

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. [REDACTED]

**A RESOLUTION RECOMMENDING THAT THE MARIN COUNTY BOARD OF SUPERVISORS
ADOPT AN ORDINANCE AMENDING THE MARIN COUNTY CODE TITLE 22, THE
DEVELOPMENT CODE, TO CREATE HOUSING OVERLAY DESIGNATION (HOD) ZONE
AND AMENDING THE MARIN COUNTY ZONING MAP TO IMPLEMENT THE 2023-2031
HOUSING ELEMENT**

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 also requires that the County rezone properties as required to make sites available with appropriate zoning and development standards to accommodate the portion of the County's regional housing need for each income level that cannot be accommodated on sites under existing County zoning; and

WHEREAS, the Planning Commission has recommended that the Board of Supervisors for the County adopt the proposed 2023-2031 Marin County Housing Element Update (Housing Element Update), which has identified those properties proposed for rezoning to accommodate the County's regional housing need; and

WHEREAS, to implement the Housing Element Update, the Marin County Community Development Agency has proposed amendments to Marin County Code Title 22 (Development Code), which would: 1) amend Article II, Section 22.14.090 to create the Housing Overlay Designation (HOD) Combining District, as shown in Exhibit A attached hereto; and 2) amend the Marin County Zoning Map as shown in Exhibit B attached hereto, to accommodate the County's regional housing need for all income levels; 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 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, Countywide Plan (CWP) amendments, and Development Code 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 Housing Element Update, CWP amendments, and Development Code amendments included in Exhibits A and B to this Resolution.

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 adopt an Ordinance to:
 - a. Amend Article II, Section 22.14.090 of Marin County Code Title 22 (Development Code) to create the Housing Overlay Designation (HOD) Combining District, as shown in 'track changes' in the attached Exhibit A; and
 - b. Amend the Marin County Zoning Map (Marin County Code Section 22.06.030) as shown in Exhibit B, to apply the HOD Combining District to properties listed in the proposed 2023-2031 Marin County Housing Element Update.

Exhibit A: Amendments to the Development Code

Exhibit B: Amendments to Marin County Zoning Map

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