in the past have

produced an unsustainable community. He is convinced that a housing overlay zone is an important policy and if they desired to preserve the open space and St. Vincent's/Silveira lands they must resolve the side issue, but the main issue is it must provide affordable housing. He noted that the Commission's decisions could affect how easy or difficult it would be to build affordable housing. He further reminded the Commission that his main job is providing housing for people with developmental disabilities and urged the Commission to consider special needs as well as senior housing.

Megan Clark discussed Contempo Marin, which is a Mobile Home Park that has 400 affordable units that house students, disabled, seniors, nurses, teachers and is a wonderful community. She would hate to view suburban sprawl in that unique piece of land as well as mini mansions. She desired Miller Creek to be restored, views protected, and a reasonable amount of affordable housing such as 500 units at St. Vincent's/Silveira.

Kathy Lowrey, representing MCL, agreed with the League that it did not have to be an either/or situation and MCL supports the County's housing element and they are in complete support for affordable housing on appropriate sites, but St. Vincent's/Silveira is not an appropriate site.

Chairman Berland noted that the County is obligated to provide affordable housing sites. He also noted that, aside from the specific numbers required by the State, the county has an affordability crisis and the question is where is the appropriate location. Ms. Lowrey questioned the fact that the sites have to be built and explained that the County is exploring other opportunities. She further believed housing must be carefully thought out.

Margaret Zegart, Mill Valley resident, stated that the housing units could be located with several different clusters to handle the housing problem. She believed senior housing, low income housing units, as well as having three-bedroom units should all be considered at St. Vincent's/Silveira. She supported passive recreations and believed Eucalyptus trees must be removed, not preserved. She also asked the Commission to consider green building. She was impressed with the seven points Ms. Macris addressed and believed they should be included in the document. She further recommended 400 units at St. Vincent's/Silveira.

Margaret Jones, Belvedere resident, discussed a formula for the Commission's consideration and explained that it is clear that there is a population imperative to create another Redwoods, and if 350 units could be built on 10 acres or maybe 15 acres with additional park area that would be acceptable. She pointed out that 350 units would provide infill in Marin County that would serve the aging population in Marin. She also noted that the County has an obligation to create 1,200 affordable units in the unincorporated area and she suggested assigning those 1,200 units to St. Vincent's/Silveira. Then as alternate sites are found that would accept affordable housing, staff could change the map and subtract the units from St. Vincent's/Silveira allocation and add the units to a real piece of property in order to receive support from those who avidly desired to save most of St. Vincent's/Silveira and the Baylands Corridor. She believed it is the only honest manner to deal with those who cannot afford to live in Marin County and Marin must create affordable housing to promote sustainability. She further believed more community participants must be involved in the process of finding locations for affordable housing.

The public hearing was closed.

Chairman Berland announced at 6:59 p.m. that the Commission would take a dinner recess and then reconvene with further discussion on St. Vincent's/Silveira.

In response to Commissioner Greenberg's questions on page 3-202 under SV-1.4 regarding the Miller Creek Corridor and the Habitat Goals Study, Agency Director Hinds responded that the County's code indicated 100 feet or an additional 50 feet from the edge of significant stands of riparian vegetation. Staff agreed to amend the section to reflect the County's code. Staff also believed the existing ordinance is sufficient.

In response to Commissioner Dickenson's questions on page 3-202 regarding SV-1.4 in relation to Miller Creek, Agency Director Hinds responded that Miller Creek should not be channelized as a flooding solution because it would add sediment to the Bay and other problems, but to his knowledge there is an opportunity to conduct restoration and this section could be reworded to make it clear that channelization is not being considered.

In response to Commissioner Dickenson's question on page 3-203 regarding SV-1.8, Agency Director Hinds responded that the language included under SV-1.8 was agreed upon by the individuals that are responsible for the County's flood management activities, but staff could craft language that would talk about minimizing engineering solutions in that regard.

In response to Commissioner Thompson's comments, Agency Director Hinds responded that the planned community designation was intended for major reuse projects and for large enough projects to require preparation of a specific plan. However, at this site, staff did not recommend the planned community designation as it was not considered a major reuse project and because the City of San Rafael no longer proposes annexation of the properties.

In response to Commissioner Thompson's comments about a Master Plan approach, Agency Director Hinds responded that ARP zoning would be appropriate (agricultural residential planned district) that would only require a master plan and allow for flexibility.

Commissioner Julin desired a requirement for an environmental reconnaissance of the entire site because she felt the density recommended must reflect the environmental constraints of the site. She explained that to recommend density before that process takes place would not make sense in her view. She stated that Mr. Nelson discussed the fact that the urban village assumption did not work because of the environmental constraints of the site and she suggested a comprehensive plan that is broken into two parts. She believed there should be some flexibility in the density because the 1 unit per 10 acres may or may not be appropriate. Chairman Berland concurred with Commissioner Julin's comments.

Commissioner Dickenson assumed that the environmental assessment requirement would remain in the Baylands Corridor. Agency Director Hinds concurred. Staff added that conducting a land use inventory before an environmental constraints analysis is good environmental planning.

Commissioner Julin suggested having flexibility in the outcome of the assessment, so if the analysis showed that the property would not accommodate the proposed number of units and the infrastructure required to serve those units, she wished that could be adjusted. She also desired language regarding conducting an environmental constraints analysis.

Agency Director Hinds responded to Ms. Jones but questioned the idea of providing density and then removing it. Staff stated that if the Commission's desire is to provide more of a range, staff could review having a different designation in the area around the "H" Complex that was more appropriate for development such as AGC3 and then balance that out with a lower number on the east side of the tracks where development is not desired. Staff further indicated that precise planning for this property, however, was not desired at this time.

In response to comments by Commissioner Julin regarding developing the banked affordable housing units, Agency Director Hinds agreed to investigate the affordable housing overlay zone, which is a recommendation in the existing adopted and State certified Housing Element that called for an affordable housing overlay zone and that could make more real the concept that was discussed, such as minimum densities. Staff further suggested conducting the research on the affordable housing overlay zone and work with the housing community on that topic as well as providing some flexibility for a senior congregate care facility.

Commissioner Barner expressed concern for the constraints around St. Vincent's/Silveira.

Chairman Berland indicated that the constraints maps have conclusions, which are based on proper investigation on the site. Commissioner Holland did not believe the Commission could have every constraint verified. Agency Director Hinds responded that the level of detail in terms of an environmental analysis must be commensurate with the overall description of the project and staff is using the best available information.

Commissioner Julin discussed SV-2.2 on page 3-203 and recommended inserting language that would require preparation of a comprehensive plan based upon details of the environmental assessment for the entire St. Vincent's/Silveira area. She also recommended inserting the words, "up to" on page 3-204 under SV-2.3 regarding the Land Use Designation to read, "a density of up to one dwelling unit per 10 acres." The Commission explained that the language suggested for SV-2.3 is already included in the document.

In response to Commissioner Dickenson's questions on page 3-203 regarding SV-2.2, Agency Director Hinds pointed out that there are certain types of minor uses that could continue that would not trigger a comprehensive plan. Ideally staff hopes that the property owners would work together, but if not, then there might be a more general comprehensive plan for the entire property and a much more specific plan for that portion of the property where development is being proposed. Staff further suggested stating, "Require preparation of a comprehensive plan(s) for the entire St. Vincent's/Silveira area."

In response to Commissioner Barner's concern on page 3-302 under SV-2.1 regarding discouraging urban development, Agency Director Hinds responded that staff would add the word "additional."

In response to Commissioner Barner's comments about whether one unit per 10 acres is realistic, Agency Director Hinds responded that it could be refined and staff could add clarification about the size range that is desirable as well as discuss equivalent traffic generation.

Commissioner Dickenson commented on page 3-200 under PA-2.6 regarding the 5% and the proposed wording discussed new development, so it would be 5% in addition to the area already occupied. Agency Director Hinds responded in the affirmative.

In response to Commissioner Holland's concern on page 3-204 under SV-2.3 in regard to removing the language encouraging a farmers' market, Agency Director Hinds responded traffic impacts would depend on the hours of operation for the farmers' market, and staff tried to provide options.

Commissioner Dickenson generally supported staff's proposal, but recommended including both west and east of the railroad tracks in the corridor due to the constraints that exist. He felt it is misleading to only use the SFEI guideline because individuals might believe constraints only exist on that one part. He believed the entire property should be carefully and very sensitively planned and in order to accomplish that goal the entire area must be included in the corridor. He further announced that he has a number of specific wording changes as well.

Commissioner Holland concurred with Commission Dickenson's comments about including both west and east side of the railroad tracks in the corridor. He stated that it is clear in his view that this is not a site for affordable housing. He further supported staff's land use policy.

Chairman Berland believed the County would lose flexibility if the entire site were included in the corridor since the General Plan Amendment would be geared for the development envisioned for the Countywide Plan. Agency Director Hinds disagreed that it would automatically require a General Plan amendment. The Baylands Corridor indicated that unlike the City-Centered Corridor there is a higher expectation for conservation and restoration and, therefore, a lower expectation for development. However, the Baylands

Corridor still allows development and would not ban development throughout the corridor. Staff further believed using the SFEI line and providing for the minimum buffer of 300 feet on large properties is a sufficient projection in that the environmental review process would address other site-specific concerns.

Commissioner Thompson disagreed with the idea of extending the corridor. He believed the railroad tracks line is acceptable. He expressed concern for density and asked staff to justify the AGC3 to receive the units discussed earlier. He further agreed with the idea of flexibility in unit count.

Commissioner Julin reiterated her suggestion of an evaluation including the land between the railroad tracks to Highway 101 as an alternative. She also desired a detailed environmental assessment and to allow some flexibility in the ultimate density based on the results of the environmental reconnaissance.

Commissioner Barner believed the EIR should provide information regarding which would be the best approach and in order to achieve that goal an evaluation must be conducted in regard to the range between the railroad tracks and Highway 101.

Commissioner Holland noted that there are three suggestions 1) the SFEI line, plus 300 feet; 2) Highway 101; and 3) taking it straight down the railroad tracks. He further pointed out that the EIR would not provide a definitive answer in that regard.

Chairman Berland desired a reasonable analysis in order to have all the necessary information, he also concurred with Commissioner Julin's suggestion. He noted that the Commission is given the charge by the Board to provide for a sustainable community by studying the environment, economics and social equity. He pointed out that the Consultant Donald Atkin indicated that environmentalism is not the only factor and there must be a balance of interests, which would depend on a particular project discussed. He further stated that the Commission must understand all factors in order to achieve some real sustainability in the County.

Commissioner Greenberg believed they have a lot of information with the constraints very well outlined and it is a matter of opinion and she believed the question must be called. Her inclination is to extend the corridor out to Highway 101. She added that the number of constraints throughout the site is enormous and the definition for AGC3 is provided. She expressed concern for AGC3 because it is her belief that if an individual developed a dynamite proposal such as affordable senior housing that this Commission would recommend an amendment to the General Plan. She also expressed concern for increasing the density because doing so would create a lot of single-family market rate housing. She further believed staff did a very good job and she desired that the riparian setback be extended and use what is included in the Habitat Goals as well. She further noted that she supported the document as it currently stands.

Commissioner Dickenson believed there is plenty of evidence why the designation belongs in an area other than the City-Centered Corridor. He stated that they must recognize that the entire site is constrained. However, the allowed development should occur in the area between Highway 101 and the railroad tracks, as the most constrained level is east of the tracks. At this point it would make more sense to recognize the entire property, give it a single designation and indicate that development allowed by the land use designation should be in the area between Highway 101 and the railroad tracks.

In response to Commissioner Thompson's question about developing an independent living facility, but also allowing a "*ministerial right*" to develop the other complex, plus the housing of the 120, Agency Director Hinds responded that it would be their right to apply, but they must go through the CEQA and entitlement process. Staff believed they could be much more specific that a senior facility of up to 350 units is allowable on this site and in this designation. Staff also agreed to craft additional language to specify that a senior facility is an allowable use. Commissioner Greenberg agreed with the concept, but desired language to be provided to the Commission at their next meeting for further review. Staff agreed.

Commissioner Julin excused herself at 9:15 p.m. due to the late hour.

Commissioner Greenberg explained that she desired an affordable senior unit similar to the Redwoods. She also concurred with Commissioner Holland's suggestion about removing the farmers' market language. She further agreed with Ms. Macris' list of seven items that covered the planning principles and recommended that they be incorporated into the Plan for educational purposes.

Commissioner Dickenson stated that of the 800 undesignated units, he assumed that those could be used on this property if they were all below market rate. Agency Director Hinds agreed and explained that they proposed it for affordable housing and for employee housing such as very low, low and moderate housing, but the idea was to reduce traffic. Staff noted that the idea was to allow an equal number of affordable housing units at the site, which was the reason for the 100 units and staff agreed that there may be some overlap. Staff agreed to further discuss this matter at the next meeting.

Chairman Berland adjourned the meeting at 9:37 p.m. and continued the discussion on the San Quentin Reuse Plan and the West Marin Planning Area to the next Planning Commission hearing on July 19, 2004 at 1:00 p.m.