

COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Thomas K. Lai
DIRECTOR

Supplemental Memo

To: Board of Supervisors
From: Jillian Zeiger, Senior Planner
Leelee Thomas, Deputy Director
Subject: Housing Element Staff Report and Attachments
Date: January 24, 2023

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This memo provides updated information to the January 24, Housing Element Staff report. Specifically, changes are being made to Attachment 1 and Attachment 4.

1. Attachment 1 – Exhibit C

- Please see a redlined version with track changes of Housing Element Appendix C, Table C-4, starting on page 2.

2. Attachment 1 – Exhibit D-1 Related CWP Amendments and Land Use Redesignation Maps

All of the parcels below were included in the Land Use Redesignation Maps but not the Housing Overlay Designation Table (Table 2-12) and some were redesignated in error.

- Cal Park (APNs: 018-075-28; 018-086-18; 018-086-17)
- College of Marin Parking Lot (APNs: 074-181-18; 074-092-17; 071-132-11; 071-132-12)
- Tomales Vacant (APNs: 102-062-03 and 102-062-04 replace 102-06-01, remove 102-75-08)

Density errors were corrected for the Atherton Corridor (APN: 143-101-17, 143-101-20, 143-101-35, 143-101-37)

3. Attachment 4 – Exhibit A Development Code Amendments

All of the parcels below were included in Attachment 5 Exhibit A Rezoning Maps but not the Housing Overlay Designation Combining District Table (Table 2-12) and some were rezoned in error.

- *Cal Park* (APNs: 018-075-28; 018-086-18; 018-086-17)
- *College of Marin Parking Lot* (APNs: 074-181-18; 074-092-17; 071-132-11; 071-132-12)

- *Tomales Vacant* (APNs: 102-062-03 and 102-062-04 replace 102-06-01, remove 102-75-08)

Density errors were corrected for the *Atherton Corridor* (APN: 143-101-17, 143-101-20, 143-101-35, 143-101-37)

Table C-4: Residential Sites Inventory by Community (FINAL ADJUSTMENTS to Unit Counts)

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
North Marin											
Blackpoint-Greenpoint											
Vacant Sites											
Vacant Blackpoint (Olive Ave)	143-110-31	55.255.1 (19.0)	300 Olive Ave, Blackpoint	SF3/ARP-2	16.4	No	0	0	58	58	Meets Criteria #2, 7 Existing Use - Vacant; Building-to-Land Value Ratio: 0.00
Underutilized Sites											
Greenpoint Nursery	153-190-24	49.615.4 (3.5)	275 Olive Ave, Blackpoint	AG1/ARP-60	16	No	0	0	53	53	Meets Criteria #2, 7 Existing Use - Wetlands/Vacant with nursery on corner; Building-to-Land Value Ratio: 0.00
Marinwood/Lucas Valley											
Commercial Center Mixed Use											
Marinwood Plaza	164-471-64	0.4	121 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	16	0	0	16	Meets Criteria #4, 6, 7 Existing Use - Large format standalone commercial; GP Housing Overlay; Floor Area Ratio: 0.00; Building-to-Land Value Ratio: 0.00
	164-471-65	1.9	155 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	10.9	10.9	0	20.9	Meets Criteria #4, 5 Existing Use - Grocery store, built 1959; GP Housing Overlay; Building-to-Land Value Ratio: 3.91
	164-471-69	1.1	175 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	3443	0	0	3443	Meets Criteria #4, 5 Existing Use - Office park low, GP Housing Overlay; built 1962
	164-471-70	1.5	197 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	3046	0	0	3046	Meets Criteria #4, 6, 7 Existing Use - Large format standalone commercial; GP Housing Overlay; Floor Area Ratio: 0.00; Building-to-Land Value Ratio: 1.54

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Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Dixie-Miller Creek School District Properties (Marinwood Plaza adjacent)	164-471-71	0.2	Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	0	40	0	40	Meets Criteria #2, 4 Existing Use - Storage facility; GP Housing Overlay
	164-471-72	0.3	Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	0	60	0	60	Meets Criteria #2, 4 Existing Use - Storage facility; GP Housing Overlay
Office Building (<u>Across from Juvenile Hall</u>)	164-481-10	2.4	7 Mt Lassen Dr, Lucas Valley	GC/CP	30	No	58	0	0	58	Meets Criteria #4, 6, 7 Existing Use – Office Park, Low; Floor Area Ratio: 0.310; Building-to-Land Value Ratio: 1.45
Public Sites											
Marin County Juvenile Hall	164-640-01	33.0 (10.0)	2 Jeannette Prandi Way, Lucas Valley	PF/PF	30	No	80	0	0	80	Meets Criteria #2, 3 Existing Use - County juvenile hall facility, offices, and open field.
Religious Sites											
Carmelite Monastery of the Mother of God	164-290-80	3.2	530 Blackstone Dr, Santa Venetia	PR/RMP-0.1	20	No	0	32	0	32	Meets Criteria #2, 5 Existing Use - Religious center (parking lot only); built 1965
Other⁵ - North Marin											
Vacant Sites											
Buck Center Vacant Property	125-180-79	97.3 (24.3)	Redwood Hwy, Blackpoint North Novato	AG1/A60	1	No	0	0	240	240	Meets Criteria #2
	125-180-85	136.5 (12.2)	Redwood Hwy, Blackpoint North Novato	AG1/A60	20	No	0 150	77 0	249 225	225 249	Meets Criteria #2
Underutilized Sites											
Atherton Corridor	143-101-35	1.0	761 Atherton Ave, North Novato	SF3/A2-B4	20	No	0	4	0	4	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot SF detached, built 1938; Building-to-Land Value Ratio - 0.52

⁵ Sites that did not fall within the boundaries of CDPs within unincorporated communities in North Marin (Black Point – Green Point or Marinwood- Lucas Valley) but are located in North Marin.

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
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Atherton Corridor	143-101-37	4.0	777 Atherton Ave, North Novato	SF3/A2-B4	20	No	30	8	0	38	Meets Criteria # 4, 5, 7 Existing Use - Rural residential lot, SF detached; built 1932; Building-to-Land Value Ratio: 0.21
Atherton Corridor	143-101-20	4.8	791 Atherton Ave, North Novato	SF3/A2-B4	20	No	37	13	0	50	Meets Criteria #4, 6, 7 Existing Use - Rural residential lot, SF detached; built 1926; Building-to-Land Value Ratio: 0.54
Atherton Corridor	143-101-17	5.6	805 Atherton Ave, North Novato	SF3/A2-B4	20	No	42	13	0	55	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot, SF detached; built 1939; Building-to-Land Value Ratio: 0.04
West Marin											
Northern Coastal West Marin (Dillon Beach, Tomales)											
Vacant Sites											
Vacant Tomales	102-075-06	0.3	Shoreline Hwy, Tomales	C-NC/C-VCR-B1	20	No	0	0	6	6	Meets Criteria #2
	102-075-07	0.1	Shoreline Hwy, Tomales	C-NC/C-VCR-B1	20	No	0	0	2	2	Meets Criteria #2
Vacant Tomales	102-062-03 102-062-04 102-062-01	0.7	Dillon Beach Rd, Tomales	C-SF6/C-RSP-7.26	7	No	0	0	4	4	Meets Criteria #2
Vacant Tomales	102-075-02	0.3	Shoreline Hwy, Tomales	C-NC/C-VCR-B1	20	No	0	0	5	5	Meets Criteria #2
Vacant Tomales	102-041-44	4.8	290 Dillon Beach Rd, Tomales	C-SF6/C-RSP-7.26	7	No	0	0	13	13	Meets Criteria #2
Religious Sites											
Tomales Catholic Church	102-080-23	4.32 <u>0</u>	26825 State Route 1, Tomales	C-NC/C-VCR-B1	20	No	0	13	0	13	Meets Criteria #2, 7 Existing Use – Religious center (Parking Lot); Building-to-Land Value Ratio: 0.62
Underutilized Sites											

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Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Tomales Nursery	102-051-09	0.3	27235 State Route 1	C-NC/C-VCR-B1	10 20	No	0	0	3	3	Meets Criteria #4, 7 Existing Use - Low intensity strip commercial; Building-to-Land Value Ratio: 0.16
	102-051-08	0.3	27235 State Route 1	C-NC/C-VCR-B1	10 20	No	0	0	3	3	Meets Criteria #5, 7 Existing Use - Estate lot SF detached, built 1931; Building-to-Land Value Ratio: 0.59
Tomales <u>Underutilized</u>	102-051-07	0.6	200 Valley Ave, Tomales	C-NC/C-VCR-B1	20	No	0	0	6	6	Meets Criteria #4, 7 Existing Use - Rural residential lot SF detached, built 1990; Building-to-Land Value Ratio: 0.59
Tomales <u>Underutilized</u>	102-075-09	0.5	29 John St, Tomales	C-NC/C-VCR-B1	20	No	0	0	5	5	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot SF detached, built 1924; Building-to-Land Value Ratio: 0.22
Central Coastal West Marin (Point Reyes Station, Inverness)											
<u>Underutilized Sites</u>											
Inverness <u>Underutilized Residential</u>	112-143-04	0.2	30 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	20	20	Meets Criteria #2, 4, 5, 7 Existing Use - Large lot SF detached; Building-to-Land Value Ratio: 0.00; Vacant
	112-143-05	0.2	40 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	20	20	Meets Criteria #4, 5, 7 Existing Use - Large lot SF detached, built 1904; Building-to-Land Value Ratio: 0.73
	112-143-06	0.2	50 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	20	20	Meets Criteria #2, 4, 5, 7 Existing Use - Large lot SF detached; Building-to-Land Value Ratio: 0.00; Vacant
Inverness <u>Underutilized Residential</u>	112-143-03	0.2	20 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	20	20	Meets Criteria #4, 5, 7 Existing Use - Large lot SF detached, built 1913; Building-to-Land Value Ratio: 0.25

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Inverness Underutilized Residential	112-144-28	0.3	55 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	20	20	Meets Criteria #4, 7 Existing Use – Estate lot of detached, built 1988; Building-to-Land Value Ratio: 0.75
Inverness Underutilized Residential	112-143-07	0.4	60 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	20	20	Meets Criteria #4, 6 Existing Use – Estate lot of detached, Floor Area Ratio: 0.01
Inverness Underutilized Residential	112-144-25	0.3	75 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	20	20	Meets Criteria #4, 5, 7 Existing Use – Estate lot of detached, built 1909; Building-to-Land Value Ratio: 0.87
Pt. Reyes Village (5th St)	119-222-08	1.0	60 Fifth St, Pt. Reyes Station	C-SF3/C-RSP-1	20	No	17	0	0	17	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial; built 1953; Building-to-Land Value Ratio: 0.68
Pt. Reyes Village Red/Green Barn	119-198-05 119-198-04	1.5	510 Mesa Rd, Pt. Reyes Station	C-NC/C-VCR-B2	20	No	24	0	0	24	Meets Criteria #2, 7 Existing Use – Barn; Building-to-Land Value Ratio: 0.82
Public Sites											
Inverness County Site	112-220-08	0.1	Sir Francis Drake Blvd, Inverness	C-SF3/C-RSP-0.33	20	No	0	0	0	0	Meets Criteria #2, 3 Existing Use - Vacant public property
	112-220-09	0.9	Sir Francis Drake Blvd, Inverness	C-SF3/C-RSP-0.33	20	No	0	0	130	130	Meets Criteria #2, 3 Existing Use - Vacant public property
Pt. Reyes County Vacant Site	119-260-03	2.0	9 Giacomini Rd, Pt. Reyes Station	C-NC/C-RMPC	20	No	32	0	0	32	Meets Criteria #2, 3 Existing Use – Vacant County site
	119-270-12	0.3	10 Giacomini Rd, Pt. Reyes Station	C-NC/C-RMPC	20	No	5	0	0	5	Meets Criteria #2, 3 Existing Use – Vacant County site
Pt. Reyes Coast Guard Rehabilitation/Conversion	119-240-73	31.4	100 Commodore Webster Dr, Pt. Reyes Station	C-OA/C-OA	0	No	50	0	0	50	Meets Criteria #2, 3 Existing Use - Military
Rehabilitation Sites											

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							Lower	Moderate	Above Moderate	Total	
Grandi Building/Site	119-234-01	2.5	54 B ST, Pt. Reyes Station	C-NC/C-VCR-B2	20	4th & 5th	25 21	0	0	25 21	Meets Criteria #4, 5 Existing Use - Large format standalone commercial (vacant); built 1914; Potential rehabilitation of historic building
Religious Sites											
Presbytery of the Redwoods	119-202-05	0.30 6	11445 State Route 1, Pt. Reyes Station	C-SF4/C-RA-B3	15 20	No	0	3	0	3	Meets Criteria #2 Existing Use - Religious center (parking lot only)
Vacant Sites											
Vacant Pt. Reyes Station	119-203-01	0.1	Mesa Rd, Pt. Reyes Station	C-NC/C-VCR-B2	20	No	0	0	2	2	Meets Criteria #2
	119-203-03	0.1	Mesa Rd, Pt. Reyes Station	C-NC/C-VCR-B2	20	No	0	0	2	2	Meets Criteria #2
The Valley (Nicasio, San Geronimo Valley, Woodacre, Lagunitas, Forest Knolls)											
Rehabilitation Sites											
Office - Forest Knolls (Upper Floors)	168-141-12	0.1	6900 Sir Francis Drake Blvd, Forest Knolls	NC/VCR	20	No	0	0	2	2	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial, built 1938; Building-to-Land Value Ratio: 0.65
Office - Lagunitas (Upper Floors and Rear Prop)	168-175-06	0.9	7120 Sir Francis Drake Blvd, Lagunitas	GC/H1	20	No	16	0	0	16	Meets Criteria #4, 6 Existing Use - Large format standalone commercial; Floor Area Ratio: 0.18
Office - Lagunitas (Upper Floors and Rear Prop)	168-192-28	1.3	7282 Sir Francis Drake Blvd, Lagunitas	GC/CP	20	No	0	10	4	14	Meets Criteria #4, 5, 7 Existing Use - Commercial recreation facility; built 1925; Building-to-Land Value Ratio: 0.90
Religious Sites											
Saint Cecilia Church	168-183-04	0.9	428 W. Cintura, Lagunitas	SF4/R1-B3	30	No	16	0	0	16	Meets Criteria #2 Existing Use - Religious center (Parking Lot Only)
Presbyterian Church San Geronimo	169-101-21	0.81 2	6001 Sir Francis Drake Blvd, San Geronimo	SF5/R1-B2	20	No	0	15	0	15	Meets Criteria #2 Existing Use - Religious center (parking lot only)

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
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Underutilized Sites											
Residential next to Forest Knolls Trailer Park	168-131-04	6.5	6760 Sir Francis Drake Boulevard, Forest Knolls	SF3/RA-B4	11 20	No	0	0	8	8	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot sf detached, built 1953; Building-to-Land Value Ratio: 1.25
Public Sites											
Nicasio Corporation Yard - Marin County	121-050-34	13.9 (2.2)	5600 Nicasio Valley Road, Nicasio	AG1/ARP-60	20	No	16	0	0	16	Meets Criteria #2, 3 Existing Use – vacant portion of County corporation yard Pre-development study already underway
Woodacre Fire Station	172-111-01	0.4	33 Castle Rock, Woodacre	SF5/R1-B2	4 20	No	0	10	0	10	Meets Criteria #3, 5 Existing Use - Fire station, built 1940s
	172-111-02	0.8	33 Castle Rock, Woodacre	SF5/R1-B2	4 20	No	0	0	0	0	Existing Use - Fire station, built 1940s (facilities to remain)
	172-104-02	1.4	33 Castle Rock, Woodacre	SF5/R1-B2	4 20	No	0	0	0	0	Existing Use - Fire station facility (access road to remain)
Vacant Sites											
Vacant Nicasio	121-080-05	0.2	4449 Nicasio Valley Rd, Nicasio	NC/RMPC-1	20	No	0	0	40	40	Meets Criteria #2
Southern Coastal West Marin (Stinson Beach, Bolinas, Muir Beach)											
Credit											
Aspen Lots	192-102-22	0.2	430 Aspen Rd, Bolinas	C-SF5/C-RA-B2	0	No	2	0	0	2	Meets Criteria #4, 5, 7 Existing Use - Estate Lot SF, detached; built 1971; Building-to-Land Value Ratio: 0.61
Downtown Project	193-061-03	1.8	31 Wharf Rd, Bolinas	C-SF5/C-RA-B2	0	No	0 9	0	8 0	8 9	Meets Criteria #4, 7 Existing Use - Residential common area; Building-to-Land Value Ratio: 0.00
Overlook Lots	192-061-14	0.5	530 Overlook Dr, Bolinas	C-SF5/C-RA-B2	0	No	2	0	0	2	Meets Criteria #2, 7 Existing Use – Vacant Building-to-Land Value Ratio: 0.00

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Underutilized Sites											
Stinson Beach Underutilized Residential	195-193-15	0.3	128 Calle Del Mar, Stinson Beach	C-SF6/C-R1	7	No	0	0	2	2	Meets Criteria #4, 5, 7 Existing Use - Small lot sf detached, built 1922; Building-to-Land Value Ratio: 0.55
	195-193-18	0.00 04	129 Calle Del Mar, Stinson Beach	C-SF6/C-R1	7	No	0	0	1	1	Meets Criteria #4, 5, 7 Existing Use - Very small lot sf detached, built 1922; Building-to-Land Value Ratio: 0.50
Stinson Beach Commercial	195-193-35	0.3	3422 State Route 1, Stinson Beach	C-NC/C-VCR	16 20	No	0	0	5	5	Meets Criteria #3, 4 Existing Use - Non urban civic
Vacant Sites											
Stinson Beach Community Center - Vacant	195-211-05	0.9	10 Willow Ave, Stinson Beach	C-SF6/C-R1	10 7	No	0	0	5	5	Meets Criteria #2
Other ⁶- West Marin											
School Sites											
Shoreline Unified School District	102-080-19	2.1	Shoreline Highway, Tomales	C-SF3/C-RSP-1.6	20	No	35	0	0	35	Meets Criteria #2 Existing Use - Vacant school property
	102-080-20	0.4	Shoreline Highway, Tomales	C-SF3/C-RSP-1.6	20	No	9	0	0	9	Meets Criteria #2 Existing Use - Vacant school property
Tomales Joint Union High School District	102-080-10	0.7	State Route 1, Tomales	C-SF3/C-RSP-1.6	20	No	0	14	0	14	Meets Criteria #2 Existing Use - Vacant school property
Religious Sites											
Olema Catholic Church	166-181-01	2 43.6	10189 State Route 1, Olema	C-NC/C-VCR	20	No	24 20	0	0	24 20	Meets Criteria #2

⁶ Sites that did not fall within the boundaries of CDPs within unincorporated communities in West Marin (Northern Coastal West Marin, Central Coastal West Marin, The Valley, or Southern Coastal West Marin) but are located in West Marin.

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
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											Existing Use - Religious center (Parking Lot only)
Underutilized Sites											
Olema Commercial Underutilized	166-202-01	1.0	10002 State Route 1, Olema	C-NC/C-VCR	20	No	0	10	0	10	Meets Criteria #4, 5, 7 Existing Use -Low intensity strip commercial, built 1881; Building-to-Land Value Ratio: 0.96
Olema Commercial Underutilized	166-213-01	0.5	9870 State Route 1, Olema	C-NC/C-VCR	20	No	0	0	5	5	Meets Criteria #4, 5, 7 Existing Use -Low intensity strip commercial, built 1900; Building-to-Land Value Ratio: 0.80
Olema Commercial Underutilized	166-213-02	1.0	9840 State Route 1, Olema	C-NC/C-VCR	20	No	0	10	0	10	Meets Criteria #4, 5, 7 Existing Use -Rural residential lot SF detached, built 1915; Building-to-Land Value Ratio: 0.29
Olema Commercial Underutilized	166-202-04	1.1	9950 Sir Francis Drake Blvd, Olema	C-NC/C-VCR	20	No	0	11	0	11	Meets Criteria #4, 5, 7 Existing Use -Low intensity strip commercial; built 1881; Building-to-Land Value Ratio: 0.96
Central Marin											
Santa Venetia/Los Ranchitos											
Religious Sites											
St. Vincent's School for Boys	155-011-29	20.2	St. Vincent Dr, Santa Venetia	PD/A2	20	4th & 5th	0	0	0	0	Meets Criteria #1, 2 Developer/Property Owner Interest Existing Use – Vacant/Agricultural
	155-011-28	74.0	St. Vincent Dr, Santa Venetia	PD/A2	20	4th & 5th	0	0	0	0	
	155-011-30	221.0 (55.0)	St. Vincent Dr, Santa Venetia	PD/A2	20	4th & 5th	440	0	240 495240	68068 0935	
Church of Jesus Christ	180-272-03	3-55.4	220 N San Pedro Rd, Santa Venetia	SF5/A2-B2	20	No	35	0	0	35	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)

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Congregation Rodef Shalom Marin	180-281-34	2.02.9	170 N San Pedro Rd, Santa Venetia	SF5/A2-B2	20	No	0	13	0	13	Meets Criteria #2 Existing Use - Religious center (parking lot only)
School Sites											
Bernard Osher Marin Jewish Community Center	180-281-35	4.21.9	180 N San Pedro Rd, Santa Venetia	SF5/A2-B2	30.20	No	10	0	0	10	Meets Criteria #2 Existing Use – Religious center (Parking Lot only)
	180-281-21	4.62.5	200 N San Pedro Rd, Santa Venetia	SF5/A2-B2	30.20	No	13	0	0	13	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)
	180-281-25	0.91.7	210 N San Pedro Rd, Santa Venetia	OC/AP	30.20	No	13	0	0	13	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)
McPhail School	180-151-18	4.3	1565 Vendola Dr, Santa Venetia	PF-SF6/PF-RSP-4.36	30.0	No	0	0	33	33	Meets Criteria #1 Property Owner Interest Existing Use - Closed School
	180-161-09	1.0	N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	30.0	No	0	0	0	0	Existing Use - Closed school
	180-161-10	4.3	N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	30.0	No	0	0	0	0	Existing Use - Closed school
Old Gallinas Children Center	180-123-01	7.7	251 N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	30	No	50	0	0	50	Meets Criteria #2, 3 Existing Use - Closed school (with ball field to remain)
Vacant											
Vacant Santa Venetia	180-171-32	1.1	180-171-32 (N San Pedro Rd), Santa Venetia	SF5/A2-B2	2.4	No	0	0	2	2	Meets Criteria #2
Outnumbered2, LLC	180-261-10	27.9	Oxford Drive, Santa Venetia	SF5/A2-B2	4	No	0	0	284	284	Meets Criteria #1
Vacant Santa Venetia	179-332-19	1.0	179-332-19 (Edgehill Way), Santa Venetia	SF6/R1	3.7	No	0	0	3	3	Meets Criteria #2
Vacant Bayhills Drive	180-333-01	1.5	Bayhills Drive, Santa Venetia	PR/RMP-1	4.8	No	0	0	5	5	Meets Criteria #2

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Kentfield/Greenbrae											
School Sites											
College of Marin Parking Lot	071-132-11	0.8	Sir Francis Drake Blvd, Kentfield	PF/PF	30	No	21	0	0	21	Meets Criteria #1, 2 Developer/Property Owner Interest Existing Use–Parking Lot; combined with College of Marin Commercial Frontage site below
	071-132-12	0.3		PF/PF	30	No	7	0	0	7	
	074-092-11	0.2		PF/PF	20	No	3	0	0	3	
College of Marin Parking Lot	074-181-18	2.7	139 Kent Ave, Kentfield	PF/PF	20	No	48	0	0	48	
	074-092-17	0.2		PF/PF	20	No	2	0	0	2	
Underutilized Sites											
College of Marin (Commercial Frontage)	074-031-56	0.2	937 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	10	0	10	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial, built 1943; Building-to-Land Value Ratio: 0.00
	074-031-58	0.1	941 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	5	0	5	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial, built 1954; Building-to-Land Value Ratio: 0.00
	074-031-60	0.1	939 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	10	0	10	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial, built 1951; Building-to-Land Value Ratio: 0.00
Kentfield Commercial Underutilized	074-031-54	0.1	923 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	4	0	4	Meets Criteria #4, 5 Existing Use - Low intensity strip commercial, built 1913
	074-031-65	0.3	921 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	6	0	6	Meets Criteria #4, 7 Existing Use - Low intensity strip commercial; Building-to-Land Value Ratio: 0.32

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Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Kentfield Commercial Underutilized	074-031-68	0.2	935 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	5	0	5	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial, built 1950; Building-to-Land Value Ratio: 1.00
	074-031-69	0.1	Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	3	0	3	Meets Criteria #4, 7 Existing Use - Large format standalone commercial; Building-to-Land Value Ratio: 0.00
Sloat Garden Center	071-191-47	1.1	700 Sir Francis Drake Blvd, Kentfield	SF6/R1	30	No	26	0	0	26	Meets Criteria #4, 5, 7 Existing Use - Large format standalone commercial; built 1946 Building-to-Land Value Ratio: 0.17
	071-191-48	0.2	700 Sir Francis Drake Blvd, Kentfield	SF6/R1	30	No	5	0	0	5	Meets Criteria #4, 7 Existing Use - Large format standalone commercial; Building-to-Land Value Ratio: 0.00
Kentfield Commercial Underutilized	074-031-39	0.3	929 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	8	0	8	Meets Criteria #4 Existing Use - Low intensity strip commercial, built 1979; Building-to-Land Value - 2.96; Floor Area Ratio: 0.80
Kentfield Commercial Underutilized	074-031-45	0.2	907 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	5	0	5	Meets Criteria #4 Existing Use - Low intensity strip commercial, built 1975; Building-to-Land Value - 1.89; Floor Area Ratio: 0.58
Kentfield Commercial Underutilized	074-031-61	0.3	913 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	7	0	7	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial, built 1957; Building-to-Land Value - 1.29
Kentfield Commercial Underutilized	074-031-63	0.1	Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	4	0	4	Meets Criteria #2, 4 Vacant; Existing Use - Low intensity strip commercial
Kentfield Commercial Underutilized	074-031-74	0.2	943 Sir Francis Drake Blvd, Kentfield	NC/RMPC	0	No	0	5	0	5	Meets Criteria #4, 7 Existing Use - Low intensity strip commercial, built 1976; Building-to-Land Value Ratio: 1.09

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Kentfield Commercial Underutilized	074-031-75	0.7	901 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	18	0	0	18	Meets Criteria #4, 7 Existing Use - Low intensity strip commercial; Building-to-Land Value Ratio: 1.66
Kentfield Commercial Underutilized	074-031-77	0.2	911 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	6	0	6	Meets Criteria #4, 7 Existing Use - Low intensity strip commercial; Building-to-Land Value Ratio: 1.00
25 Bayfield Bayview (Kentfield)	022-071-01	0.4	25 Bayview Rd, Kentfield	MF3/RMP-6	8.49	No	0	0	3	3	Meets Criteria #4, 5, 7 Existing Use - Estate lot sf detached, built 1910; Building-to-Land Value Ratio: 0.29
Religious Sites											
<u>St. Sebastian Church</u> (Kentfield Catholic Church)	022-010-21	4.42 .4	215 Bon Air Rd, Kentfield	PF-SF5/R1-B2	10.39	No	0	14	0	14	Meets Criteria #2 Existing Use – Religious center (parking lot only)
Other-⁷ Central Marin											
Credit											
Albion Monolith	018-087-13	0.5	33 Albion St, California Park	MF3/RMP-9	0	No	0	0	0	0	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot SF detached; built 1938; Building-to-Land Value Ratio:0.34
	018-087-14	1.2	37 Albion St, California Park	MF3/RMP-9	0	No	1	0	8	9	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot SF detached; built 1930; Building-to-Land Value Ratio: 0.16
San Quentin Adjacent Vacant Property	018-152-12	55.2	E Sir Francis Drake Blvd, San Quentin	PF/A2-B2	0	No	115	115	0	230	Meets Criteria #2 Existing Use - Non-urban civic, vacant
Vacant Sites											

⁷ Sites that did not fall within the boundaries of CDPs within unincorporated communities in Central Marin (Santa Venetia/ Los Ranchitos or Kentfield/Greenbrae) but are in the Central Marin area.

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Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Cal Park	018-086-17	0.2	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	4	4	Meets Criteria #2 GP Housing Overlay
	018-086-18	0.7	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	17	17	Meets Criteria #2 GP Housing Overlay
	018-075-28	0.9	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	2015	2015	Meets Criteria #2 GP Housing Overlay
	018-074-16	0.81.9	Woodland Ave, California Park	MF2/RSP-4	30	No	3025	0	0	3025	Meets Criteria #2
	018-081-04	0.41.3	Auburn St, California Park	MF2/RSP-4	30	No	0	0	24	24	Meets Criteria #2
	018-083-01	0.1	Auburn St, California Park	MF2/RSP-4	30.8	No	0	0	1	1	Meets Criteria #2
	018-085-23	0.41.0	Auburn St, California Park	MF2/RSP-4	30.8	No	0	0	17	17	Meets Criteria #2
	018-083-09	0.40.4	Auburn St, California Park	MF2/RSP-4	30.8	No	0	0	2	2	Meets Criteria #2
	018-082-13	0.5	Auburn St, California Park	MF2/RSP-4	30.8	No	0	0	3	3	Meets Criteria #2
	018-084-12	4.001.2	Auburn St, California Park	MF2/RSP-4	30.8	No	0	0	2	2	Meets Criteria #2
Lucas Valley Environs Vacant	164-280-35	54.259.0 (3.5)	1501 Lucas Valley Road, Lucas Valley Environs	AG1/A60	7	No	0	0	26	26	Meets Criteria #2
Karuna	177-220-10	10.8	1 Sacramento Ave, Sleepy Hollow	MF2/RMP-1.0	1	No	0	0	10	10	Meets Criteria #2
Underutilized Sites											
Sacramento/San Anselmo Properties	177-203-03	0.7	684 Sacramento Ave, San Anselmo Sleepy Hollow	SF6/R1	30	No	460	0	016	16	Meets Criteria #4, 7 Existing Use – Apartment; Building-to-Land Value Ratio: 1.53
	177-203-04	0.8	404 San Francisco Blvd,	SF6/R1	30	No	4813	0	05	18	Meets Criteria #4, 7

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
			San Anselmo Sleepy Hollow								Existing Use – Multiple SF detached units; Building-to-Land Value Ratio: 1.16
	177-220-41	0.3	San Francisco Blvd, San Anselmo Sleepy Hollow	SF6/R1	30	No	7	0	0	7	Meets Criteria #2 Existing Use – Vacant
Sacramento/San Anselmo Properties	177-203-09	0.6	60 Sacramento Ave, San Anselmo Sleepy Hollow	SF6/R1	30	No	150	80	923	23	Meets Criteria #4, 5, 7 Existing Use – Rural residential lot SF detached; built 1925; Building-to-Land Value Ratio: 0.58
Religious Sites											
Subud California	177-202-08	2.63.0	100 Sacramento Ave, Sleepy Hollow	PR/RMP-0.1	2.20	No	0	4	0	4	Meets Criteria #2, 7 Existing Use - Religious center (parking lot only); Building-to-Land Value Ratio: 1.07
Commercial Mixed Use Sites											
Oak Manor Commercial Center	174-011-33	1.1	2410 Sir Francis Drake Blvd, Unincorporated Fairfax	GC/C1	23.30	4th & 5th	25	0	0	25	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip mall; built 1965; Building-to-Land Value Ratio: 1.13
	174-011-36	0.5	2400 Sir Francis Drake Blvd, Unincorporated Fairfax	GC/C1	23.30	4th & 5th	11	0	0	11	Meets Criteria #4, 7 Existing Use - Low intensity strip mall; Building-to-Land Value Ratio: 0.38
School Sites											
Hidden Valley Elementary School Vacant Area	177-011-13	0.6	Fawn Dr, Sleepy Hollow	PF-SF4/PF-RSP-2	8	No	0	0	50	50	Meets Criteria #2 Existing Use – Vacant school property
San Domenico School	176-300-30	522.4 (2.4)	1500 Butterfield Rd, Sleepy Hollow	PR/RMP-0.1	30	No	50	0	0	50	Meets Criteria #1, 7 Property owner interest; built 1964

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Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Southern Marin											
Strawberry											
Vacant Sites											
North Knoll Rd/Saint Thomas Dr	034-012-26	5.9	Knoll Rd, Strawberry	PR/RMP-0.2	16	No	0	08	2348	2356	Meets Criteria #2
	034-061-09	0.6	Knoll Rd, Strawberry	PR/RMP-0.2	16	No	0	0	3	3	Meets Criteria #2
Credit											
North Coast Seminary	043-261-25	48.4	201 Seminary Dr, Strawberry	MF2/RMP-2.47	0	4th	0	0	49	49	Meets Criteria #1, 5, 7 Existing Use - Non closed seminary college , built 1959; Building-to-Land Value Ratio: 0.04
	043-261-26	25.1	300 Storer Dr, Strawberry	MF2/RMP-2.47	0	4th	0	0	8940	8940	Existing Use - Non urban civic; Building-to-Land Value Ratio: 0.28
Underutilized Sites											
Strawberry Commercial (one owner)	043-151-03	0.2	670 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	6	6	Meets Criteria #4, 5, 7 Existing Use - Office park low, built 1939; Building-to-Land Value Ratio: 0.86
	043-151-09	0.3	680 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	7	7	Meets Criteria #4, 5, 7 Existing Use - Motel, built 1944; Building-to-Land Value Ratio: 0.91
Strawberry Commercial (one owner)	043-151-02	0.3	664 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	9	9	Meets Criteria #4, 7 Existing Use - Motel, built 1977; Building-to-Land Value Ratio: 0.51
	043-151-31	1.5	690 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	38	38	Meets Criteria #4, 7 Existing Use -Low intensity strip commercial, built 1997; Building-to-Land Value Ratio: 0.07
Commercial Center Mixed Use Sites											

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Strawberry Village Center (North of Belvedere Dr)	043-321-03	<u>9.19.2</u>	800 Redwood Hwy Frontage Rd, Strawberry	GC/RMPC	30	No	28	0	0	28	Meets Criteria #2 Existing Use - Grocery store, parking area; GP Housing Overlay
Strawberry Village Center (South of Belvedere Dr)	043-151-30	3.9	750 Redwood Hwy Frontage Rd, Strawberry	GC/RMPC	30	No	72	0	0	72	Meets Criteria #4, 7 Existing Use – Commercial center (excludes In-N-Out); Building-to-Land Value Ratio: 0.38
Public Sites											
Strawberry Recreation District Site	043-361-54	3.1	Redwood Hwy Frontage Rd, Strawberry	MF4/RMP-12.1	<u>20 39</u>	No	<u>460</u>	0	<u>046</u>	46	Meets Criteria #2, 3 Existing Use - Vacant public property
Tam Valley (Tamalpais-Homestead Valley)											
Religious Sites											
<u>Peace Lutheran Church</u>	<u>052-062-05</u>	<u>3.7</u>	<u>205 Tennessee Valley Rd, Tamalpais</u>	<u>SF6/RA-B1</u>	<u>20</u>	<u>No</u>	<u>20</u>	<u>0</u>	<u>0</u>	<u>20</u>	Meets Criteria #2, 5 <u>Existing Use – Religious center (parking lot only); built 1959</u>
Underutilized Sites											
Jack Krystal Hotel Parcel Site	052-227-09	<u>4.52.2</u>	260 Redwood Hwy Frontage Rd, Almonte	RC/BFC-RCR	30	No	0	0	36	36	Meets Criteria #4, 7 Existing Use -Low intensity strip commercial; Building-to-Land Value Ratio- 0.01
Credit											
150 Shoreline	052-371-03	0.5	150 Shoreline Hwy, Strawberry	GC/CP	0	4th	0	0	10	10	Meets Criteria #2 Existing Use -Vacant
	052-371-04	0.9	150 Shoreline Hwy, Strawberry	GC/CP	0	4th					Meets Criteria #4, 5, 7 Existing Use -Low intensity strip commercial, built 1971; Building-to-Land Value 2.37
	052-371-06	0.3	150 Shoreline Hwy, Strawberry	GC/CP	0	4th					Meets Criteria #4 Existing Use -Low intensity strip commercial

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Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
	052-371-07	0.3	150 Shoreline Hwy, Strawberry	GC/CP	0	4th					Meets Criteria #4 Existing Use -Low intensity strip commercial, built 1975; Building-to-Land Value 3.35
Underutilized Sites											
Holiday Inn Mill Valley	052-371-09	3.1	160 Shoreline Highway, Strawberry	GC/CP	30	No	72	0	0	72	Meets Criteria #4, 5, 7 Existing Use - Motel, built 1972; Building-to-Land Value Ratio: 0.62
Public Sites											
Tam Junction State Vacant Lot	052-041-27	0.5	Shoreline Hwy, Tamalpais	MF4.5/RMP-12.45	30	4th	0	12	0	12	Meets Criteria #2, 3 Existing Use - Vacant State property
Marin City											
Religious Sites											
Peace Lutheran Church	052-062-05	2.73.7	205 Tennessee Valley Rd, Tamalpais	SF6/RA-B1	20	No	20	0	0	20	Meets Criteria #2, 5 Existing Use — Religious center (parking lot only); built 1959
Cornerstone Community Church of God	052-140-38	0.40.8	626 Drake Ave, Marin City	NC/RMPC	20	No	0	4	0	4	Meets Criteria #2 Existing Use – Religious center (parking lot only), built 1988
Commercial Center Mixed Use Sites											
Marin Gateway Center	052-490-08	4.220.1	190 Donahue St, Marin City	GC/CP	30	No	0	50	50	100	Meets Criteria #4, 6 Existing Use – Low intensity strip commercial; GP Housing Overlay; Building-to-Land Value – 1.67; Floor Area Ratio: 0.20
Credit											
825 Drake	052-112-03	1.0	825 Drake Ave, Marin City	MF4.5/RMP-34	0	No	74	0	0	74	Meets Criteria #4, 5 Existing Use - Large format standalone commercial; built 1967
Vacant Sites											
Donahue Highlands (formerly LiBao)	052-140-33	49.2 (24.6)	Off Donahue St., Marin City	PR/RMP-0.5	1	No	0	0	25	25	Meets Criteria #2

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
School Sites											
MLK Academy School Site	052-140-39	8.4	610 Drake Ave, Marin City	PF/PF	<u>11</u> 20	No	0	63	0	63	Meets Criteria #3 Elementary School
Other⁸ - Southern Marin											
Vacant Sites											
Pan Pac Ocean Site	034-012-21	1.6	Eagle Rock Rd, Strawberry	PR/RMP-0.2	<u>2</u> 46	No	0	0	3	3	Meets Criteria #2
	034-012-27	8.4	Eagle Rock Rd, Strawberry	PR/RMP-0.2	<u>2</u> 46	No	0	0	17	17	Meets Criteria #2
	034-012-28	1.2	Eagle Rock Rd, Strawberry	PR/RMP-0.2	<u>2</u> 46	No	0	0	2	2	Meets Criteria #2
	034-012-29	5.0	Eagle Rock Rd, Strawberry	PR/RMP-0.2	<u>2</u> 46	No	0	0	10	10	Meets Criteria #2
Credit											

⁸ Sites that did not fall within the boundaries of CDPs within unincorporated communities in Southern Marin (Strawberry, Tam Valley, Marin City) but are in the Southern Marin area.

**Marin Countywide Plan
Proposed Text Amendments
~~January~~ December, 20232**

Exhibit 1

Additions in bold, deletions in ~~strikethrough~~

CWP Policies	Proposed Changes/Notes
2. The Natural Systems and Agricultural Element	
Goal BIO-5: Baylands Conservation (p. 83)	
Baylands Corridor (p. 83 – second full paragraph on the page)	Within the Baylands Corridor, potential residential density and commercial floor area ratios shall be calculated at the lowest end of the applicable ranges. This provision does not apply to small parcels (2 acres or less in size) that were legally created prior to January 1, 2007. Within PD AERA designation, the density and floor area ratios shall be as specified for those areas.
3. The Built Environment	
3.4 Community Development (CD)	
Background (page 249, paragraph below “Map 1.2, Environmental Corridors, depicts the four major county corridors.”)	“The Plan’s land use pattern reflects existing development potential shifted, to a degree, from environmentally constrained sites to more appropriate locations. sites with environmental constraints or lacking public water or sewer systems have had development potential reduced to the lowest end of the density range for the applicable designation. These adjustments to development potential are reflected in corresponding increases in development potential in the City-Centered Corridor at locations closest to jobs and transit that are better suited to accommodate the development.”
Policy CD-1.3 (potential impacts in sensitive areas)	Calculate potential residential densities and commercial floor area ratio (FAR) at the lowest end of the applicable range on sites within the Ridge and Upland Greenbelt or Baylands Corridor. Densities higher than the lowest end of the applicable density range may be considered on a case-by-case basis for new housing units affordable to very low and low income households that are

	capable of providing adequate water or sewer services as long as the development complies with the California Environmental Quality Act and all other applicable policies in the Countywide Plan . including, but not limited to, those governing environmental protection.
Program CD-1.c	“Reduce Potential Impacts. Amend the Development Code to calculate potential residential density and commercial floor area ratio (FAR) at the lowest end of the applicable range on sites with sensitive habitat, on sites within the Ridge and Upland Greenbelt or the Baylands Corridor, or on sites lacking public water or sewer systems. Densities higher than the lowest end of the applicable density range may be considered on a case by case basis for new housing units affordable to very low and low income households that are capable of providing adequate water or sewer services, as long as the development complies with the California Environmental Quality Act and all other applicable policies including, but not limited to, those governing environmental protection.”
Program CD-5.e Limit Density for Areas Without Water or Sewer Connections	“Limit Density for Areas Without Water or Sewer Connections. Calculate density at the lowest end of the Countywide Plan density range for new development proposed in areas without public water or sewer service. Densities higher than the lowest end of the applicable density range may be considered on a case by case basis for new housing units affordable to very low and low income households that are capable of providing adequate water or sewer services, as long as the development complies with the California Environmental Quality Act and all other applicable policies in the Countywide Plan . including, but not limited to, those governing environmental protection.”
Program CD-6.a Consider Annexation of Urbanized Areas (urban service areas)	““Encourage annexation of lands proposed for intensified development in urban service areas or within established urban growth boundaries by calculating density at the lowest end of the Countywide Plan designation range, thereby allowing less intensive development than permitted by the neighboring city or town. (unless limited to housing affordable to very low or low income residents; or specified in an adopted specific, community, or master plan.”

<p>Policy CD-8.6 Establish Residential Land Use Categories</p>	<p>Medium to High Density Residential</p> <p>The following medium to high density residential land use categories (from 11 to 45 units per acre) are established within the City-Centered Corridor and in communities or villages in the Inland Rural, Baylands, and Coastal Corridors where multi-family development can be accommodated with easy accessibility to a full range of urban services and locations near major arterials, transit services, and/or community and regional shopping facilities.</p>
<p>Policy CD- 8.7 Establish Commercial/Mixed Use Land Use Categories and Intensities (Introductory Language)</p>	<p>Establish Commercial/Mixed-Use Land Use Categories and Intensities.</p> <p>Commercial/mixed-use land use categories are established to provide for a mix of retail, office, and industrial uses, as well as mixed-use residential development or exclusively affordable residential development, in a manner compatible with public facilities, natural resource protection, environmental quality, and high standards of urban design. Mixed-use developments are intended to incorporate residential units on commercial properties, including on-site housing for employees, thereby contributing to affordable housing and reduced commutes.</p> <p>For mixed used development, the commercial component of the development is subject to the floor area ratio standard while the residential component is subject to the density standard.</p> <p>For projects consisting of moderate income housing, the FAR may be exceeded in areas with acceptable levels of service—but not to an amount sufficient to cause an LOS standard to be exceeded.</p> <p>The following criteria shall apply to any mixed-use development:</p> <ol style="list-style-type: none"> 1. For parcels larger than 2 acres in size, no more than 50% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.

~~For parcels 2 acres and less in size, no more than 75% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.~~

~~2. Projected peak hour traffic impacts of the proposed mixed use development are no greater than that for the maximum commercial development permissible on the site under the specific land use category.~~

~~3. Priority shall be given to the retention of existing neighborhood serving commercial uses.~~

~~4. The site design fits with the surrounding neighborhood and incorporates design elements such as podium parking, usable common/open space areas, and vertical mix of uses, where appropriate. In most instances, residential uses should be considered above the ground floor or located in a manner to provide the continuity of store frontages, while maintaining visual interest and a pedestrian orientation.~~

~~5. For projects consisting of low income and very low income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate income housing, the FAR may only be exceeded in areas with acceptable traffic levels of service — but not to an amount sufficient to cause an LOS standard to be exceeded.~~

~~6. Residential units on mixed use sites in the Tamalpais Area Community Plan area shall be restricted to 100 residential units, excluding units with valid building permits issued prior to the date of adoption of the Countywide Plan update. The 100 unit cap includes any applicable density bonus and such units are not subject to the FAR exceptions listed in #5 above due to the~~

	<p>area's highly constrained (week and weekend) traffic conditions, flooding, and other hazards.</p>
<p>Policy CD- 8.7 Establish Commercial/Mixed Use Land Use Categories and Intensities (General Commercial/Mixed Use)</p>	<p>General Commercial/Mixed Use. The General Commercial mixed-use land use category is established to allow for a wide variety of commercial uses, including retail and service businesses, professional offices, and restaurants, in conjunction with mixed- use residential development. The Development Code includes permitted and conditional uses and development standards consistent with this designation. The Land Use Policy Maps provide commercial floor area ratio (FAR) standards for this designation.</p> <p>Residential development located in a mixed-use development within this designation shall be included in the permissible amount of development under these FARs. For projects consisting of low and very low income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate income housing, the FAR may be exceeded in areas with acceptable traffic levels of service – but not to an amount sufficient to cause an LOS standard to be exceeded. (Refer to CD 2.3 for projects located within the Housing Overlay Designation.)</p> <p>Consistent Zoning: C P C1-H H-1 RMP-.1 to RMP-30 AH RMPC – 20 to RMPC - 45</p>
<p>Policy CD- 8.7 Establish Commercial/Mixed Use Land Use Categories and Intensities (Neighborhood Commercial/Mixed Use)</p>	<p>Neighborhood Commercial/Mixed Use. The Neighborhood Commercial/Mixed Use land use category is established to encourage smaller-scale retail and neighborhood- serving office and service uses in conjunction with residential development oriented toward pedestrians and located in close proximity to</p>

	<p>residential neighborhoods. The Development Code includes permitted and conditional uses and development standards consistent with this designation. The Land Use Policy Maps provide for commercial floor area ratio (FAR) standards for this designation.</p> <p>Residential development located in a mixed-use development within this designation shall be included in the permissible amount of development under these FARs. For projects consisting of low and very low-income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate-income housing, the FAR may be exceeded in areas with acceptable traffic levels of service—but not to an amount sufficient to cause an LOS standard to be exceeded. (Refer to CD 2.3 for projects located within the Housing Overlay Designation.)</p> <p>Consistent Zoning: VCR RMPC – 20 to RMPC - 45 VCR:B2 AH</p>
Policies Specific to Certain Sites	
St. Vincent’s and Silveira	
p. 3.12-6	<p><i>Natural Systems Goals and Policies</i></p> <p>There are a number of protected resource areas 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 wastewater ponds and irrigation; Miller Creek and its riparian corridor; lands within the 100-year</p>

	<p>floodplain; and hills leading up to Pacheco Ridge at the northern boundary of the site.</p> <p>On the St. Vincent property, there are approximately 60 acres of land that largely avoid the hazards and resources addressed in the below Goals and Policies. To support residential development that will help meet Marin County’s housing needs, Goals SV-1 through SV-7 (and related policies) do not apply to housing development located within the area designated as <u>MF-4HOD</u> on the Land Use Policy Map and related infrastructure and similar improvements that may occur outside that area.</p>
<p>SV-2.2 Require Master Plan P. 3.12-9</p>	<p>SV-2.2 Require Master Plan. Require a master plan for new uses or a large reuse project based on an environmental review, unless discretionary review does not apply because the project is subject to the Form Based Code or state housing law exempts the project from the Master Plan process. Minor expansion of existing uses and minor compatible new uses may be allowed without a master plan, provided they do not increase the development intensity of either property. Any proposal for development in the St. Vincent’s and Silveira area should respect the land, honor the legacy of the human settlements from the Miwok to the St. Vincent’s School for Boys to the Silveira family, limit the amount of traffic to and from the site, and be planned for long-term sustainability.</p>
<p>SV-2.4 Cluster Development. p. 3.12-10</p>	<p>New non-agricultural development (e.g., building footprints, roads, and parking) on either the St. Vincent’s <u>property will be restricted to the approximately 34-acre portion identified in the Housing Overlay Designation (HOD)</u>property will be restricted to the approximately 60-acre portion identified as MF-4 on the Land Use Policy Map. the Silveira property shall be restricted to up to 5% 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</p>

	<p>development shall not be counted toward the 5% restrictions on for the land area for each property.</p> <p>In addition, development (e.g., educational/social service) on the St. Vincent’s property should be clustered around the H complex, with the Chapel and the H complex buildings retained as the community center as determined by a master plan process.</p>
<p>SV-2.5 Establish Land Use Categories. p. 3.12-10</p>	<p>Portions of the St. Vincent’s and Silveira properties are assigned the density in the HOD MF-4 (11-45 units per acre) or 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 uses, and small-scale hospitality uses, as described more fully in SV-2.3.</p> <p>In addition to existing uses, a total of up to 221 dwelling units for the combined St. Vincent’s and Silveira sites 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. Dwelling units shall be allocated proportionally to the respective St. Vincent’s and Silveira areas, based on the total acreage of the St. Vincent’s and Silveira sites as determined by the County at the time of the first application for development of more than four units or their equivalent.</p> <p>Within these standards, the master plan approval process will determine the specific development suitable for these properties, taking into consideration environmental constraints and the community benefits associated with providing a higher ratio of housing affordable to low and very low income persons and smaller residential unit sizes, unless the development is subject to the Form Based Code or state housing law exempts the project from the Master Plan process. Pursuant to the PD Agricultural and Environmental Resource Area land use category, nonresidential uses, assisted senior housing, or other senior care facilities may be permitted in lieu of some dwelling units, provided that the impacts of the senior care and other nonresidential</p>

	<p>development on peak hour traffic do not exceed those projected for all residential development being replaced plus existing baseline trips.</p>
<p>St. Vincent's and Silveira Land Use Policy Map p. 3.12-11</p>	<p>Update the St. V/Silveira Policy Map to show new exhibit with Development Area and Zoning Envelope as described in the HEOP document.</p>
<p>CD-8.8 Establish Planned Designation Land Use Categories. P 3.4-39</p>	<p>The Planned Designation-Agricultural and Environmental Resource Area (PD-Agricultural and Environmental Resource Area), Planned Designation-Transit Village Area (PD-Transit Village Area), and Planned Designation-Reclamation Area (PD-Reclamation Area) land use categories are established. The Planned Designation categories are intended to enable the planning of reuse projects at major opportunity sites in a manner that honors the site's location and unique natural, historic, aesthetic, while promoting Countywide Plan policies regarding resource protection, affordable housing, and innovative transit-oriented and energy efficient design. Development in a Planned Designation category shall require approval of a specific plan pursuant to Government Code Section 65450 or a master plan pursuant to the County Development Code unless either: 1) State housing laws exempt a project from this planning process, or 2) the proposed project is consistent with the M-4 Land Use Designation<u>HOD</u> and the Form Based Code.</p> <p><u>PD-Agricultural and Environmental Resource Area</u></p> <p>Land Uses. The PD-Agricultural and Environmental Resource Area land use category is intended for reuse and development of the St. Vincent's and Silveira area. 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 SV-2.3.</p> <p>Building intensity standards for the PD-Agricultural and Environmental Resource Area up to 221 dwelling units in addition to existing development, or equivalent amounts of nonresidential development based on impacts on peak-hour traffic.</p>

<p>Buck Center</p>	<p>Amend Map 1-2 to show Buck Center site in the City-Centered Corridor rather than the Inland-Rural Corridor.</p>
<p>3.5 Community Design (DES)</p>	
<p>Program DES-4.d and Protect View of Ridge and Upland Greenbelt Areas</p>	<p>DES-- 4.d Protect Views of Ridgelines. 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 Revise the implementation of these standards by removing those lower lying areas that are less visually sensitive including in from the Ridge and Upland Greenbelt Area, and including 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 DES4.e.)</p> <p>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 the following:</p> <p>Identifying lower lying areas that are less visually sensitive and any unmapped ridgelines of countywide significance, both developed and undeveloped, and adjusting the Ridge and Upland Greenbelt Areas map as appropriate;</p> <p>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, provided residential densities are not reduced;</p>

	<p>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; and</p> <p>Requiring buildings in Ridge and Upland Greenbelt areas to be screened from view by wooded areas, rock outcrops, or topographical features (see DES-3.b).</p> <p>and Calculating density for Ridge and Upland Greenbelt subdivisions at the lowest end of the General Plan designation range.</p>
<p>3.9 Transportation (TR)</p>	
<p>Program TR 1.e Uphold Vehicle Level of Service Standards</p>	<p>TR 1.e Uphold Vehicle Level of Service Standards. Uphold peak-hour vehicle Level of Service standard LOS D or better for urban and suburban arterials and LOS E or better for freeways and rural expressways^{27F1}. Only the Congestion Management Program-specified roadway and highway segments operating at a lower LOS than the standard in 1991 are grandfathered and may continue to operate at the lower LOS standard until such time as the roads are improved or the traffic load or demand is reduced or diverted. An improvement plan should be developed for Highway 101 and the grandfathered roadway segments to address existing deficiencies. Unless determined to be infeasible, alternatives that reduce fossil fuels and single occupancy vehicle use should be considered a priority over infrastructure improvements such as road widening.</p> <p>New development shall be restricted to the lowest end of the applicable residential density/commercial floor area ratio range where the LOS standards will be exceeded at any intersection or road segment or worsened on any grandfathered segment. Densities higher than the low</p>

	<p>end of the applicable residential density/commercial floor area ratio may be considered for the following:</p> <ul style="list-style-type: none"> • Development that qualifies as Housing Overlay Projects in accordance with Policy CD 2.3, Establish a Housing Overlay Designation, and Program CD 2.d, Implement the Housing Overlay Designation. • Mixed use projects developed in accordance with Policy CD 8.7. • Second units developed pursuant to State law. • New housing units affordable to very low and low income households. <p>All projects shall be conditioned to include feasible mitigation measures for project related traffic impacts.</p>
<p>Community Plans</p>	
<p>How to Read the Countywide Plan p. 1.4-3</p>	<p>Another overall principle to guide the reading, interpretation, and implementation of the Plan is that none of its provisions will be interpreted by the County in a manner that violates state or federal law. For example, Policy CD-5.2 (“Assign financial responsibility for growth”) requires new development to pay for its fair share of the cost of public facilities. This policy will be implemented subject to applicable legal standards. In reading every provision of the Plan, one should infer that it is limited by the principle, “to the extent legally permitted.”</p> <p>Similarly, no provision of <u>the Countywide Plan, including its a community plans,</u> may be applied by the County in a manner that conflicts with <u>the Countywide Plan or state housing law, or the policies and programs contained in the Housing Element and/or the ordinances implementing those policies.</u> There are a number of community plans containing policies and programs to support implementation of the Countywide Plan. When reading,</p>

	<p>interpreting, and implementing the community plans, none of their provisions can conflict with the Countywide Plan or state housing law.</p>
<p>Land Use Categories p. 1.5-3</p>	<p>The Countywide Plan establishes and maps land uses according to the following categories. Additional policy guidance can be obtained from the various local community plans. <u>No provision of the Countywide Plan, including its community plans, may be applied by the County in a manner that conflicts with State law, or the policies and programs contained in the Housing Element and/or the ordinances implementing those policies.</u> To the degree that the community plan policy guidance conflicts with the Countywide Plan or state housing law, the Countywide Plan shall govern. The Countywide Plan land use designations supersede Community Plan designations.</p>
<p>p 3.4-3</p>	<p>Implementation tools such as the County Development Code are used to carry out the goals of the Countywide Plan. Some of the policies and programs in the Countywide Plan will require rezoning of individual properties for them to be consistent with the land use designations and the policies in the Plan. Many unincorporated communities are guided by community plans that provide specific direction regarding land use, transportation, community facilities, building design, and environmental quality, as well as issues unique to a particular community. Such issues may include, but are not limited to: customized building and site design standards to protect key resources; protection of important ridgeline and view corridors; evaluation and refinement of the Ridge and Upland Greenbelt and Baylands Corridor; regulations concerning home size; affordable housing sites; hazards; evacuation routes; flooding; and bicycle and pedestrian circulation. A Community plan is considered part of the Marin Countywide Plan and sets forth goals, objectives, policies, and programs to address specific issues relevant to that particular community. For residential and mixed use projects where there are land use designation or development density and floor area ratio differences, the Countywide Plan</p>

	<p>shall prevail, in the level of specificity between a policy in the Community Plan and a policy in the Countywide Plan, the document with the more specific provision shall prevail. except this policy shall not apply for applications that include Development Agreements.</p>
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What Are the Desired Outcomes?

GOAL CD-2

Balanced Communities. Maintain balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services.

Policies

CD-2.2 Policy CD-2.2 has been intentionally deleted. Establish objective standards for multi-unit housing development. Amend the relevant County codes, including the Development Code, to establish a Form Based (FB) combining district to apply the Marin County Form Based Code. Application of the FB combining district standards to properties where multi-unit residential development is allowable will increase multi-unit residential and mixed-use housing development projects by allowing them to obtain ministerial approval in compliance with the objective design standards set forth in the Form Based Code.

CD-2.3 Establish a Housing Overlay Designation. The Housing Overlay Designation (HOD) is established and applicable to all properties identified in the Housing Element (Inventory Sites). What Are the Desired Outcomes?

GOAL CD-2

Balanced Communities. Maintain balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services.

Policies

CD-2.2 Policy CD-2.2 has been intentionally deleted. Establish objective standards for multi-unit housing development. Amend the relevant County codes, including the Development Code, to establish a Form Based (FB) combining district to apply the Marin County Form Based Code. Application of the FB combining district standards to properties where multi-unit residential development is allowable will increase multi-unit residential and mixed-use housing development projects by allowing them to obtain ministerial approval in compliance with the objective design standards set forth in the Form Based Code.

CD-2.3 Establish a Housing Overlay Designation. The Housing Overlay Designation (HOD) is established and applicable to all properties identified in the Housing Element (Inventory Sites) and all sites identified in the previous Housing Element's sites inventory that were not developed during the previous cycle (recycled inventory sites). Establish a Housing Overlay Designation. The Housing Overlay Designation (HOD) is established, as shown on Maps 3-2a and 3-2b. The purpose of the HOD is to encourage construction of units to meet the need for workforce housing, especially for very low and low income households, and for special needs housing, in the City-Centered Corridor close to transit, employment, and/or public services. Sites for the HOD include reuse of existing shopping centers or other underutilized sites. Development on sites designated as both mixed use and as suggested HOD sites shall be developed pursuant to the HOD Policy and Program and not per mixed-use land designation criteria. Each square foot of market-rate HOD housing shall be offset by an equal reduction in the square footage of the permissible commercial development. Up to 658 housing units may be approved within the HOD, subject to a discretionary approval process.

The criteria used in establishing the Housing Overlay Designation include the following:

Designated by the Countywide Plan as Multifamily (MF), General Commercial (GC), Neighborhood Commercial (NC), Office Commercial (OC), Recreation Commercial (RC), or Public Facility (PF). Located within

- the unincorporated portion of the City-Centered Corridor;
- one-half mile of a transit node or route with daily, regularly-scheduled service; and
- one mile of a medical facility, library, post office, or commercial center.

The area to be developed

- does not exceed an average 20% slope and is not within the Ridge and Upland Greenbelt;
- is not within a Wetlands Conservation Area or Streamside Conservation Area;
- is not a park or public open space area; and
- is not primarily located within the 100-year flood plain.

The County will engage in discussions with cities and towns within Marin County regarding the possibility of locating residential units otherwise allocated to the HOD within these cities and towns, subject to the criteria described above.

Based on the above, the potential HOD-suggested sites and unit allocations by traffic impact areas are listed in Figure 3-3 and shown in Map 3-2c.

Figure 3-3 HOD Unit Allocations by Traffic Impact Areas

Traffic Impact Areas as Determined by Screenlines and HOD Site Criteria (See Map 3-2c)	HOD Unit Potential for Traffic Impact Areas (Including Density Bonus Units)	Suggested Qualifying Sites Within Traffic Impact Areas
Screenline 7:	Up to 110	<ul style="list-style-type: none"> <input type="checkbox"/> Marinwood Shopping Center (50 to 100 units) <input type="checkbox"/> Idylberry School (up to 10 units) <input type="checkbox"/> Other qualifying sites
Screenline 8:	Up to 25	<ul style="list-style-type: none"> <input type="checkbox"/> Gallinas Elementary School <input type="checkbox"/> Other qualifying sites
Screenline 23:	Up to 88	<ul style="list-style-type: none"> <input type="checkbox"/> College of Marin (up to 25 units—limited to student or workforce employees of the College) <input type="checkbox"/> Marin General Hospital (up to 50 total units if associated with reconstruction or reuse, of which up to 25 units must be designated senior housing and up to 25 units designated for affordable, workforce employees, or special needs housing) <input type="checkbox"/> Toussin (up to 13 units) <input type="checkbox"/> Other qualifying sites
Screenline 22:	Up to 10	<ul style="list-style-type: none"> <input type="checkbox"/> Oak Manor <input type="checkbox"/> Other qualifying sites
Screenline 13:	Up to 50	<ul style="list-style-type: none"> <input type="checkbox"/> California Park (San Rafael) <input type="checkbox"/> Other qualifying sites

Screenline 17:	Up to 100	<input type="checkbox"/> Strawberry Shopping Center <input type="checkbox"/> Other qualifying sites
Screenline 19:	Up to 50	<input type="checkbox"/> Fireside Motel
Screenline 21:	Up to 150	<input type="checkbox"/> Marin City Shopping Center <input type="checkbox"/> Other qualifying sites
	Up to 583	Units on named HOD Sites
	Total: Up to 658	Total Potential HOD Units Including Density Bonus Units

How will results be achieved?

Implementing Programs

CD-2.d Implement the Housing Overlay Designation Program. The reviewing authority may allocate HOD units to suggested qualifying sites or other qualifying sites within Traffic Impact Areas shown on Map 3-2c up to a total of 658 units, including any applicable density bonus units. Housing Overlay units within identified Traffic Screenlines may be allocated to suggested HOD sites listed in Figure 3-3 if the HOD project meets the following standards:

1. ~~Developer is encouraged to maintain ownership interest in the project.~~
2. ~~High quality building and site design that fits with the surrounding neighborhood and incorporates attractive and usable common/open space areas must be utilized, consistent with design guidelines.~~
3. ~~Affordability levels as follows:~~

~~For rental developments:~~

- a. ~~At least 49% of the units should be deed restricted and occupied to the maximum extent feasible by households whose incomes are 60% or less of area median income, adjusted for family size.~~

~~For ownership developments:~~

- a. ~~At least 60% of the units should be deed restricted and occupied to the maximum extent feasible by households whose incomes are 80% or less of area median income adjusted for family size, or~~
- b. ~~At least 49% of the units should be deed restricted and occupied to the maximum extent feasible by households whose incomes are 60% or less of area median income, adjusted for family size.~~
4. ~~Affordable ownership and rental units shall be deed restricted in perpetuity or for a period of not less than 55 years to ensure a stock of affordable ownership and rental units.~~
5. ~~Housing densities of at least 30 units per acre (except for sites designated Neighborhood Commercial/Mixed Use where at least 25 units per acre applies) on the portion of the site developed for housing.~~
6. ~~Projects that qualify for the designation and meet the affordability requirements may be entitled to concessions and/or waivers (e.g., development standard adjustments, such as parking, floor area ratio, height and fee reductions, and other considerations), and/or additional units (density bonus) consistent with State Law.~~

7. Additional "units" of senior housing on an HOD site may be permitted if
 - a. the additional "units" are affordable to low and very low below-market households; and
 - b. projected peak-hour traffic impacts of the entire project site, including the traffic impacts of the additional "units" of senior housing, fall within the maximum peak-hour traffic generated by the permissible development on the site, based on a traffic study to verify reduced trips and reduced parking.
8. Parking requirements may be adjusted on a case-by-case basis for senior and affordable housing, using criteria established in the URBEMIS model to encourage transit-oriented development. Trip reduction credits may be obtained through utilization of a variety of mitigation measures: locating development close to transit, or in a location where the jobs/housing balance will be optimized; commitments from the developer to implement demand management programs, including parking pricing and leased parking for market-rate units; use of tandem parking and off-site parking, among other measures to permanently reduce parking need. Reduction of parking requirements is subject to discretionary approval and may require a parking study to verify reduced parking demand.
9. Potential impacts are mitigated to the maximum extent feasible.
10. Occupancy or resident preferences for HOD projects should be analyzed for appropriateness in each project, taking into consideration applicable traffic impacts, jobs/housing balance opportunities, and fair housing laws.

Application can be made by a property owner to the County for the designation of a new HOD site that meets all of the criteria identified in Policy CD-2.3. In such cases, the review authority may designate an additional HOD site and reallocate units "assigned to" HOD sites within the same Traffic Impact Area and within the 658 total HOD units. Funding shall be pursued to prepare master plans and related environmental review documents to facilitate development on HOD sites. The Marinwood Plaza Conceptual Master Plan approved by the Board of Supervisors provides an example of a community-based planning process that meets the goals of the Housing Overlay Designation.

The County's inclusionary housing ordinance (Marin County Code Chapter 22.22) shall be amended to exempt from inclusionary housing requirements any project developed with affordable housing as outlined in the HOD program.

The inclusion of workforce housing, especially for very low and low income households and for special needs housing, will be strongly encouraged at the time of commercial or other expansion and major remodeling proposals.

HOD Sites include housing affordability targets that are necessary to comply with the County's obligations related to satisfying the RHNA. All developers of projects with more than 100 units should work with County staff to identify options for complying with the affordability targets. HOD Sites must provide at least 20% of the units at rents or sales prices that are affordable to low and very low income households.

HOD designations shall apply to all housing development projects on sites described in the table below, regardless of any different Countywide Plan Land Use Designation. The acreage and densities discussed in the chart below may occur anywhere on site, subject to site specific analysis and development regulation in

affect at the time a project is proposed. Clustered development shall occur on all HOD sites.

All HOD sites are listed below, along with the relevant location information current at the time of the adoption of this policy. The transect zones column refers to the transect zones provided in the Marin County Form Based Code. The transect zones indicated in this column are mandated for development occurring under the regulations of the Form Based Code on the site listed.

HOD Sites include housing affordability targets that are necessary to comply with the County's obligations related to satisfying the RHNA. All developers of projects with more than 100 units should work with County staff to identify options for complying with the affordability targets. HOD Sites must provide at least 20% of the units at rates that are affordable to low and very low income households. HOD density designations override the underlying Countywide Plan Land Use Designations and Development Code Zoning Designations. The acreage and densities discussed in the chart below may occur anywhere on site, subject to site specific analysis and subject to development regulations in affect at the time a project is proposed. Clustered development shall occur on all HOD sites.

All HOD sites are listed below, along with the relevant location information current at the time of the adoption of this policy. The transect zones column refers to the transect zones provided in the Marin County Form Based Code. The transect zones indicated in this column are mandated for development occurring under the regulations of the Form Based Code on the site listed.

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	Density Designation	Maximum Units
Alto-Strawberry						
1	North Knoll Rd/Saint Thomas Dr	034-012-26	70 N Knoll Rd., Strawberry	T3, T4	16 units per acre. Limited to 3.7 acres.	59
		034-061-09				
2	Pan Pac Ocean Site	034-012-21	Eagle Rock Rd., Strawberry	T4	2 units per acre.	32
		034-012-27				
		034-012-28				
		034-012-29				
3	Strawberry Commercial	043-151-02	664 Redwood Hwy Frontage Rd., Strawberry	T4, T5	30 units per acre. Limited to 2.0 acres.	60
		043-151-03				
		043-151-09				
		043-151-31				
4	Strawberry Recreation District Site	043-361-54	Redwood Hwy Frontage Rd., Strawberry	3.1	20 units per acre. Limited to 2.3 acres.	46
5	Strawberry Village Center	043-151-30	750 Redwood Hwy Frontage Rd., Strawberry	T4, T5	30 units per acre. Limited to 3.3 acres.	100
		043-321-03				
Fairfax						
6	Oak Manor Commercial Center	174-011-33	2400/2410 Sir Francis Drake Blvd., Unincorporated Fairfax	T3, T4	23 units per acre.	36
		174-011-36				

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	Density Designation	Maximum Units
Kentfield						
7	College of Marin Parking Lot	074-031-56	Sir Francis Drake Blvd., Kentfield	T4	30 unit per acre.	25
		074-031-58				
		074-031-60				
		<u>074-181-18</u>				
		<u>074-092-17</u>				
		<u>071-132-11</u>				
		<u>071-132-12</u>				
8	Kentfield Commercial Underutilized	074-031-39	Sir Francis Drake Blvd., Kentfield	T4	30 unit per acre.	71
		074-031-45				
		074-031-54				
		074-031-61				
		074-031-63				
		074-031-65				
		074-031-68				
		074-031-69				
		074-031-74				
		074-031-75				
		074-031-77				
9	Sloat Garden Center	071-191-47	700 Sir Francis Drake Blvd., Kentfield	T4	30 unit per acre.	31
		071-191-48				
10	25 Bayview Rd	022-071-01	25 Bayview Rd., Kentfield	T3	8 units per acre.	3
11	St. Sebastian Catholic Church (Kentfield Catholic Church)	022-010-21	215 Bon Air Rd., Kentfield	T3, T4	10 units per acre. Limited to 1.4 acres.	14

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	Density Designation	Maximum Units
Marinwood/Lucas Valley						
12	Lucas Valley Environs Vacant	164-280-35	1501 Lucas Valley Rd., Lucas Valley	T3	15 units per acre. Limited to 1.7 acres.	26
13	Marin County Juvenile Hall	164-640-01	2 Jeannette Prandi Way, Lucas Valley	T3, T4	30 units per acre. Limited to 2.7 acres.	80
14	Marinwood Plaza	164-471-64	121 Marinwood Ave., Marinwood	T4, T5	30 units per acre. Limited to 4.0 acres.	125
		164-471-65				
		164-471-69				
		164-471-70				
15	Miller Creek School District Properties (Marinwood Plaza adjacent)	164-471-71	Marinwood Ave., Marinwood	T4, T5	30 units per acre.	10
		164-471-72				
16	Office Building (Across From Juvenile Hall)	164-481-10	7 Mt. Lassen Dr., Lucas Valley	T3, T4	25 units per acre.	58
17	St. Vincent's	155-011-28	1 St. Vincent Dr., Santa Venetia	T3, T4	20 units per acre. Limited to 34.0 acres.	680
		155-011-29				
		155-011-30				

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	Density Designation	Maximum Units
Marin City						
18	Cornerstone Community Church of God	052-140-38	626 Drake Ave., Marin City	T3, T4	5 units per acre.	4
19	Donahue Highlands (formerly LiBao)	052-140-33	Off Donohue St., Marin City	T3, T4	n/a	25
20	Marin Gateway Center	052-490-08	190 A Donahue St., Marin City	T4, T5	20 units per acre. Limited to 5.0 acres.	100
21	MLK Academy School	052-140-39	200 Phillips Dr., Marin City	T4	11 units per acre. Limited to 6.0 acres.	63
22	Village Baptist Church (825 Drake)	052-112-03	825 Drake Avenue	T4	n/a	74
Nicasio						
23	Nicasio Corp Yard - County	121-050-34	Nicasio Valley Rd., Nicasio	T3	20 units per acre. Limited to 0.8 acres.	16
Novato (Unincorporated)						
24	Atherton Corridor	143-101-17	Atherton Ave., Novato	T3, T4	20 units per acre. Limited to 2.75 acres. Limited to 1.95 acres	147
		143-101-20			20 units per acre. Limited to 2.5 acres. Limited to 1.8 acres	
		143-101-35			20 units per acre. Limited to 0.2 acres. Limited to 1.8 acres	
		143-101-37			20 units per acre. Limited to 0.2 acres. Limited to 1.8 acres	
25	Black Point (Vacant)	143-110-31	300 Olive Ave., Black Point	T3	16 units per acre. Limited to 3.6 acres.	58
26	Buck Center Vacant Property	125-180-79	Redwood Hwy, Black Point	T3, T4	20 units per acre. Limited to 12.5 acres.	249
		125-180-85				
27	Greenpoint Nursery	153-190-24	275 Olive Ave., Black Point	T4	15 units per acre. Limited to 3.5 acres.	53

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	Density Designation	Maximum Units
San Rafael (Unincorporated)						
28	Bernard Osher Marin Jewish Community Center (includes Congregation Rodef Shalom site)	180-281-21	200 N San Pedro Rd., Santa Venetia	T3, T4	30 units per acre. Limited to 1.6 acres	49
		180-281-25				
		180-281-35				
		180-281-34				
29	Cal Park	018-074-16	Woodland Ave., Unincorporated San Rafael	T3, T4	30 units per acre. Limited to 3.7 acres	110
		018-081-04				
		018-082-12				
		018-082-13				
		018-083-01				
		018-083-09				
		018-084-12				
		018-085-23				
		018-075-28				
		018-086-18				
018-086-17						
30	Church of Jesus Christ	180-272-03	220 N San Pedro Rd., Santa Venetia	T3, T4	30 units per acre. Limited to 1.2 acres.	35
31	McPhail School	180-151-18	1565 Vendola Dr., Santa Venetia	T3	30 units per acre. Limited to 1.1 acres	33
		180-161-09				
		180-161-10				
32	Old Gallinas Children Center	180-123-01	251 N San Pedro Rd., Santa Venetia	T3, T4	30 units per acre. Limited to 1.7 acres.	50
33	Santa Venetia Vacant	180-171-32	N San Pedro Rd., Santa Venetia	T3	2 units per acre. Limited to 1.0 acre.	2
34	San Quentin Adjacent Vacant Property	018-152-12	E Sir Francis Drake Blvd., San Quentin	T3, T4, T5	30 unit per acre.	230
35	Vacant Bayhills Dr	180-333-01	50 Bayhills Dr., Santa Venetia	T3	4 units per acre.	5
36	Vacant Santa Venetia	179-332-19	Edgehill Way, Santa Venetia	T3	3 units per acre.	3
37	Outnumbered2, LLC	180-261-10	Oxford Dr., Santa Venetia	T3	3-7 units per acre.	4

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s)¹	Density Designation	Maximum Units
San Geronimo Valley						
38	Office - Forest Knolls (Upper Floors)	168-141-12	6900 Sir Francis Drake Blvd., Forest Knolls	T3, T4	20 units per acre.	2
39	Office - Lagunitas (Upper Floors and Rear Prop)	168-175-06	7120 Sir Francis Drake Blvd., Lagunitas	T3, T4	20 units per acre. Limited to 1.5 acres.	30
		168-192-28				
40	Presbyterian Church San Geronimo	169-101-21	6001 Sir Francis Drake Blvd., San Geronimo	T3, T4	13 units per acre. Limited to 1.2 acres.	15
41	Saint Cecilia Church	168-183-04	428 W. Cintura, Lagunitas	T3, T4	20 unit per acre.	16
42	Woodacre Fire Station	172-104-02	33 Castle Rock	T3, T4	4 units per acre.	10
		172-111-01				
		172-111-02				
43	6760 Sir Francis Drake Boulevard	168-131-04	6760 Sir Francis Drake Blvd., Forest Knolls	T3, T4	11 units per acre. Limited to .75 acres.	8

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	Density Designation	Maximum Units
Sleepy Hollow						
44	Karuna	177-220-10	1 Sacramento Ave., Sleepy Hollow	T3	10 units per acre.	10
45	San Domenico School	176-300-30	1500 Butterfield Rd., Sleepy Hollow	T3, T4	30 units per acre. Limited to 1.7 acres.	50
46	Subud California	177-202-08	100 Sacramento Ave., Sleepy Hollow	T3	2 units per acre.	4
47	Sacramento/San Anselmo Properties	177-203-03	Sacramento Ave./San Francisco Blvd., Sleepy Hollow	T3, T4	30 units per acre. Limited to 2.1 acres.	64
		177-203-04				
		177-203-09				
		177-220-41				
48	Woodacre Fire Station	172-104-02	33 Castle Rock, Woodacre	T3, T4	4 units per acre.	10
		172-111-01				
		172-111-02				

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s)¹	Density Designation	Maximum Units
Tamalpais Valley						
49	Holiday Inn Mill Valley	052-371-09	160 Shoreline Hwy, Tamalpais	T3, T4	30 units per acre. Limited to 2.4 acres.	72
50	Jack Krystal Hotel Parcel Site	052-227-09	260 Redwood Hwy Frontage Rd., Almonte	T4	30 units per acre. Limited to 1.2 acres.	36
51	Peace Lutheran Church	052-062-05	205 Tennessee Valley Rd.	T3, T4	20 units per acre. Limited to 1.0 acre.	20
52	Shoreline Unified School District	102-080-19	State Route 1, Tomales	T3, T4	20 units per acre.	44
		102-080-20				
53	Tam Junction State Vacant Lot	052-041-27	Shoreline Hwy, Tamalpais	T3, T4	30 units per acre.	12

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
HOUSING OVERLAY DESIGNATION**

Number	Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	Density Designation	Maximum Units
West Marin (Coastal)						
54	Olema Catholic Church	166-181-01	10189 State Route 1, Olema	T3, T4	20 units per acre. Limited to 1.0 acre.	20
55	Olema Underutilized	166-202-01	10002 State Route 1, Olema	T3, T4	10 units per acre.	36
		166-202-04				
		166-213-01				
		166-213-02				
56	Pt. Reyes Coast Guard Rehabilitation/Conversion	119-240-73	100 Commodore Webster Dr., Point Reyes Station	T3, T4	Limited to 5.0 acres.	50
57	Pt. Reyes County Vacant Site	119-260-03	9 Giacomini Rd., Point Reyes Station	T3, T4	20 units per acre. Limited to 1.9 acres.	37
		119-270-12				
58	Pt. Reyes Grandi Building/Site	119-234-01	54 B St., Point Reyes Station	T3, T4, T5	20 units per acre. Limited to 1.1 acres.	21
59	Presbytery of the Redwoods	119-202-05	11445 State Route 1, Point Reyes Station	T3	15 units per acre. Limited to 0.2 acres.	3
60	Pt. Reyes Village	119-222-08	60 Fifth St., Point Reyes Station	T3, T4	20 units per acre. Limited to 0.85 acres.	17
61	Pt. Reyes Village Red/Green Barn	119-198-04	520 Mesa Rd., Point Reyes Station	T3, T4	20 units per acre. Limited to 1.2 acres.	24
		119-198-05				
62	Pt. Reyes Station (vacant)	119-203-01	Mesa Rd., Point Reyes Station	T3	20 units per acre.	4
		119-203-03				
63	Shoreline Unified School District	102-080-19	State Route 1	T3, T4	20 units per acre.	44
		102-080-20				
64	Stinson Beach Commercial	195-193-35	3422 State Route 1, Stinson Beach	T3, T4	16 units per acre.	5
65	Stinson Beach Commercial Center Vacant	195-211-05	10 Willow Ave., Stinson Beach	T3	10 units per acre. Limited to .5 acres.	5

66	Stinson Beach Underutilized Residential	195-193-15	128 Calle Del Mar, Stinson Beach	T3	10 units per acre.	3
		195-193-18	129 Calle Del Mar, Stinson Beach	T3, T4		
67	Tomales Catholic Church	102-080-23	26825 State Route 1, Tomales	T3	7 units per acre.	13
68	Tomales Joint Union High School District	102-080-10	State Route 1, Tomales	T3, T4	20 units per acre.	14
69	Tomales Nursery	102-051-08	200 Valley Ave., Tomales	T3	10 units per acre.	6
		102-051-09				
70	Tomales	102-051-07	John St., Tomales	T3, T4	10 units per acre.	11
		102-075-08				
		102-075-09				
71	Tomales (Vacant)	102-041-44	Shoreline Hwy/ Dillon Beach Rd., Tomales	T3	3 units per acre	30
		102-062-01			7 units per acre	
		102-062-03			7 units per acre	
		102-062-04			7 units per acre	
		102-075-02			20 units per acre	
		102-075-06				
		102-075-07				

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

22.14.060 – Bayfront Conservation (-BFC) Combining District

A. Purpose. The Bayfront Conservation (-BFC) combining district is intended to regulate land and water uses, to:

1. Prevent destruction or deterioration of habitat and environmental quality;
2. Prevent further loss of public access to and enjoyment of the bayfront;
3. Preserve or establish view corridors to the bayfront;
4. Ensure that potential hazards associated with development do not endanger public health and safety; and
5. Maintain options for further restoration of former tidal marshlands.

B. Application of combining district. The -BFC district may only be combined with the following zoning districts established by Section 22.06.020 (Zoning Districts Established):

1. A (Agriculture and Conservation);
2. ARP (Agricultural, Residential Planned);
3. RSP (Residential, Single-Family Planned);
4. RMP (Residential, Multiple Planned);
5. RX (Residential, Mobile Home Park);
6. RF (Residential, Floating Home Marina);
7. RMPC (Residential/Commercial Multiple Planned);
8. CP (Planned Commercial);
9. OP (Planned Office);
10. RCR (Resort and Commercial Recreation); and
11. IP (Industrial, Planned).

C. Environmental assessment. Before the filing of a development application for undeveloped, agricultural or redevelopment lands within the -BFC combining district, an environmental assessment shall be prepared in consultation with the County to determine the development capability and physical and policy constraints of land and water areas. A composite definition of the appropriate subzone(s) and map delineation for the parcel proposed for development shall be based upon the findings, conclusions and recommendations of the environmental assessment. Thus, a range of appropriate permitted and/or conditional uses and specific regulations for siting and design of development on the site can be identified.

The use of an environmental assessment is intended to provide the highest degree of environmental protection while permitting reasonable development of sensitive land and water areas consistent with the goals, objectives and policies contained within the Marin Countywide Plan.

- D. Waiver of environmental assessment.** The requirements for an environmental assessment may be waived in conjunction with the proposed development of one single-family dwelling or other minor projects, or when a project is subject to environmental review. The Director may grant this waiver upon finding that the project conforms to the purpose of the Bayfront Conservation District and that sufficient evidence has been submitted to demonstrate the project's compliance with the design standards contained in this Section.
- E. Combining district subzones.** The Bayfront Conservation Combining District consists of the following three subzones (See Figure 2-1):

1. **Tidelands Subzone.** The tidelands subzone includes all areas subject to tidal action including salt marshes, beaches, rocky shorelines, and mudflats, and all open water areas.

This subzone also includes all the contiguous and adjacent land up to ~~the line of highest tidal action~~ Mean High Tide Line or five feet above Mean Sea Level where tidal marsh is present (as applied by the Bay Conservation and Development Commission (BCDC) in compliance with the McAteer-Petris Act); or the landward dike which circumscribes tidal inflow; or the nearest publicly-maintained road; whichever bounds the largest area of tidal marsh and channels.

This subzone further includes a 100-foot wide band landward on undeveloped land, as measured from the ~~line of highest tidal action~~ the Mean High Tide Line or five feet above Mean Sea Level where marsh is present, within which a flexible buffer could be delineated on a case-by-case basis. The purpose of this subzone is to define areas that should be left in their natural state because of their biological importance to the estuarine ecosystem.

This subzone defines areas with similar subsurface or surface conditions; areas which are close to and functionally related to tidal lands; areas in which it is possible to foster the continuation of agriculture; or, if that ceases, to consider the feasibility of returning undeveloped, unfilled former marshes to a more productive wildlife habitat by restoration or leaving as open space for inland marsh migration with sea level rise. This subzone includes a 100-foot wide band landward on undeveloped lands, within which a flexible buffer can be delineated on a case-by-case basis.

3. **Shoreline Subzone.** The shoreline subzone includes a few shoreline areas where main public thoroughfares (Highway 101, Paradise Drive, San Pedro Road, etc.) follow the coastline and promote visual access to the bay. The subzone extends from the bayside of the roadway to the tidelands subzone. This subzone defines a viewshed and promotes conservation of coastal habitats such as bluff vegetation and wildlife nesting/resting areas.

F. Design guidelines.

1. Habitats:

- a. Development should not encroach into wetlands and sensitive wildlife habitats, limit normal range areas, create barriers which cut off access to food, water or shelter, or cause damage to fisheries or fish habitats. Buffer zones between development and identified or potential wetland areas should be provided. Access to environmentally sensitive marshland and adjacent habitat should be restricted, especially during spawning and nesting seasons.
- b. Buffers between wetland habitat and developed uses should be 100 feet minimum width, determined by: biological (habitat) significance; sensitivity of habitats or particular species; presence of threatened or endangered species; susceptibility of adjacent site to erosion and flooding from sea level rise; topography and configuration of wetland areas; space required for marsh migration with sea level rise; and type and scale of development proposed. Existing man-made features (e.g., roads and dikes) are useful buffers.
- c. Proposed development should be designed to minimize removal of vegetation, which is important for soil stabilization, increasing recharge, and providing wildlife habitat. Areas which must be cleared of vegetation should be restored with plantings of native and other non-competing species, where revegetation is determined to be environmentally desirable. Exotic species which are considered invasive and which displace native species should be removed. Evaluation of vegetation to be removed and restored will be done on a case-by-case basis.
- d. Freshwater habitats in the Bayfront Conservation Combining District should be preserved and/or expanded so that the circulation, distribution, and flow of the fresh water supply is facilitated. These habitats are found along freshwater streams and small former marshes.

2. Access and recreation:

- a. Public access should be sited and designed to facilitate public use and enjoyment of the bayfront lands. Public areas should be clearly marked, and continuous 10-foot wide pedestrian easements from the nearest roads to the shoreline and along the shoreline should be provided. Public access areas should be designed to minimize

possible conflicts between public and private uses on the properties. Walkways should generally be set back at least 10 feet from any proposed structure.

- b. Within the Bayfront Conservation Zone, provisions should be made for recreational development and access to the shoreline marshes for such uses as fishing, boating, hunting, picnicking, hiking and nature study. There should be provisions for both separated wildlife preserve and more intensively used recreational uses along the bayfront.

3. **Buildings:**

- a. Design and spacing of structures should permit visual access to shoreline areas. Buildings should be clustered to allow bay views from streets and, where appropriate, to allow for animal movement corridors from uplands to marshes. Building design should be low profile.
- b. Public activity centers where outdoor human activity is expected should be set back at least 100 feet from the marsh edge (i.e., from the edge of either a defined wetland (diked bay marshland subzone), or in the adjacent tidelands subzone). This includes theaters, restaurants, schools, commercial uses, office uses and similar uses.
- c. Buildings or structures that are constructed in designated flood zones shall comply with the minimum development standards for identified flood plain areas as established in Title 23, Section 23.09 of the County Code.

4. **Utilities.** All new utility distribution lines shall be placed underground.

5. **Environmental quality:**

- a. The County may, upon consultation with Regional, State, and Federal Agencies, require off-site as well as on-site mitigation measures in order to eliminate or reduce adverse environmental impacts as a result of any proposed development.
- b. Development shall occur in a manner which minimizes the impact of earth disturbance, erosion, water pollution, and disruption of wildlife habitat.
- c. The development of jetties, piers and outfalls should not alter the movement patterns of the bay's tides and currents such that significant adverse impacts would result.

- 6. **Diking, filling and dredging.** The County shall prohibit diking, filling or dredging in areas subject to tidal action (Tidelands subzone) unless the area is already developed and currently being dredged. Current dredging operations for maintenance purposes may continue subject to environmental review, if necessary. In some cases, exceptions to the prohibition of diking, filling, and dredging may be made for areas that are isolated, or limited in productivity, or where filling is necessary to sustain marsh habitat or use natural approaches for shoreline protection against rising sea level. In tidal areas, only land uses which are water-dependent shall be permitted, consistent with Regional, State, and Federal policy. These include ports, water-related industry and utilities, essential water conveyance, wildlife refuge, and water-oriented recreation.

Exceptions to the prohibition of diking, filling, and dredging may be granted for emergency or precautionary measures in the public interest (e.g., protection from flood or

other natural hazards). Removal of vegetation shall be discouraged. Alteration of hydrology should only be allowed when it can be demonstrated that the impact will be beneficial or non-existent.

7. Aesthetic and scenic quality:

- a. The County shall ensure protection of visual access to the bayfront and scenic vistas of water and distinct shorelines through appropriate siting and design of development.
- b. In particular, waterfront development should be sited and designed to permit open views in optimal locations for public enjoyment of bayfront lands.

8. Protection from geologic, flooding and other hazards:

- a. Any development proposed for lands within the -BFC combining district shall be consistent with policies of the Environmental Hazards Element of the Countywide Plan. Proposed development should not occur in areas which pose hazards, including differential settlement, slope instability, liquefaction, ground shaking and rupture, tsunami, flooding, or other ground failures.
- b. Areas underlain by deposits of "young muds" should be reserved for water-related recreational uses, habitat, and open space. Limited development may be allowed subject to the approval of the U.S. Army Corps of Engineers and other trustee agencies.
- c. Development proposed on bayfront lands with soil conditions that are unsuitable for construction, or experience seismic activity, should be designed to minimize earth disturbance, erosion, flooding, water pollution, and other hazards to public safety, or flooding.

9. Agricultural uses:

- a. Agricultural activities should minimize removal of natural vegetation where possible.
- b. Use of pesticides, insecticides, etc. should comply with existing State and Federal standards.
- c. Development shall be sited and designed to preserve and protect existing agricultural lands in the Bayfront Conservation Zone.

10. Sea Level Rise:

- a. The following provisions apply to new development in the BFC district where the development would be located in areas up to the 3.3-foot sea level rise inundation area depicted in Countywide Plan, Safety Element Map 2-19:
 - i. New buildings shall be located in suitable upland areas less susceptible to the effects of sea level rise.
 - ii. The lowest habitable floor area of new buildings shall be elevated at least

three feet above the Base Flood Elevation, unless there are other site-specific factors that make this elevation infeasible.

- iii. New hardscape shoreline protection improvements are only allowed when nature-based shoreline protection improvements and hybrid (i.e. nature-based with hard shoreline protection) improvements have been demonstrated to be infeasible.
- iv. Prior to the development of new buildings in this area, the property owner shall record a deed restriction against the subject property in which the property owner acknowledges and agrees, on behalf of themselves and successors and assigns that:
 - 1) The property is subject to sea level rise hazards, including but not limited to flooding, bluff and shoreline erosion;
 - 2) Property owner acknowledges and assumes responsibility for the risks of potential damage or injury at the property caused by sea level rise; and explicitly waives, and releases the County from, any claim against the County regarding such damage or injury, including any claim for injunctive or other equitable relief, personal injury, property damage, and/or inverse condemnation;
 - 3) Property owner acknowledges that sea level rise may also potentially damage public infrastructure that provides benefits to members of the public, including the property owner, and that it may not be in the public interest for the County to repair and/or replace such infrastructure in the future. Property owner further acknowledges that such damage, and/or the County's decision not to repair and/or replace such infrastructure following such damage, may render the property uninhabitable. Property owner explicitly waives, and releases County from, any claim against the County regarding such damage to, or decision not to repair and/or replace, public infrastructure; and/or such uninhabitability;
 - 4) Housing Code provisions prohibit the occupancy of structures where sewage disposal or water systems are rendered inoperable; and
 - 5) Property owner will bear all responsibility for demolishing and removing structures damaged by the effects of sea level rise and deemed by the Marin County Building Official as substandard and/or unsafe pursuant to the Marin County Building Code.

22.14.070 – Primary Floodway (F-1) District

- A. **Purpose.** The Primary Floodway (F-1) combining district is intended to insure that life and property will be protected within designated floodways and to prevent increased flooding due to random and uncontrolled development which will impede passage of ultimate floodwaters.
- B. **Application of combining district.** The –F-1 district shall apply to those lands within a primary floodway and shall consist of the channel of a watercourse and that portion of the adjoining floodplain which is reasonably required to provide for the passage of floodwaters of the watercourse. The F-1 district may be combined with any zoning districts established by Section 22.06.020 (Zoning Districts Established) and their companion coastal zones established by Article V.

- ii. Lands within any F-1 district included in the property involved shall be dedicated to the County, the Marin County Flood Control and Water Conservation District, or other appropriate public agency;
- iii. Drainage improvements which will enable the remaining area or percentage to serve as a ponding and overflow area shall be constructed by the property owner;
- iv. A bond may be required to guarantee performance of the agreement;
- v. Other provisions reasonably required to fulfill the purposes of the F-1 and F-2 district may be imposed;
- c. Full use of the entire parcel shall be permitted only at such time as both of the following conditions are met:
 - i. Ultimate flood control channel improvements specified at the time the F-2 district was adopted are constructed through the parcel or parcels being developed. Alternative methods of providing flood control facilities may be approved by the County, the Marin County Flood Control and Water Conservation District, or other appropriate public agency provided they provide equal capacity to that of the ultimate flood control channel improvements adopted at the time the F-2 district was created; and
 - ii. The ultimate flood control channel section is constructed from the parcel to be developed, downstream to the mouth of the primary floodway.

22.14.090 – Housing Overlay Designation (HOD)~~Affordable Housing (AH)~~ Combining District

- ~~**A. Purpose.** The AH combining district allows affordable housing development at a density of 20 units per acre and offers development incentives on sites that are otherwise governed by a lower density zone. This approach allows compact development to occur on portions of parcels and encourages affordable housing over market rate housing on key sites.~~
- ~~**B. Permitted Uses.** Affordable housing pursuant to Chapter 22.22 is permitted in an AH zoning district and if consistent with a community or specific plan.~~
- ~~**C. Incentives.** Incentives shall be offered pursuant to those established in Chapter 22.24.~~

D. Application of combining district. The AH combining district applies to the sites listed below:

Site Name	Address	Assessor Parcel Number(s)	Zoning	AH Combining District
St. Vincent's / Silveira	St. Vincent's Drive, San Rafael	155-011-08 155-011-28 155-011-29 155-011-30 155-121-16	A2:AH	Limited to 5 acres
Marin City Community Development Corporation	441 Drake Ave, Sausalito (Marin City)	052-140-36	RMP- 4.2:AH	Limited to 0.75 acres
Golden Gate Seminary	201 Seminary Drive, Mill Valley (Strawberry)	043-261-25 043-261-26	RMP- 2.47:AH	Limited to 2 acres

A. Purpose. The HOD combining district allows housing development at a density described in table 2-12 below and offers ministerial review for housing development projects. The combining district is supplemental to the underlying zoning, which remains unchanged. This approach allows compact development and encourages housing on key sites.

B. Applicability. This chapter shall apply to housing development projects on all properties identified in table 2-12 below.

C. Allowable Uses. Housing development projects are permitted ministerially in an HOD combining district through application of the Form Based combining district, Form Based Code, and Housing Development Regulatory Compliance Review. Other types of projects are subject to the requirements of the land use tables for the underlying zoning district.

D. Ministerial Review: The Form Based combining district may be applied to housing development projects on any HOD site. Housing development projects under the Form Based combining district are subject to a Housing Development Regulatory Compliance Review and must conform with the standards of the Form Based Code as specified in Section 22.14.100.

E. Location, Density, and Development Standards. The HOD combining district applies to the sites listed in table 2-12 below, which also specifies the required transect zones that must be applied under the Form Based Code, and the maximum density and number of primary dwelling units for the acreage under the HOD district on the site. While a specific minimum number of units is not required on an HOD site, housing development projects on HOD sites must be clustered to achieve at least the minimum residential density per acre required by Table 2-12.

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
Alto-Strawberry						
North Knoll Rd/Saint Thomas Dr	034-012-26	70 N Knoll Rd., Strawberry	T3, T4	RMP-0.2:HOD	16 units per acre. Limited to 3.7 acres.	59
	034-061-09					
Pan Pac Ocean Site	034-012-21	Eagle Rock Rd., Strawberry	T4	RMP-0.1:HOD	2 units per acre.	32
	034-012-27			RMP-0.2:HOD		
	034-012-28			RMP-0.1:HOD		
	034-012-29			RMP-0.2:HOD		
Strawberry Commercial	043-151-02	664 Redwood Hwy Frontage Rd., Strawberry	T4, T5	H1:HOD	30 units per acre. Limited to 2.0 acres.	60
	043-151-03					
	043-151-09					
	043-151-31					
Strawberry Recreation District Site	043-361-54	Redwood Hwy Frontage Rd., Strawberry	3.1	RMP-12.1: HOD	20 units per acre. Limited to 2.3 acres.	46
Strawberry Village Center	043-151-30	750 Redwood Hwy Frontage Rd., Strawberry	T4, T5	RMPC:HOD	30 units per acre. Limited to 3.3 acres.	100
	043-321-03					
Fairfax						
Oak Manor Commercial Center	174-011-33	2400/2410 Sir Francis Drake Blvd.,	T3, T4	C1:HOD	23 units per acre.	36
	174-011-36	Unincorporated Fairfax				

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
Kentfield						
College of Marin Parking Lot	074-031-56	Sir Francis Drake Blvd., Kentfield	T4	RMPC:HOD	30 unit per acre.	25
	074-031-58					
	074-031-60					
	<u>074-181-18</u>					
	<u>074-092-17</u>					
	<u>071-132-11</u>					
	<u>071-132-12</u>					
Kentfield Commercial Underutilized	074-031-39	Sir Francis Drake Blvd., Kentfield	T4	RMPC:HOD	30 unit per acre.	71
	074-031-45					
	074-031-54					
	074-031-61					
	074-031-63					
	074-031-65					
	074-031-68					
	074-031-69					
	074-031-74					
	074-031-75					
	074-031-77					
Sloat Garden Center	071-191-47	700 Sir Francis Drake Blvd., Kentfield	T4	R1:HOD	30 unit per acre.	31
	071-191-48					
25 Bayview Rd	022-071-01	25 Bayview Rd., Kentfield	T3	RMP-6:HOD	8 units per acre.	3
St. Sebastian Catholic Church (Kentfield Catholic Church)	022-010-21	215 Bon Air Rd., Kentfield	T3, T4	R1-B2:HOD	10 units per acre. Limited to 1.4 acres.	14

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
Marinwood/Lucas Valley						
Lucas Valley Environs Vacant	164-280-35	1501 Lucas Valley Rd., Lucas Valley	T3	A-60:HOD	15 units per acre. limited to 1.7 acres.	26
Marin County Juvenile Hall	164-640-01	2 Jeannette Prandi Way, Lucas Valley	T3, T4	PF:HOD	30 units per acre. Limited to 2.7 acres.	80
Marinwood Plaza	164-471-64	121 Marinwood Ave., Marinwood	T4, T5	CP:HOD	30 units per acre. Limited to 4.0 acres.	125
	164-471-65					
	164-471-69					
	164-471-70					
Miller Creek School District Properties (Marinwood Plaza adjacent)	164-471-71	Marinwood Ave., Marinwood	T4, T5	CP:HOD	30 units per acre.	10
	164-471-72					
Office Building (Across From Juvenile Hall)	164-481-10	7 Mt. Lassen Dr., Lucas Valley	T3, T4	CP:HOD	25 units per acre.	58
St. Vincent's	155-011-28	1 St. Vincent Dr., Santa Venetia	T3, T4	A2:HOD	20 units per acre. Limited to 34.0 acres.	680
	155-011-29					
	155-011-30					

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
Marin City						
Cornerstone Community Church of God	052-140-38	626 Drake Ave., Marin City	T3, T4	RMPC:HOD	5 units per acre.	4
Donahue Highlands (formerly LiBao)	052-140-33	Off Donohue St., Marin City	T3, T4	RMP-0.5:HOD	n/a	25
Marin Gateway Center	052-490-08	190 A Donahue St., Marin City	T4, T5	CP:HOD	20 units per acre. Limited to 5.0 acres.	100
MLK Academy School	052-140-39	200 Phillips Dr., Marin City	T4	PF:HOD	11 units per acre. Limited to 6.0 acres.	63
Village Baptist Church (825 Drake)	052-112-03	825 Drake Avenue	T4	RMPC-34: HOD	n/a	74
Nicasio						
Nicasio Corp Yard - County	121-050-34	Nicasio Valley Rd., Nicasio	T3	ARP-60:HOD	20 units per acre. Limited to 0.8 acres.	16
Novato (Unincorporated)						
Atherton Corridor	143-101-17	Atherton Ave., Novato	T3, T4	A2-B4:HOD	20 units per acre. Limited to 1.95 2.75 acres.	147
	143-101-20			A2-B4:HOD	20 units per acre. Limited to 1.8 2.5 acres.	
	143-101-35			A2-B4:HOD	20 units per acre. Limited to 1.8 0.2 acres.	
	143-101-37			A2-B4:HOD	20 units per acre. Limited to 1.8 0.2 acres.	
Black Point (Vacant)	143-110-31	300 Olive Ave., Black Point	T3	ARP-2:HOD	16 units per acre. Limited to 3.6 acres.	58
Buck Center Vacant Property	125-180-79	Redwood Hwy, Black Point	T3, T4	A-60:HOD	20 units per acre. Limited to 12.5 acres.	249
	125-180-85			A-60:HOD		

Greenpoint Nursery	153-190-24	275 Olive Ave., Black Point	T4	ARP-60:HOD	15 units per acre. Limited to 3.5 acres.	53
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**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
San Rafael (Unincorporated)						
Bernard Osher Marin Jewish Community Center (includes Congregation Rodef Shalom site)	180-281-21	200 N San Pedro Rd., Santa Venetia	T3, T4	A2-B2:HOD	30 units per acre. Limited to 1.6 acres	49
	180-281-25			AP:HOD		
	180-281-35			A2-B2:HOD		
	180-281-34			A2-B2:HOD		
Cal Park	018-074-16	Woodland Ave., Unincorporated San Rafael	T3, T4	RSP-4: HOD	30 units per acre. Limited to 3.7 acres	110
	018-081-04					
	018-082-12					
	018-082-13					
	018-083-01					
	018-083-09					
	018-084-12					
	018-085-23					
	<u>018-075-28</u>					
	<u>018-086-18</u>					
<u>018-086-17</u>						
Church of Jesus Christ	180-272-03	220 N San Pedro Rd., Santa Venetia	T3, T4	C-RA-B2:HOD	30 units per acre. Limited to 1.2 acres.	35
McPhail School	180-151-18	1565 Vendola Dr., Santa Venetia	T3	PF-RSP.4.36:HOD	30 units per acre. Limited to 1.1 acres	33
	180-161-09			PF-RSP.4.36:HOD		
	180-161-10			PF-RSP.4.36:HOD		
Old Gallinas Children Center	180-123-01	251 N San Pedro Rd., Santa Venetia	T3, T4	PF-RSP.5.8	30 units per acre. Limited to 1.7 acres.	50
Santa Venetia Vacant	180-171-32	N San Pedro Rd., Santa Venetia	T3	A2-B2:HOD	2 units per acre. Limited to 1.0 acre.	2
San Quentin Adjacent Vacant Property	018-152-12	E Sir Francis Drake Blvd., San Quentin	T3, T4, T5	A2-B2:HOD	30 unit per acre.	230
Vacant Bayhills Dr	180-333-01	50 Bayhills Dr., Santa Venetia	T3	RMP-1:HOD	4 units per acre.	5

Vacant Santa Venetia	179-332-19	Edgehill Way, Santa Venetia	T3	R1:HOD	3 units per acre.	3
Outnumbered2, LLC	180-261-10	Oxford Dr., Santa Venetia	T3	A2-B2:HOD	3-7 units per acre.	4

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
San Geronimo Valley						
Office - Forest Knolls (Upper Floors)	168-141-12	6900 Sir Francis Drake Blvd., Forest Knolls	T3, T4	VCR:HOD	20 units per acre.	2
Office - Lagunitas (Upper Floors and Rear Prop)	168-175-06	7120 Sir Francis Drake Blvd., Lagunitas	T3, T4	H1:HOD	20 units per acre. Limited to 1.5 acres.	30
	168-192-28			CP:HOD		
Presbyterian Church San Geronimo	169-101-21	6001 Sir Francis Drake Blvd., San Geronimo	T3, T4	R1-B2:HOD	13 units per acre. Limited to 1.2 acres.	15
Saint Cecilia Church	168-183-04	428 W. Cintura, Lagunitas	T3, T4	R1-B3:HOD	20 unit per acre.	16
Woodacre Fire Station	172-104-02	33 Castle Rock	T3, T4	R1-B2:HOD	4 units per acre	10
	172-111-01					
	172-111-02					
6760 Sir Francis Drake Boulevard	168-131-04	6760 Sir Francis Drake Blvd., Forest Knolls	T3, T4	RA-B4:HOD	11 units per acre. Limited to .75 acres.	8

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
Sleepy Hollow						
Karuna	177-220-10	1 Sacramento Ave., Sleepy Hollow	T3	RMP-1.0:HOD	10 units per acre.	10
San Domenico School	176-300-30	1500 Butterfield Rd., Sleepy Hollow	T3, T4	RMP-0.1:HOD	30 units per acre. Limited to 1.7 acres.	50
Subud California	177-202-08	100 Sacramento Ave., Sleepy Hollow	T3	RMP-0.1:HOD	2 units per acre.	4
Sacramento/San Anselmo Properties	177-203-03	Sacramento Ave./San Francisco Blvd., Sleepy Hollow	T3, T4	R1:HOD	30 units per acre. Limited to 2.1 acres.	64
	177-203-04					
	177-203-09					
	177-220-41					
Woodacre Fire Station	172-104-02	33 Castle Rock, Woodacre	T3, T4	R1-B2:HOD	4 units per acre.	10
	172-111-01					
	172-111-02					

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
Tamalpais Valley						
Holiday Inn Mill Valley	052-371-09	160 Shoreline Hwy, Tamalpais	T3, T4	CP:HOD	30 units per acre. Limited to 2.4 acres.	72
Jack Krystal Hotel Parcel Site	052-227-09	260 Redwood Hwy Frontage Rd., Almonte	T4	BFC-RCR:HOD	30 units per acre. Limited to 1.2 acres.	36
Peace Lutheran Church	052-062-05	205 Tennessee Valley Rd.	T3, T4	RA-B1:HOD	20 units per acre. Limited to 1 acre	20
Shoreline Unified School District	102-080-19	State Route 1, Tomales	T3, T4	C-RSP-1.6:HOD	20 units per acre.	44
	102-080-20					
Tam Junction State Vacant Lot	052-041-27	Shoreline Hwy, Tamalpais	T3, T4	RMP-12.45:HOD	30 units per acre.	12

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
West Marin (Coastal)						
Olema Catholic Church	166-181-01	10189 State Route 1, Olema	T3, T4	C-VCR:HOD	20 units per acre. Limited to 1.0 acre.	20
Olema Underutilized	166-202-01	10002 State Route 1, Olema	T3, T4	C-VCR:HOD	10 units per acre.	36
	166-202-04					
	166-213-01					
	166-213-02					
Pt. Reyes Coast Guard Rehabilitation/Conversion	119-240-73	100 Commodore Webster Dr., Point Reyes Station	T3, T4	C-OA:HOD	Limited to 5.0 acres.	50
Pt. Reyes County Vacant Site	119-260-03	9 Giacomini Rd., Point Reyes Station	T3, T4	C-RMPC:HOD	20 units per acre. Limited to 1.9 acres.	37
	119-270-12			C-RMPC:HOD		
Pt. Reyes Grandi Building/Site	119-234-01	54 B St., Point Reyes Station	T3, T4, T5	C-VCR-B2:HOD	20 units per acre. Limited to 1.1 acres.	21
Presbytery of the Redwoods	119-202-05	11445 State Route 1, Point Reyes Station	T3	C-RA-B3:HOD	15 units per acre. Limited to 0.2 acres.	3
Pt. Reyes Village	119-222-08	60 Fifth St., Point Reyes Station	T3, T4	C-VCR-B2:HOD	20 units per acre. Limited to 0.85 acres.	17
Pt. Reyes Village Red/Green Barn	119-198-04	520 Mesa Rd., Point Reyes Station	T3, T4	C-VCR-B2:HOD	20 units per acre. Limited to 1.2 acres.	24
	119-198-05			C-VCR-B2:HOD		
Pt. Reyes Station (vacant)	119-203-01	Mesa Rd., Point Reyes Station	T3	C-VCR-B2:HOD	20 units per acre.	4
	119-203-03			C-VCR-B2:HOD		

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

**TABLE 2-12
 HOUSING OVERLAY DESIGNATION**

Site Name	Parcel Number	Address	Applicable Transect Zone(s) ¹	HOD Combining District Zoning	Density Designation	Maximum Units
West Marin (Coastal)						
Shoreline Unified School District	102-080-19	State Route 1	T3, T4	C-RSP-1.6:HOD	20 units per acre	44
	102-080-20					
Stinson Beach Commercial	195-193-35	3422 State Route 1, Stinson Beach	T3, T4	C-VCR:HOD	16 units per acre.	5
Stinson Beach Commercial Center Vacant	195-211-05	10 Willow Ave., Stinson Beach	T3	C-R1:HOD	10 units per acre. Limited to .5 acres.	5
Stinson Beach Underutilized Residential	195-193-15	128 Calle Del Mar, Stinson Beach	T3	C-R1:HOD	10 units per acre.	3
	195-193-18	129 Calle Del Mar, Stinson Beach	T3, T4	C-R1:HOD		
Tomales Catholic Church	102-080-23	26825 State Route 1, Tomales	T3	C-VCR-B1:HOD	7 units per acre.	13
Tomales Joint Union High School District	102-080-10	State Route 1, Tomales	T3, T4	C-RSP-1.6:HOD	20 units per acre.	14
Tomales Nursery	102-051-08	200 Valley Ave., Tomales	T3	C-VCR-B1:HOD	10 units per acre.	6
	102-051-09					
Tomales	102-051-07	John St., Tomales	T3, T4	C-VCR-B1:HOD	10 units per acre.	11
	102-075-08					
	102-075-09					
Tomales (Vacant)	102-041-44	Shoreline Hwy/ Dillon Beach Rd., Tomales	T3	C-RSP-7.26:HOD:HOD	3 units per acre	30
	102-062-01			C-RSP-7.26	7 units per acre	
	<u>102-062-03</u>			<u>C-RSP-7.26</u>	<u>7 units per acre</u>	
	<u>102-062-04</u>			<u>C-RSP-7.26</u>	<u>7 units per acre</u>	
	102-075-02			C-VCR-B1:HOD		

	102-075-06			C-VCR- B1:HOD	20 units per acre	
	102-075-07			C-VCR- B1:HOD		

1. See the Form Based Combining District in the Development Code for explanation of applicable transect zones.

22.14.100 – Form Based (FB) Combining District

A. Purpose. The Form Based (FB) combining district is intended to provide objective design standards for multi-family housing development projects that qualify for ministerial review. The combining district is supplemental to the underlying zoning, which remains unchanged. This section incorporates by reference the Marin County Form Based Code in its entirety.

B. Application of combining district. The FB combining district shall apply to the new development of at least five primary residential dwelling units on either of the following:

1. Sites of residential or mixed use projects subject to Senate Bill 35 or any other State legislation that mandates ministerial review of housing development projects.
2. Sites of residential or mixed use projects within the Housing Overlay Designation (HOD) area. However, in this instance a property owner may choose to rely on the underlying zoning district standards, subject to any discretionary requirements, instead of applying the FB district.

The FB district shall not be applied to floating home marinas or mobile home parks.

C. Allowable Uses. Allowable uses are governed by the underlying zoning district and application of the FB combining district shall have no effect on the allowable uses on a property.

D. Density. At least five new primary dwelling units shall be created by a project subject to the FB combining district. The project shall result in at least the number of units on the property necessary to reach the minimum number of units established in the density range of the Countywide Plan Land Use Designation, or the residential density per acre specified by the HOD, as applicable.

E. Design Standards. New development shall comply with the provisions of the Marin County Form Based Code, which supersedes all other design standards in this Development Code. Development on those properties within an HOD area shall be subject to the specific transect zone(s) indicated in the HOD standards.

F. Deviations. Deviations from the provisions of the Marin County Form Based Code, as identified in subsection E. above, are subject to Design Review (Chapter 22.42), or the Exceptions process for civil engineering standards (Chapter 24.15) related to parking and access improvements.

22.32.184 – Senate Bill 9 Housing Development

This section applies to development authorized under California Senate Bill 9 (SB 9) of 2021 and subsequent amendments. Regulations for urban lot splits authorized under SB 9 are provided in section 22.80.064 rather than in this section.

The standards and requirements enumerated below apply to the development of residential units proposed under the provisions of SB 9 and this section. If the project is ineligible for SB 9 processing because it does not meet the required standards, the applicant may elect to submit an application for the applicable discretionary approval.

A housing development is eligible for SB 9 processing if it satisfies all of the requirements enumerated below.

A. The housing development contains no more than two primary units per lot, which are either attached or detached. A housing development contains two residential units if the development proposes no more than two new units (including just one unit on a vacant lot) or if it proposes to add one new unit to one existing unit.

B. The site of the housing development is within a single family residential zoning district.

C. The site of the housing development is located within a legal lot wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

D. The development is not located on a site that is any of the following:

1. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

2. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

3. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Public Resources Code Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

4. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

5. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

6. Within a special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the County shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the County that is applicable to the site. A development may be located on a site described in this subparagraph if either of the following are met:

(a) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the County.

(b) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(7) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the County shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the County that is applicable to the site.

(8) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(9) Lands under conservation easement.

E. The proposed housing development would not require demolition or alteration of any of the following types of housing:

(1) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(2) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

- (3) Housing that has been occupied by a tenant in the last three years.
- F. The lot subject to the proposed housing development is not a lot on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 (the Ellis Act) to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
- G. The proposed housing development does not allow the demolition of more than 25 percent of the existing exterior structural walls, unless the site has not been occupied by a tenant in the last three years.
- H. The development is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.
- I. Notwithstanding the governing zoning district for the property, the development standards of the R2 zoning district (Two Family, Residential) apply unless the development qualifies for an exception as described in subsection J below. In addition, except as provided in subsection J below, the maximum floor area of any newly constructed primary residential unit authorized under this section shall not exceed 1,200 square feet, the residential units are not allowed to be built within a Stream Conservation Area or Wetland Conservation Area, and the development shall not entail the removal of protected or heritage trees, except in conformance with Development Code Chapter 22.62 (Tree Removal Permits).
- J. Notwithstanding subsection I above, the County shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two primary units or that would physically preclude either of the two units from being at least 800 square feet in floor area. Such units are subject to minimum front yard setbacks of 25 feet and minimum side and rear yard setbacks of four feet.
- No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- K. The County shall require that a rental of any unit created pursuant to this ordinance be for a term longer than 30 days. A deed restriction shall be recorded against the property providing future owners with constructive notice of this restriction.
- L. The County shall not allow the creation of an Accessory Dwelling Unit as part of the development subject to this section and SB 9 if the lot on which the development is to occur was created by an Urban Lot Split approval under section 22.80.064 and SB 9 (both the authority contained with Government Code section 65852.21 related to development projects and the authority in Government Code section 66411.7 related to urban lot splits).

22.40.030 – Application Submittal and Filing

A. Applicability. This Section shall apply to the submission and processing of the following development applications:

1. Discretionary Permit Applications

- a. Design Reviews;
- b. Floating Home Exceptions;
- c. Master Plans;
- d. Temporary Use Permits;
- e. Tentative Maps and Vesting Tentative Maps;
- f. Lot Line Adjustments;
- g. Site Plan Reviews;
- h. Tree Removal Permits;
- i. Use Permits;
- j. Variances; and
- k. Sign Reviews.

2. Ministerial Planning Decisions.

- a. Certificates of Compliance
- b. Homeless Shelter Permits
- c. Large Family Day-care Permits
- d. Residential Accessory Dwelling Unit and Junior Accessory Dwelling Unit Permits
- e. Sign Permits
- f. Use Permit Renewals
- g. Urban Lot Split Compliance Reviews
- h. Housing Development Regulation Compliance Reviews
- ig. Permit exemptions

B. Eligibility for submittal of an application. Development applications may be made only by an owner or lessee of real property, an agent of the owner or lessee, or a person who has

Review, except as otherwise provided in Section 22.42.025 (Exemptions from Design Review) and 22.42.048 (Design Review Waivers).

- A. **Planned Zoning Districts (combining coastal zones included).** Residences, non-residential structures, accessory structures, agricultural structures, and other physical improvements in all Planned zoning districts.
- B. **Conventional Zoning Districts.** Residential buildings and additions to floor area in Conventional zoning districts on a lot that would contain more than 3,500 square feet of floor area with the proposed development and/or where the proposed development of primary structures would be greater than 30 feet in height or 16 feet in height for residential detached accessory structures.
- C. **Permit Waivers.** Any waiver or exception to a standard specifically identified in this Development Code as being subject to this Chapter as well as Variance waivers identified in Chapter 22.54 (Variances).
- D. **Substandard Building Sites.** Where a vacant legal lot is proposed for single-family residential development, and when the lot is at least 50 percent smaller in total area than required for new lots under the applicable zoning district or slope regulations, in compliance with Section 22.82.050 (Hillside Subdivision Design Standards), whichever is more restrictive, the proposed development shall be subject to the requirements of this Chapter. In these instances, any exemption from Design Review provided by Section 22.42.025 (Exemptions from Design Review) shall be void and setback requirements shall be waived. The subsequent development and physical improvements of these properties shall continue to be subject to the requirements of this Chapter.
- E. **Lots Served by Paper Streets.** The development of a vacant lot served only by a paper street shall be subject to the requirements of this Chapter where required by a Community Plan pursuant to a resolution adopted by the Board of Supervisors.
- F. **Deviations in the Form Based (FB) Combining District.** As specified in Section 22.14.100, deviations to the provisions of the Marin County Form Based Code.

22.42.025 – Exemptions from Design Review

Development and physical improvements listed below in Subsections A to T are exempt from Design Review.

- A. **Single-family Additions and Residential Accessory Structures in Planned Districts.** Single-family residential additions and residential accessory structures on a lot with existing and proposed floor area not exceeding 3,500 square feet in a Planned District (see Chapter 22.16 Discretionary Development Standards) that meet the standards in Tables 4-2 and 4-3. This exemption does not apply if work authorized under a previous Design Review has not received approval of a final inspection from the Building and Safety Division.

CHAPTER 22.64 – HOUSING DEVELOPMENT REGULATION COMPLIANCE REVIEW

Sections:

22.64.010 – Purpose of Chapter

22.64.020 – Applicability

22.64.030 – Application Filing

22.64.040 – Application Review for Type 1 Projects (Form Based)

22.64.050 – Application Review for Type 2 Projects (SB 9)

22.64.060 – Application Review for Type 3 Projects (SB 35)

22.64.010 – Purpose of Chapter

This Chapter establishes procedures for various types of Housing Development Regulation Compliance Reviews (Housing Compliance Reviews) that provide for ministerial review of housing development project applications.

22.64.020 – Applicability

There are three distinct types of Housing Compliance Review applications, which apply as described below:

- A. **Type 1.** Development proposed in the Form Based (FB) combining district, under the regulations of the Marin County Form Based Code.
- B. **Type 2.** Development proposed under the statutory authority of Senate Bill 9 (2021, as subsequently amended). Urban lot split applications are reviewed under the Urban Lot Split provisions in section 22.80.064.
- C. **Type 3.** Development proposed under the statutory authority of Senate Bill 35 (2018, as subsequently amended).

Application of the Housing Compliance Review preempts the application of discretionary development entitlements. Specific procedures for reviewing these three types of applications are provided in this Chapter. All of these types of review are ministerial in nature and shall conform to the requirements of Development Code Section 22.40.052 for ministerial planning permit reviews, except for those deviations specifically established in this Chapter.

22.64.030 – Application Filing

An application for a Housing Compliance Review shall be submitted, filed, and processed in compliance with and in the manner described in Chapter 22.40 (Application Filing and Processing, Fees).

Housing Compliance Review application forms are available online and at the Agency's public service counter.

22.64.040 – Application Review for Type 1 Projects (Form Based)

The Director may only approve or conditionally approve an application for a Type 1 Housing Compliance Review if the project is consistent with all of the applicable standards in the Marin County Form Based Code. Deviations from these standards are subject to Design Review (Chapter 22.42), or the Exceptions process for civil engineering standards (Chapter 24.15) related to parking and access improvements.

22.64.050 – Application Review for Type 2 Projects (SB 9)

The Director may only approve or conditionally approve an application for a Type 2 Housing Compliance Review if the project is consistent with all of the applicable standards in Section 22.32.184 (Senate Bill 9 Development Standards).

The County shall only deny a Type 2 Housing Compliance Review application that is otherwise eligible for SB 9 processing if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of California Government Code Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

22.64.060 – Application Review for Type 3 Projects (SB 35)

All sites for Type 3 (SB 35) projects are governed by the FB (Form Based) Combining District. The Planning Commission is the Review Authority for Type 3 (SB 35) projects, and the Planning Commission may only approve or conditionally approve an application for a Type 3 Housing Compliance Review if the project is consistent with all of the applicable standards in the Marin County Form Based Code.

Type 3 (SB 35) applications are subject to the mandatory procedures provided below.

A. Preliminary Application Filing. An applicant shall file a notice of intent to submit an SB 35 Housing Compliance Review application in the form of a preliminary application consistent with Government Code Section 65941.1. Complete Building Permit applications for the project shall be submitted concurrently with the Preliminary Application.

An applicant for an SB 35 housing development project shall be deemed to have submitted and filed a preliminary application upon providing all of the following information about the proposed project to the County:

1. The specific location, including parcel numbers, a legal description, and site address, if applicable.
2. The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
3. A site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.
4. The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

5. The proposed number of parking spaces.
6. Any proposed point sources of air or water pollutants.
7. Any species of special concern known to occur on the property.
8. Whether a portion of the property is located within any of the following:
 - (a) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.
 - (b) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - (c) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply: 1) The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses (this section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Section 65962.5); or 2) The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, has otherwise determined that the site is suitable for residential use or residential mixed uses.
 - (d) A special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
 - (e) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
 - (f) A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code.
 - (g) Any historic or cultural resources known to exist on the property.
 - (h) The number of proposed below market rate units and their affordability levels.
 - (i) The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915.
 - (j) Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested.
 - (k) The applicant's contact information and, if the applicant does not own the property, consent

from the property owner to submit the application.

(l) The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied, and the income levels of any existing tenants.

(m) A site map showing a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code and an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

(n) The location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way.

B. Timeline. Within 180 calendar days after filing a preliminary application, an applicant shall submit a formal Senate Bill 35 application, provided scoping consultation has concluded consistent with Subsection C, below.

C. Scoping Consultation

(1) Upon receipt of the preliminary application, the County shall contact the Native American Heritage Commission for assistance in identifying any California Native American tribe that should be noticed. The County shall provide a formal notice of the applicant's intent to submit a formal application to each required California Native American tribe within 30 days of preliminary application submittal. The formal notice shall be consistent with Government Code Section 65913.4(b).

(2) If, within 30 days of receipt of the formal notice, any California Native American tribe that was formally noticed accepts the invitation to engage in scoping consultation, the County shall commence scoping consultation within 30 days of receiving that response.

(3) The scoping consultation shall be conducted consistent with Government Code Section 65913.4(b). If, after scoping consultation is concluded, a development is not eligible for Senate Bill 35 streamlining, the County shall provide written documentation as required by Government Code Section 65913.4(b) to the applicant and any California Native American tribe that is a party to that scoping consultation.

(4) Tribal consultation concludes either 1) upon documentation of an enforceable agreement regarding the treatment of tribal resources at the project site (Government Code section 65913.4(b)(2)(D)(i)), or 2) one or more parties to the consultation, acting in good faith and after a reasonable effort, conclude that a mutual agreement cannot be achieved (Government Code section 65913.4(b)(2)(D)(ii)).

D. Formal Application. If the development remains eligible to apply under Senate Bill 35 after scoping consultation consistent with Government Code Section 65913.4(b) has concluded, an applicant may file a formal Senate Bill 35 application for compliance review.

E. Compliance Review

1. Scope of Review. The County's scope of review is limited to all of the provisions contained in this Development Code, Government Code Section 65913.4(a), and the objective standards in the Marin County Form Based Code.

2. Public Oversight and Application Review Timelines. The final review of a formal application shall be done by the Planning Commission during a hearing to determine if the application complies with all of the provisions contained in this Development Code, Government Code Section 65913.4(a), and standards of the Marin County Form Based Code, and shall occur within the following timeframes:

(a) Within 90 calendar days of formal application submittal for applications that include 150 or fewer housing units.

(b) Within 180 calendar days of formal application submittal for applications that include 151 or more housing units.

3. Compliance Determination.

(a) Compliant Application. If the application complies with all of the provisions contained in this Development Code, Government Code Section 65913.4(a), and all applicable objective standards in the Marin County Form Based Code, the County shall complete any application review, Planning Commission hearing and any subdivision approval within the timeframes listed in Subsection E.2.

(b) Non-Compliant Application. If the application does not demonstrate compliance with all of the provisions contained in this Development Code, Government Code Section 65913.4(a), and all applicable objective standards, then the Planning Commission shall provide the applicant with written documentation of which standards the development conflicts with and an explanation of the reasons the development conflicts with each standard. If the application can be brought into compliance with minor changes to the proposal, the Planning Commission may, in lieu of making the detailed findings referenced above, allow the development proponent to correct any deficiencies within the timeframes for determining project consistency specified in C.(2) above.

(c) Resubmitted Application. If the project was found to be non-compliant, the applicant may resubmit a corrected application for Senate Bill 35 streamlined processing, and the County shall review it for compliance.

(d) Project Ineligible. If the project is ineligible for Senate Bill 35 streamlined processing, the applicant may elect to submit an application for the applicable discretionary approval.

F. Decision on Project

(1) Project Approval and Findings. The Planning Commission is the review authority for Type 3 Housing Compliance Review applications. The Planning Commission shall approve the application if it finds that the proposed development is compliant with all of the provisions contained in this Development Code, Government Code Section 65913.4(a), and all applicable objective standards of the Marin County Form Based Code.

(2) Conditions of Approval. The Planning Commission may impose conditions of approval provided those conditions of approval are objective and broadly applicable to development within the County.

G. Post-decision Procedures.

- (1) Subsequent Permits. Any necessary subsequent permits shall be issued on a ministerial basis subject to applicable objective standards. If a public improvement is necessary to implement a development subject to this Section, and that public improvement is located on land owned by the County, the County shall process any approvals needed as required by Government Code Section 65913.4(h).
- (2) Post-Approval Modifications.
- (a) Post-Approval Modification Request. An applicant or the County may request a modification to an approved development if that request is made prior to the issuance of the final building permit.
- (b) Applicability of Objective Standards to Modifications. The County shall only apply objective standards in effect when the original application was submitted, except that objective standards adopted after the date of original submittal may be applied when: 1) the total number of residential units or total square footage of construction changes by 15 percent or more; or 2) when the total number of residential units or total square footage of construction changes by five percent or more, and it is necessary to subject the development to an objective standard beyond those in effect when the application was submitted in order to mitigate or avoid a specific adverse impact upon public health or safety, for which there is no feasible alternative method to satisfactorily mitigate or avoid. Objective building standards contained in the California Building Code, as adopted by the County, shall be applied to all modifications.
- (c) Post-Approval Modification Review Timeframe and Decision. The County shall determine if the modification is consistent with objective planning standards and issue a decision on the applicant's modification request within 60 days after submittal unless a new Type 3 Housing Development Review application is required, in which case a decision shall be made within 90 days.
- (3) Expiration. An application approved consistent with this section shall remain valid for three years; however, an application approval shall not expire if the development includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the area median income consistent with Government Code Section 65913.4(e).
- (4) Extension. At the discretion of the Director, a one-year extension may be granted consistent with Government Code Section 65913.4(e).

5. The exception is consistent with the Marin Countywide Plan, or any applicable Community Plan or Specific Plan.

In granting an exception, the Review Authority shall secure substantially the same objectives of the regulations for which the exception is requested and shall impose whatever conditions it deems necessary to protect the public health, safety, general welfare and convenience, and to mitigate any environmental impacts.

22.80.064 – Urban Lot Splits Under Senate Bill 9

Conformance with the provisions of this section shall be ensured by requiring any project proponent seeking approval for an urban lot split that is subject to the terms of this section to obtain approval of an “Urban Lot Split Compliance Review” (Lot Split Review) prior to applying for their Parcel Map.

The review of such an application shall conform to the requirements of Development Code Section 22.40.052 for ministerial planning permit reviews. The Planning Division shall issue a ministerial approval, approval with conditions, or denial of a Lot Split Review based on the project’s conformance with the objective standards and requirements provided for in this section and any applicable requirements of the Subdivision Map Act.

The procedures, standards, and requirements enumerated below apply to urban lot splits proposed under the provisions of SB 9 of 2021 and this section. If the project is ineligible for SB 9 processing because it does not meet the required standards, the applicant may elect to submit a discretionary Tentative Map application.

A. Notwithstanding any other provision of this section, the County shall ministerially approve an urban lot split only if the County determines that the urban lot split meets all of the following requirements:

1. The lot split subdivides an existing lot to create no more than two new lots of approximately equal lot area provided that one lot shall not be smaller than 40 percent of the lot area of the original lot proposed for subdivision.

2. Both newly created lots are no smaller than 1,200 square feet.

3. The lot being subdivided meets all the following requirements:

(a) The lot is located within a single-family residential zone.

(b) The lot subject to the proposed urban lot split is located within a legal lot wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

4. The lot split is not located on a site that is any of the following:

(a) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural

protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(b) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(c) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Public Resources Code Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(d) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(e) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(f) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the County shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the County that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the County.

(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(g) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the

County shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the County that is applicable to that site.

(h) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(i) Lands under conservation easement.

5. The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

(a) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(b) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(c) A lot or lots on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 (the Ellis Act) to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(d) Housing that has been occupied by a tenant in the last three years.

6. The lot is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

7. The lot has not been established through prior exercise of an urban lot split as provided for in this section.

8. Neither the owner of the lot being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent lot using an urban lot split as provided for in this section.

B. An application for a Lot Split Review for an urban lot split shall be approved in accordance with the following requirements:

1. The County shall approve or deny an application for an urban lot split ministerially without discretionary review.

2. The County shall approve an urban lot split only if it conforms to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as otherwise expressly provided in this section.

3. Notwithstanding Subdivision Map Act Section 66411.1, the County shall not impose regulations that require dedications of rights-of-way or the construction of offsite improvements for the lots

being created as a condition of approving a Lot Split Review for an urban lot split pursuant to this section.

C. Notwithstanding the governing zoning district for the property, the development standards of the R2 zoning district (Two Family, Residential) apply unless the development qualifies for an exception as described in subsection D below.

D. Notwithstanding subsection C above, the County shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two primary units or that would physically preclude either of the two units from being at least 800 square feet in floor area. Such units are subject to minimum front yard setbacks of 25 feet and minimum side and rear yard setbacks of four feet.

No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

E. Notwithstanding subsection A. above, the County shall deny an urban lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

F. In addition to any standards established in accordance with this section, the County shall require that the project satisfy the following requirements when considering an application for an Urban Lot Split Review:

(1) Easements required for the provision of public services and facilities.

(2) Both lots adjoin a public right-of-way, except that if a lot is already developed with a residence it can adjoin a private street.

G. The County shall require that the uses allowed on a lot created by this section be limited to residential uses.

The County shall require an applicant for an urban lot split to sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

H.

This requirement shall not apply to an applicant that is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.

I. The County shall require that a rental of any unit on a lot created pursuant to this section be for a term longer than 30 days. A deed restriction shall be recorded against the property providing future owners with constructive notice of this restriction.

J. The County shall not require, as a condition for ministerial approval of a Lot Split Review, the correction of nonconforming zoning conditions.

22.80.070 – Notice of Judicial Challenge

At least 30 days before filing any judicial action or proceeding to attack, review, set aside, void or annul the decision of the Review Authority concerning a Tentative, Parcel or Final Map, or any of the proceedings, acts or determinations taken, done or made before this decision, or to determine the reasonableness, legality or validity of any condition of approval, written notice shall be served upon the Review Authority detailing the nature of the conduct or action intended to be challenged. This Section is not intended to extend the statute of limitations provided in Map Act Section 66499.37.

- C. Processing.** Proposed changes to a Tentative Map or conditions of approval shall be processed in the same manner as the original Tentative Map, except as otherwise provided by this Section.
- D. Findings for approval.** The Review Authority shall not modify the approved Tentative Map or conditions of approval unless it shall first find that the change is necessary because of one or more of the following circumstances, and that all of the applicable findings for approval required by Subsections 22.84.060.A (Required Findings for Approval) and 22.84.060.B (Supplemental Findings) can still be made:
1. There was a material mistake of fact in the deliberations leading to the original approval.
 2. There has been a change of circumstances related to the original approval.
 3. A serious and unforeseen hardship has occurred, not due to any action of the Applicant.
- E. Effect of changes on time limits.** Approved changes to a Tentative Map or conditions of approval shall not be considered as approval of a new Tentative Map, and shall not extend the time limits provided by Section 22.84.130 (Expiration of Approved Tentative Map).

22.84.100 – Completion of Subdivision Process

- A. Compliance with conditions, improvement plans.** After approval of a Tentative Map in compliance with this Chapter, the subdivider shall proceed to fulfill the conditions of approval within any time limits specified by the conditions and the expiration of the map and, where applicable, shall prepare, file and receive approval of improvement plans in compliance with Chapter 22.100, before constructing any required improvements.
- B. Conforming Tentative Map and condition compliance review.** After approval of a Tentative Map but before filing check prints of a Parcel Map or Final Map with the County Surveyor, the subdivider shall submit a conforming Tentative Map showing any modifications made by the conditions of Tentative Map approval, together with any required supplemental information sheets, draft easements, maintenance agreements, agricultural or other contracts, or other information that is required by the conditions of the Tentative Map approval to the Director for a ministerial conformance review and determination. Tentative Maps approved under the provisions of section 22.80.064 (Urban Lot splits under Senate Bill 9) are not subject to this requirement.
- C. Parcel or Final Map preparation, filing and recordation.** Where a Parcel or Final Map is required by this Article or the Map Act, the map shall be filed and recorded as follows.
1. A Parcel Map for a subdivision of four or fewer parcels shall be prepared, filed, processed and recorded in compliance with Chapter 22.86 (Parcel Maps and Final Maps), to complete the subdivision, unless a Parcel Map has been waived in compliance with Section 22.86.030 (Waiver of Parcel Map).
 2. A Final Map for a subdivision of five or more parcels shall be prepared, filed, processed and recorded in compliance with Chapter 22.86 (Parcel Maps and Final Maps), to complete the subdivision.

B. Definitions, "B."

Banks and Financial Services (land use). This land use consists of financial institutions including:

- banks and trust companies
- credit agencies
- holding (but not primarily operating) companies
- lending and thrift institutions
- other investment companies
- securities/commodity contract brokers and dealers
- security and commodity exchanges
- vehicle finance (equity) leasing agencies

See also, "Automatic Teller Machine," above.

Bars and Drinking Places (land use). This land use consists of the sale of alcoholic beverages for on-site consumption, not as part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include entertainment (e.g., live music and/or dancing). May also include beer brewing as part of a microbrewery, and other beverage tasting facilities.

Base Flood Elevation (BFE). The elevation of the 100-year flood level as determined by statistical analysis for each local area and as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps (FIRMs). This elevation is the basis of the insurance and floodplain management requirements of the National Flood Insurance Program.

Basement. A story which is partly or completely below grade.

Bay Window. A windowed enclosure that projects from an exterior wall and is at least 18 inches above the adjoining finished floor as measured to the lowest horizontal plane of the projection. To be considered a bay window for the purposes of allowed exemptions and floor area, the windowed enclosure shall not occupy an area greater than 25 percent of any individual wall element of a building for each story or extend more than 30 inches from the exterior wall.

Bed and Breakfast Inns (land use). This land use consists of providing up to five guest bedrooms for overnight lodging, where the use is clearly secondary and incidental to the use of the property as a single-family residence. County requirements applicable to Bed and Breakfast Inns are in Section 22.32.040 (Bed and Breakfast Inns), and applicable Health Department regulations. A Bed and Breakfast Inn with more than five guest rooms is considered a hotel or motel, and is not permitted in a residential zoning district. Refer to the definition of "Room Rental" to distinguish between a Bed and Breakfast Inn and room rental in a "boarding house" situation.

Below Market Rate. Housing that is sold or rented at a price which is below the prevailing rate for equivalent housing units within the same community.

Beverage Production (land use). This land use consists of manufacturing facilities including bottling plants, breweries, coffee roasting, soft drink production, and wineries. Does not include milk processing; see "Food Products." May include tasting and accessory retail sales of beverages produced on site. A tasting facility separate from the manufacturing facility is included under the definition of "Bars and Drinking Places" if alcoholic beverages are tasted, and under "Restaurant" if beverages are non-alcoholic.

Block. A group of lots surrounded by streets or roads, or streets or roads and railroad right-of-way, mean high tide line or unsubdivided acreage.

Blue Line Stream. A watercourse shown as a blue line (perennial or intermittent) on the most recent applicable USGS topographic quadrangle map.

Board, Board of Supervisors. The Board of Supervisors of the County of Marin, State of California.

Food Products (land use). This land use consists of the manufacture of or processing foods for human consumption, and certain other related products. Examples of the products included in this land use are:

- bakery products
- candy, sugar and confectionery products
- catering services separate from stores or restaurants
- dairy products
- fats and oil products
- fruit and vegetable canning, preserving, related processing
- grain mill products and by-products
- meat, poultry, and seafood canning, curing, byproduct processing
- miscellaneous food item preparation from raw products

Does not include: bakeries which sell all products on site (see "Retail Stores, General Merchandise"); beer brewing as part of a brew pub, bar or restaurant (see "Bars and Drinking Places"); beverage production other than dairy products (see "Beverage Production"); slaughterhouses and rendering plants (see "Slaughterhouses and Rendering Plants"); or operations on crops after harvest (see "Agricultural Processing Uses").

Footprint. The horizontal surface area covered by a structure.

Form Based Code. The objective standards for multifamily housing development, which are incorporated by reference in their entirety into this Development Code.

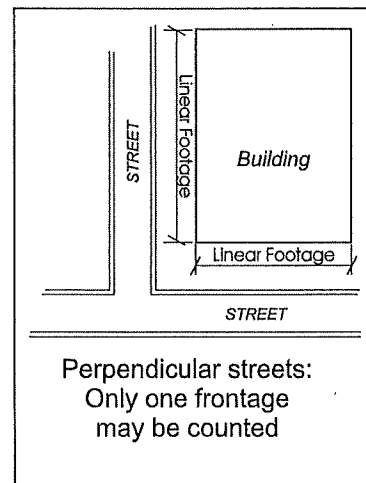
Front Wall. The wall of the building or other structure nearest the street upon which the building faces.

Front Wall (Signs). For the purposes of Chapter 22.28 (Signs), the front wall is the wall of a structure that contains the primary entrance or entrances to the premises. If there are entrances in more than one wall, the longest of the walls in which primary entrances are located shall be the front wall. The front wall includes not only the wall itself, but all doors, windows, and other openings and projections. See Figure 8-2.

Frontage. See "Lot Frontage."

Fuel and Ice Dealers (land use). This land use consists of the retail sale to consumers of ice, bottled water, fuel oil, butane, propane and liquefied petroleum gas (LPG), bottled or in bulk, as a principal use.

**FIGURE 8-2
WALL FRONTAGE**



H. Definitions, "H."

Habitat Island. A habitat island refers to an isolated area of land generally surrounded by water that provides valuable foraging and roosting habitat for resident and migratory birds and wildlife, particularly during winter and early spring months.

Handcraft Industries, Small-Scale Manufacturing (land use). This land use consists of the manufacture of products not classified in another major manufacturing group, including: jewelry; musical instruments; toys; sporting and athletic goods; pens, pencils, and other office and artists' materials; buttons, costume novelties, miscellaneous notions; brooms and brushes; and other miscellaneous manufacturing industries.

Harbors (land use). This land use consists of facilities providing a full range of services related to: commercial and recreational fishing; fisheries and hatcheries; seafood processing; ship and boat building and repair; marine hardware sales and service; petroleum storage and handling; boat storage and miscellaneous storage activities. Facilities primarily oriented toward recreational activities are included under the definition of "Marinas."

Hardscape Shoreline Protection. Also referred to as grey infrastructure, hardscape shoreline protection improvements are physical features engineered, designed and constructed to provide shoreline protection with hard materials such as concrete, rock, and steel, and without relying on biological components for their primary functions.

Hazardous Waste Facility. A State-licensed facility for the temporary storage and/or processing of hazardous waste.

Health/Fitness Facilities (land use). This land use consists of fitness centers, gymnasiums, health and athletic clubs including sauna, spa or hot tub facilities; tennis, handball, racquetball, archery and shooting ranges and other sports activities.

Health Officer. The Marin County Health Officer.

Height, Structure. The vertical distance from grade to the highest point of a structure. The maximum height of buildings located in areas subject to tidal action shall be measured from Mean Sea Level. Section 22.20.060 (Height Measurement and Height Limit Exceptions) explains how this Development Code requires structure height to be measured.

Heritage Tree. See "Protected Tree and Heritage Tree."

Highway. State Route 1, State Route 101, Panoramic Highway, and State Route 131.

Historic Area. Areas mapped and described as historic areas in the Local Coastal Program, including those within Bolinas, Inverness, Marshall, Olema, Point Reyes Station, Stinson Beach, and Tomales.

Historic Lot. A unit of real property that was formerly a legal lot of record.

Historic Structure. As determined by the Local Coastal Plan, any building constructed prior to 1930, including any accessory structures on a site.

Holiday Product Sales. See "Outdoor Retail Sales, Temporary."

Home Occupation (land use). This land use consists of the conduct of a business within a dwelling, or within an accessory building located on the same site as the dwelling, employing the occupant of the dwelling, with the business activity being subordinate to the residential use of the property. See Section 22.32.100 (Home Occupations).

Homeless Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. In order for a facility to be a homeless shelter, no

N. Definitions, "N."

Native Tree. Any tree in the list “Trees Native to Marin County,” maintained and provided by the Department.

Native Tree Removal. Generally means the destruction of any protected tree or the alteration of any protected tree which may adversely affect the health and survival of the tree. Includes “removal of a tree.” Routine trimming and pruning is not considered tree removal for the purpose of this Chapter.

Natural Disaster. Any situation in which the force or forces which destroyed a structure were beyond the control of the owner, including fire, flood, storm, explosion, landslide, earthquake, or other similar conditions.

Nature-Based Shoreline Protection. Nature-based shoreline protection improvements, also called living shorelines, are physical landscape features that are created and evolve over time through the actions of environmental processes, or features that mimic characteristics of natural features but are created by engineering and construction (in concert with natural processes) to provide shoreline protection and other ecosystem services. Nature-based protection includes tidal marsh restoration and enhancement, off-shore island preservation and enhancement, ecotone levees, beach enhancement, and other methods of slowing water movement and increasing filtration.

Nature Preserves (land use). This land use consists of sites with environmental resources intended to be preserved in their natural state.

NAVD (North American Vertical Datum). A vertical elevation control datum used in height measurements.

Negative Declaration. A written statement describing the reasons that a proposed project that is not otherwise exempt from the California Environmental Quality Act (CEQA) will not have a significant adverse effect on the environment and, therefore, does not require the preparation of an Environmental Impact Report (EIR). Please refer to CEQA Guidelines Section 15369.5 for a complete definition of a Negative Declaration.

Net Lot Area. The baseline area of a lot used for calculating maximum subdivision potential, and calculated by taking the area of the whole lot and subtracting the following:

1. Any areas seaward of mean high tide.
2. Any areas within a Stream Conservation Area or Wetland Conservation Area.

The resulting area is the net lot area.

Nonconforming Lot. A lot of record that was legally created, but does not conform with this Development Code because the lot is of a size, shape, or configuration no longer allowed in the zoning district that applies to the site, as a result of the adoption of, or amendments to this Development Code.

Nonconforming Structure. A structure that was legally constructed, but does not conform with this Development Code because amendments to this Development Code or the previous Marin County Zoning Ordinance made the structure nonconforming in its size, location on its site, separation from other structures, number of parking spaces provided, or other features.

Nonconforming Use. A use of land, and/or within a structure, that was legally established, but does not conform with this Development Code because the use is no longer allowed in the zoning district that applies to the site, as a result of amendments to this Development Code or the previous Marin County Zoning Ordinance.

O. Definitions, "O."

Oak Woodland Management Guidelines. The Oak Woodland Management Guidelines adopted by the Board and on file with the Agency.

Objective Standards. Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

Occupancy. The use or operation of a site or structure for an approved land use.

Off-Road Vehicle Courses (land use). This land use consists of areas set aside for the use of off-road vehicles, including dirt bikes, motorcycles, and four-wheel drive vehicles. Does not include sports assembly facilities (see "Sports Facilities and Outdoor Public Assembly"), or simple access roads that are usable only by four-wheel or two-wheel drive vehicles in conjunction with a permitted land use.

Off-Site Product. A product that is produced on property other than the site where it is offered for sale.

Offices, Business (land use). This land use consists of the provision of direct services to consumers. This land use includes establishments such as insurance agencies, real estate offices, and post offices (not including bulk mailing distribution centers, which are included under "Vehicle and Freight Terminals").

Does not include: medical offices (see "Medical Services – Clinics and Laboratories"); or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessory to another use are allowed as part of an approved principal use.

Offices, Professional (land use). This land use consists of professional or government offices including:

- accounting, auditing and bookkeeping services
- advertising agencies
- architectural, engineering, planning and surveying services
- attorneys
- counseling services
- court reporting services
- data processing and computer services
- detective agencies and similar services
- educational, scientific and research organizations
- employment, stenographic, secretarial and word processing services
- government offices including agency and administrative office facilities
- management, public relations and consulting services
- photography and commercial art studios
- writers and artists offices outside the home

Does not include: medical offices (see "Medical Services – Clinics and Laboratories") or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessory to another use are allowed as part of an approved principal use.

Offices, Property Management (land use). This land use consists of accessory offices on the site of an apartment complex, mobile home park, or commercial facility, for the purpose of providing tenant services.

Offices, Temporary (land use). This land use consists of a mobile home, recreational vehicle or modular unit used as a temporary office facility. Temporary Offices may include: construction supervision offices on a construction site or off-site construction yard; a temporary on-site real estate office for a development project; or a temporary business office in advance of permanent facility construction.

Playground. See "Parks and Playgrounds."

Pocket Neighborhood. The type of clustered residential development described in the Multifamily Residential Design Guidelines or the Form Based Code, as applicable.

Porch. A deck with a roof, which is attached to a building.

Poster Board. A sign consisting of a framed or unframed surface, freestanding or attached to a wall or fence or other structure, designed and located only for the display of announcements of coming performances of cultural, educational, and athletic events.

Potbellied Pig. That type of swine commonly known as the Vietnamese, Chinese, or Asian Potbelly Pig (*Sus scrofa bittatus*).

Poultry Processing Facility (Land Use). This land use consists of facilities permanently installed on a site engaged in slaughtering poultry for meat to be sold.

Precise Development Plan. See Chapter 22.44 (Master Plans and Precise Development Plans).

Premise(s). The site of a land use or activity subject to the requirements of this Development Code.

Primary Structure. See "Structure, primary."

Primary Zoning District. One of the agricultural, residential, commercial, or special purpose zoning districts established by Sections 22.06.020 (Zoning Districts Established) and Article V (Coastal Zones – Permit Requirements and Development Standards), that is applied to a site by the Zoning Map in addition to one or more of the combining districts established by Section 22.06.020.

Printing and Publishing (land use). This land use consists of printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying, and other "quick printing" services; and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; and establishments manufacturing business forms and binding devices.

Private Residential Recreation Facilities (land use). This land use consists of privately-owned, non-commercial outdoor recreation facilities provided for members or project/neighborhood residents, including swim and tennis clubs, park and sport court facilities. Does not include golf courses/country clubs, which are separately defined.

Private Road. A street or right-of-way owned and maintained by a private person(s) or entity(ies).

Project. See "Development, or Project."

Property Line. See "Lot Line or Property Line."

Proposed Parcel(s). Each separate parcel shown on a tentative map or lot line adjustment, as proposed by an applicant.

Proposed Dwelling. A new dwelling that is the subject of a permit application that meets all requirements for permitting, including zoning requirements.

Proposed Single Family Dwelling. See "Proposed Dwelling" and "Single Family Dwelling".

Protected Tree and Heritage Tree. Any one of the following as indicated in the table below:

Common Name	Botanical Name	Protected Size Diameter at Breast Height	Heritage Size Diameter at Breast Height
Arroyo willow	<i>S. lasiolepis</i>	6 inches	18 inches
Big-leaf maple	<i>Acer macrophyllum</i>	10 inches	30 inches
Bishop pine	<i>Pinus muricata</i>	10 inches	30 inches
Blue oak	<i>Q. douglasii</i>	6 inches	18 inches
Box elder	<i>A. negundo var. californicum</i>	10 inches	30 inches
California bay	<i>Umbellularia californica</i>	10 inches	30 inches
California black oak	<i>Q. kelloggii</i>	6 inches	18 inches
California buckeye	<i>Aesculus californica</i>	10 inches	30 inches
California nutmeg	<i>Torreya californica</i>	10 inches	30 inches
Canyon live oak	<i>Q. chrysolepis</i>	6 inches	18 inches
Chaparral oak	<i>Q. wislizeni</i>	6 inches	18 inches
Coast live oak	<i>Quercus agrifolia</i>	6 inches	18 inches
Coast redwood	<i>Sequoia sempervirens</i>	10 inches	30 inches
Douglas-fir	<i>Pseudotsuga menziesii</i>	10 inches	30 inches
Giant Chinquapin	<i>Castanopsis chrysophylla</i>	10 inches	30 inches
Hawthorn	<i>Crataegus douglasii</i>	10 inches	30 inches
Mountain-mahogany	<i>Cercocarpus betuloides</i>	10 inches	30 inches
Narrow leaved willow	<i>Salix exigua</i>	6 inches	18 inches
Oak	<i>Q. parvula var. shrevei</i>	6 inches	18 inches
Oregon ash	<i>Fraxinus latifolia</i>	10 inches	30 inches
Oregon oak	<i>Q. garryana</i>	6 inches	18 inches
Pacific madrone	<i>Arbutus menziesii</i>	6 inches	18 inches
Pacific yew	<i>Taxus brevifolia</i>	10 inches	30 inches
Red alder	<i>A. rubra</i>	10 inches	30 inches
Red elderberry	<i>Sambucus callicarpa</i>	10 inches	30 inches
Red willow	<i>S. laevigata</i>	6 inches	18 inches
Sargent cypress	<i>Cupressus sargentii</i>	6 inches	18 inches
Scouler's willow	<i>S. scouleriana</i>	6 inches	18 inches
Service-berry	<i>Amelanchier alnifolia</i>	10 inches	30 inches
Shining willow	<i>S. lucida ssp. lasiandra</i>	6 inches	18 inches
Silk tassel	<i>Garrya elliptica</i>	10 inches	30 inches
Sitka willow	<i>S. sitchensis</i>	6 inches	18 inches
Tanbark oak	<i>Lithocarpus densiflorus</i>	10 inches	30 inches
Valley oak	<i>Q. lobata</i>	6 inches	18 inches
Wax myrtle	<i>Myrica californica</i>	10 inches	30 inches
White alder	<i>Alnus rhombifolia</i>	10 inches	30 inches

Public Right of Way. A street that has been accepted or is being maintained by the State, the County, or a city, and provides unrestricted vehicular access to the public.

Public Road. A street or highway owned and maintained by the County, a City, the State, or the Federal government.

U. Definitions, "U."

Unincorporated Community. A concentration of structures and population within the unincorporated areas of the County identified by the Countywide Plan as a community.

Urbanized Area. An urbanized area or urban cluster, as designated by the United States Census Bureau.

Use. The purpose for which land or a building thereon is designed, or for which it may be occupied. Each business, administrative, professional, industrial, or other establishment, which is separate from another establishment, both in fact and in the appearance presented to the public, shall be considered a separate use.

Use Permit. A discretionary land use permit that may be granted by the Review Authority in compliance with Chapter 22.48 (Conditional Use Permits) or Chapter 22.49 (Master Use Permits), which authorizes a specific use of land on a specific site, subject to compliance with any conditions of approval imposed on the permit.