

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. [REDACTED]

A RESOLUTION RECOMMENDING THAT THE MARIN COUNTY BOARD OF SUPERVISORS REPEAL THE MARIN COUNTY HOUSING ELEMENT 2015 – 2023, ADOPT THE 2023 – 2031 MARIN COUNTY HOUSING ELEMENT UPDATE TO THE MARIN COUNTYWIDE PLAN, AND ADOPT AMENDMENTS TO THE COUNTYWIDE PLAN TO ACHIEVE CONSISTENCY WITH THE HOUSING ELEMENT

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives” (Gov. Code Section 65589.5); and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the County of Marin (the County) adopt a housing element for the eight-year period 2023-2031 to accommodate the regional housing need allocation (RHNA) assigned to the County by the Association of Bay Area Governments of 3,569 housing units, comprised of 1,100 units affordable to very-low income households, 634 units affordable to low-income households, 512 units affordable to moderate-income households, and 1,208 units affordable to above moderate-income households; and

WHEREAS, State Housing Element Law further requires the County to achieve consistency between its housing element and the goals and policies of other elements of the 2007 Marin Countywide Plan (“CWP”); and

WHEREAS, the Marin County Community Development Agency (CDA) has prepared the proposed Housing Element Update to the CWP for the eight-year planning period 2023 through 2031 (the “Housing Element Update”) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the County’s RHNA; and

WHEREAS, to maintain consistency between the other elements of the CWP and the Housing Element Update, CDA has further proposed amendments to the Countywide Plan, including amendments to the Introduction to the CWP, the Natural Systems and Agriculture Element, and the Built Environment Element (including amendments to Section 3.4 Community Development, Section 3.5 Community Design, 3.9 Transportation, and 3.12 Planning Areas); and

WHEREAS, during the course of the Housing and Safety Elements update preparation, including preparation of the environmental impact report, the County notified the Native American tribes traditionally and culturally affiliated with the County and provided a description of the

Project, the name of the program points of contact, and the time period for comments as provided for by State law. In doing so, the County satisfied the provisions of both State laws AB 52 and SB 18 and received only one request for consultation from the Federated Indians of Graton Rancheria (FIGR). The County met with FIGR on multiple occasions, and the Tribe's members provided feedback that they wished to have their Tribal Cultural Resource interests represented more robustly as part of the ongoing policy and planning objectives, and the County agreed to continue to work with FIGR to collaborate on broad policy and planning initiatives; and

WHEREAS, the preparation, adoption, and implementation of the Housing Element Update requires a diligent effort to include all economic segments of the community and to take actions to affirmatively further fair housing; and

WHEREAS, the County conducted extensive community outreach over fifteen months, beginning in September 2021, as described in detail in Appendix A to the proposed Housing Element Update; and

WHEREAS, in accordance with Government Code Section 65585 (b), on June 1, 2022, the County posted the draft Housing Element Update and requested public comment for a 30-day review period, and on July 19, 2022, after responding to public comments, submitted the draft Housing Element Update to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on October 17, 2022 the County received a letter from HCD providing its findings regarding the draft Housing Element Update; and

WHEREAS, on November 14, 2022 the County published a revised draft Housing Element Update responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on December 7, 2021; March 1, 2022; March 15, 2022; April 12, 2022; June 14, 2022; August 9, 2022; September 27, 2022; October 25, 2022, and November 16, 2022 the Planning Commission and Board of Supervisors held duly and properly noticed joint public meetings to take public testimony and review the proposed Housing Element Update, CWP amendments, and Draft Environmental Impact Report, and on December 12, 2022, the Planning Commission held a duly and properly noticed public meeting to take public testimony and review the proposed Housing Element Update and Countywide Plan amendments; and

WHEREAS, on January 5, 2023, the Marin County Planning Commission conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution and the Final Environmental Impact Report (Final EIR) regarding the proposed Housing Element Update, the proposed Safety Element update, proposed conforming CWP amendments, and proposed conforming amendments to Title 22 of the Marin County Code ("Development Code"), reviewed the proposed Housing Element Update, Safety Element Update, proposed CWP amendments, and proposed conforming amendments to the Countywide Plan, and all pertinent maps, documents and exhibits, including HCD's findings, the County's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and

WHEREAS, the Marin County Planning Commission has recommended that the Marin County Board of Supervisors certify the Final EIR as adequate and complete in compliance with CEQA, the State CEQA Guidelines, and the County Environmental Review Procedures, and as adequate and complete for consideration in making a decision on the merits of the Project, which as defined includes the proposed Housing Element Update and CWP amendments.

NOW, THEREFORE, THE MARIN COUNTY PLANNING COMMISSION RESOLVES as follows, based on substantial evidence in the record:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. The Marin County Planning Commission recommends that the Marin County Board of Supervisors approve a resolution to amend the Countywide Plan as follows:
 - a. Repeal in its entirety the Marin County Housing Element 2015-2023 (Section 3.8 of the Built Environment Element of the Countywide Plan), and adopt the 2023 – 2031 Marin County Housing Element, attached hereto as Exhibit A, incorporated by this reference, as Section 3.8 of the Built Environment Element of the Countywide Plan.
 - b. Adopt amendments to the Countywide Plan attached hereto as Exhibit B, incorporated by this reference, amending the following sections of the Countywide Plan, as shown in Exhibit B:
 - i. Introduction to the Countywide Plan.
 - ii. Natural Systems and Agriculture Element.
 - iii. Built Environment Element (including amendments to Section 3.4 Community Development, Section 3.5 Community Design, 3.9 Transportation, and 3.12 Planning Areas).

Exhibit A: 2023 – 2031 Marin County Housing Element

Exhibit B: Countywide Plan Amendments

PASSED AND ADOPTED at a special meeting of the Planning Commission of the County of Marin held on this 5th day of January 2023 by the following vote:

AYES: COMMISSIONERS

NOES:

ABSENT:

DON DICKENSON, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

Ana Hilda Mosher
Planning Commission Recording Secretary

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