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December 11, 2012

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

SUBJECT: Local Coastal Program Amendments (LCPA)
Third Board Public Hearing – Built Environment, Socioeconomic and remaining Natural Systems topics

Dear Members of the Board,

RECOMMENDATION:

Consider the recommendation from the Planning Commission and approve further recommendations for amendments to the Local Coastal Program governing the Built Environment, Socioeconomic and other topics set forth in Attachments 1, 3, and 4 of this report.

BACKGROUND:

This is the third Board public hearing on the Local Coastal Program Amendments (LCPA) that were adopted and recommended for approval by the Planning Commission to your Board on February 13, 2012 after extensive public involvement and thorough, detailed review by the Planning Commission.

The LCP Amendments continue existing policies proven to be effective over the life of the certified LCP, resolve differences between Unit 1 and Unit 2 (the two parts of the existing Land Use Plan (LUP)), provide improved policies, add provisions for new issues where necessary, such as for sea level rise, and reorganize the implementing Development Code (Article V) to conform to the format for the Code as a whole adopted by the Board in 2003.

As with previous hearings, this report focuses on key issues, while providing general background and analysis on all the changes proposed in the LCPA.

Staff recommends the Board conduct the public hearing and review and approve the recommendations set out in the Attachments to this report. The Board's current schedule for the LCP includes a hearing on January 15, 2013 to complete review of the Agricultural and Biological Resources policies and a hearing on February 26, 2013 for the Board to adopt a Resolution approving the LCPA and directing staff to submit the approved LCP Amendments to the Coastal Commission.

SUMMARY:

The LCP Amendments adopted by the Planning Commission on February 23, 2012 are the baseline for the Board's review. In response to issues raised by the Coastal Commission staff and others, alternative language is offered in some cases for the Board's consideration. The enclosed attachments are organized to enable the Board to focus their attention on priority issues, while providing additional background and analysis for those seeking greater detail. The materials for this third hearing address Environmental Hazards, Mariculture and Water Resources policies of the Natural Systems section, as well as the issues in the Built Environment and Socioeconomic parts of the Amendments.

Attachment 1 provides detailed background and analysis of the staff's recommendations on the highest priority concerns, including provisions for:

I. Sea Level Rise and Marin's Coast
II. Wind Energy Conversion Systems (WECS) in the Coastal Zone
III. Services sufficient to support existing and planned development
IV. Protecting the scenic quality of Highway One
IV. Sufficient visitor-serving accommodations and vacation rentals

Attachment 2 compiles new data on coastal visitor accommodations to replace the data in the current LCP.

Attachment 3 presents less substantive corrections and revisions which staff recommends be approved on a "consent" agenda basis. That is to say that if the Board as a whole has no objections to these changes, they will be deemed approved with adoption of the resolution; however, individual Board members can identify an issue for public discussion before the LCPA is approved.

Attachment 4 provides discussion and findings for all other sections of the LCPA. These are recommended for approval as submitted by the Planning Commission.

On the Web: Prior to the December 11, 2012 hearing staff will post the following at www.MarinLCP.org:

- **Attachment 5:** Draft Land Use Analysis Report discussing the availability of services to support potential development
- Comparisons of Unit 1 and Unit 2 existing Land Use policies
- Road map relating existing Title 22I to proposed LCPA Development Code
- LCPA Land Use Plan document showing proposed changes to Planning Commission's recommended text

Specific staff recommendations are set out in Attachments 1, 3 and 4 of this report.

FISCAL/STAFFING IMPACT:

No fiscal or staffing impact as a result of the LCPA is expected since the work to complete the LCP Amendments is budgeted in the current fiscal year and programmed in the Agency's Performance Plan.

REVIEWED BY: (***These boxes must be checked***)

[ ] Department of Finance	[ ] N/A
[X] County Counsel	[ ] N/A
[ ] Human Resources	[ ] N/A

SIGNATURE:

Jack Liebster
Planning Manager
Advanced Planning

Approved by:

Brian C. Crawford
Director

ATTACHMENTS:

Attachment 1: LCPA Key Issue Analysis and Decisions Required
Attachment 2: Coastal Overnight Accommodations
Attachment 3: LCPA minor revisions
Attachment 4: Analysis of Other LCPA Issues

The following attachment was provided to the Board only. It is available at www.MarinLCP.org or upon request or at the Community Development Agency, Planning Division during regular business hours: Monday through Thursday 8:00 A.M. to 4:00 P.M.

Attachment 5: Draft Land Use Analysis Report

ATTACHMENT #1
Local Coastal Program Amendments (LCPA)
Issue Analysis

The following is a summary of the remaining LCPA issues not discussed at the October 2 and November 13, 2012 Board of Supervisors hearings. The previous hearings addressed issues related to Agriculture and Biological Resources only.

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I. Sea Level Rise and Marin's Coast

BOARD ACTION REQUIRED:

STAFF RECOMMENDATION:
Staff recommends Board approval of Policy C-EH-22, and Programs C-EH-22.a and C-EH-22.b of the PC-Approved LCPA Land Use Plan. • *See LCPA Land Use Plan, p. 37*
ALTERNATIVE:
No Alternatives for Board Consideration.

BACKGROUND:

A. ISSUE: An overwhelming scientific consensus points to climate disruption and accelerated sea level rise affecting the world and our part of it here in Marin over the coming years and decades. Local sea level rise could cause increasing coastal flooding, greater loss of beaches and bluffs and the human habitations and facilities sitting on them, the drowning of coastal wetlands, permanent or periodic inundation of low-lying areas and roads, and salt water intrusion into stormwater systems and aquifers.

Proposed amendments to the existing LCP policies in the Environmental Hazards section would provide a detailed analysis of the vulnerabilities and risks of Marin's natural, built and human resources, and develop timely, wise and effective responses and adaptation strategies.

B. INTENT: The Current LCP does not explicitly address sea level rise; in fact the Coastal Act itself did not mention it until a 1992 amendment listed it as one of the concerns the Coastal Commission should "*interact with the scientific and academic"* community on. However, the Coastal Act section 30253(a) does require that new development shall:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard; and

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The intent of the proposed amendments in the Environmental Hazards chapter of the LCPA Land Use Plan is to utilize the best available science to determine what areas of the coast will be affected; how that will change over time; what homes, facilities, infrastructure, and natural resources are vulnerable; and what options are available to anticipate, plan for and adapt to these changes. LCPA Policy C-EH-22 incorporates these objectives, while Program C-EH-22.a describes the future research, analysis and planning that should be accomplished as a basis for developing additional specific policies and actions to respond to the challenge of sea level rise along Marin's coast.

Sea level rise has also been added to other identified hazards in Policy C-EH-2 *(Avoidance of Environmental Hazards);* as a factor to be evaluated in determining the safety of *New Blufftop Development* (Policy C-EH-5); and in future planning for Highway One (Policy C-TR-3: *Impacts to Highway One from Sea Level Rise*).

C. RELEVANT LCPA POLICIES:

- ***LCPA Land Use Plan:*** *Policy C-EH-22, and Programs C-EH-22.a and C-EH-22.b (p. 37)*
  - *Also relevant: LCPA Policies C-EH-2 (p. 32), C-EH-5 (p. 33), and C-TR-3 (p. 99).*

C-EH-22 Sea Level Rise and Marin's Coast. Support scientific studies that increase and refine the body of knowledge regarding potential sea level rise in Marin, and possible responses to it.

Program C-EH-22.a Research and Respond to the Impacts of Sea Level Rise on Marin County's Coastal Zone Shoreline.

1. Continue to gather information on the effects of sea level rise on Marin County's Coastal Zone shoreline, including identifying the most vulnerable areas, structures, facilities, and resources; specifically areas with priority uses such as public access and recreation resources, including the California Coastal Trail, Highway 1, significant ESHA such as wetlands or wetland restoration areas, open space areas where future wetland migration would be possible, and existing and planned sites for critical infrastructure.

   Any vulnerability assessment shall use best available science and multiple scenarios including best available scientific estimates of expected sea level rise, such as by the Ocean Protection Council [e.g. 2011 OPC Guidance on Sea Level Rise], Nation Research Council, Intergovernmental Panel on Climate Change, and the West Coast Governors Association.
2. Based on information gathered over time, propose additional policies and other actions for inclusion in the LCP in order to address the impacts of sea level rise. As applicable, recommendations may include such actions as:
   a. relocation of existing or planned development to safer locations, working with entities that plan or operate infrastructure, such as Caltrans;
   b changes to LCP land uses, and siting and design standards for new development, to avoid and minimize risks;
   c. changes to standards for wetland, ESHA, and stream buffers and setbacks;
   d. changes to standards for erosion rates;
   e. modifications to the LCP Access Component to ensure long term protection of the function and connectivity of existing public access and recreation resources; and
   f. modifications to the Regional Transportation Plan.

Program C-EH-22.b Study Bluff Retreat. The County shall seek funds for a study to identify threats of bluff retreat taking into account accelerated sea level rise.

D. CCC ISSUE: The Coastal Commission staff made several suggestions for further detail in the Sea Level Rise policies, which were incorporated into the text that was approved by the Planning Commission. In addition, specific sources of scientific input were included Program C-EH-22.a(1), at the request of Commission staff.

E. OTHER INPUT: There has been general support for addressing sea level rise.

F. STAFF ANALYSIS: The LCPA policies and programs for sea level rise provide a framework for moving forward to develop specific strategies and future LCP Amendments providing detailed responses to the problems sea level rise will create. The CDA has been working with the *Our Coast Our Future (OCOF)* project, a collaboration of the Gulf of the Farallones National Marine Sanctuary, PRBO Conservation Science, USGS Pacific Coastal and Marine Science Center, the National Oceanic and Atmospheric Administration, the National Park Service and others. OCOF is modeling vulnerabilities from sea level rise and storm hazards (including factors such as water levels, wave heights, flooding and erosion), mapping infrastructure and ecosystem vulnerabilities at the scale useful for management action, and providing support tools and interactive maps. Cooperating and partnering with OCOF's effort will give the County a good start on carrying out Program C-EH-22.a, and staying ahead of the rising sea.

II. Wind Energy Conversion Systems (WECS) (Coastal)

BOARD ACTION REQUIRED:

STAFF RECOMMENDATION:
Staff recommends Board approval of the WECS regulations approved by the Planning Commission in the LCPA Development Code. • *See LCPA Development Code Sections 22.32.190 (p. 10), 22.64.045 (p. 56), and 22.130.030 (p. 177).*
ALTERNATIVE:
The Board may want to consider the following alternative in coastal zoning districts: • Prohibit freestanding WECS in all districts • Allow roof-mounted WECS in all districts (height limit = 10' above roof line)

BACKGROUND:

A. ISSUE: The regulation of Wind Energy Conversion Systems (WECS) in the Coastal Zone.

B. INTENT: To allow for WECS in the Coastal Zone where appropriate as a means to support renewable energy, applying strict siting, design, and development standards to ensure the protection of coastal resources.

C. RELEVANT LCPA POLICIES AND DEVELOPMENT CODE SECTIONS:

- ***LCPA Land Use Plan:*** *Policies C-EN-4, C-EN-5, and C-EN-6; and Programs C-EN-4.a and C-EN-4.b (p. 83)*
- ***LCPA Development Code:*** *Sections 22.32.190 (p. 10), 22.64.045 (p. 56), and 22.130.030 (p. 177).*

D. CCC ISSUE: None. All previous issues raised by CCC staff have been addressed and suggested changes incorporated into the Local Coastal Program Amendment (LCPA).

E. OTHER INPUT:

West Marin-Sonoma Coastal Advocates (WMSCA): The WMSCA representatives have repeatedly expressed strong opposition to any type of WECS being allowed in the Coastal Zone and have requested that they be prohibited altogether. They have voiced concerns about potential harmful impacts to visual resources, wildlife, and to the health of those living near WECS.

Renewable energy experts: Local experts in the renewable energy field generally support provisions that allow for the development of renewable energy facilities. However, there is some concern that the proposed WECS regulations for the Coastal Zone are too restrictive in regard to size and siting to provide any realistic, feasible options for the development of WECS in the Coastal Zone.

Environmental community: Environmental groups have expressed minor concerns about specific language in the proposed regulations, which have been addressed. However, no major opposition to WECS in general has been expressed.

STAFF ANALYSIS:

On October 11, 1983, the Marin County Board of Supervisors adopted Ordinance No. 2794, which added Chapter 22.71 to Title 22 of the Marin County Development Code (now "Title 22I – the Interim Code") establishing the first set of regulations and standards for Wind Energy Conversion Systems (WECS) for the County of Marin. On August 10, 2010, the Board adopted Ordinance No. 3548, which amended these regulations for non-coastal areas of the County and moved them to Section 22.32.180 of the Development Code. These regulations allow roof-mounted WECS and freestanding WECS in most non-coastal zoning districts, subject to an exhaustive set of development standards and submittal requirements. Regarding the Coastal Zone, Finding XV of Ordinance No. 3548 states the following:

> *"XV. WHEREAS, the Marin County Planning Commission finds that WECS are currently allowed in the Coastal Zone through application of Chapter 22.71I of the Marin County Interim Development Code. In accordance with Article V of the 2003 Marin County Development Code (Title 22), the proposed WECS Development Code amendments would not take effect in the Coastal Zone until the Local Coastal Program (LCP) update is adopted by the California Coastal Commission (CCC). Though the CCC will have to approve the proposed text amendments as they relate to zoning standards in the Coastal Zone, the County of Marin, as the principal permit authority, is the Lead Agency under the California Environmental Quality Act (CEQA), and the CCC is a Responsible Agency. Land located within the Coastal Zone will continue to be regulated by relevant provisions of the Marin County Interim Development Code."*

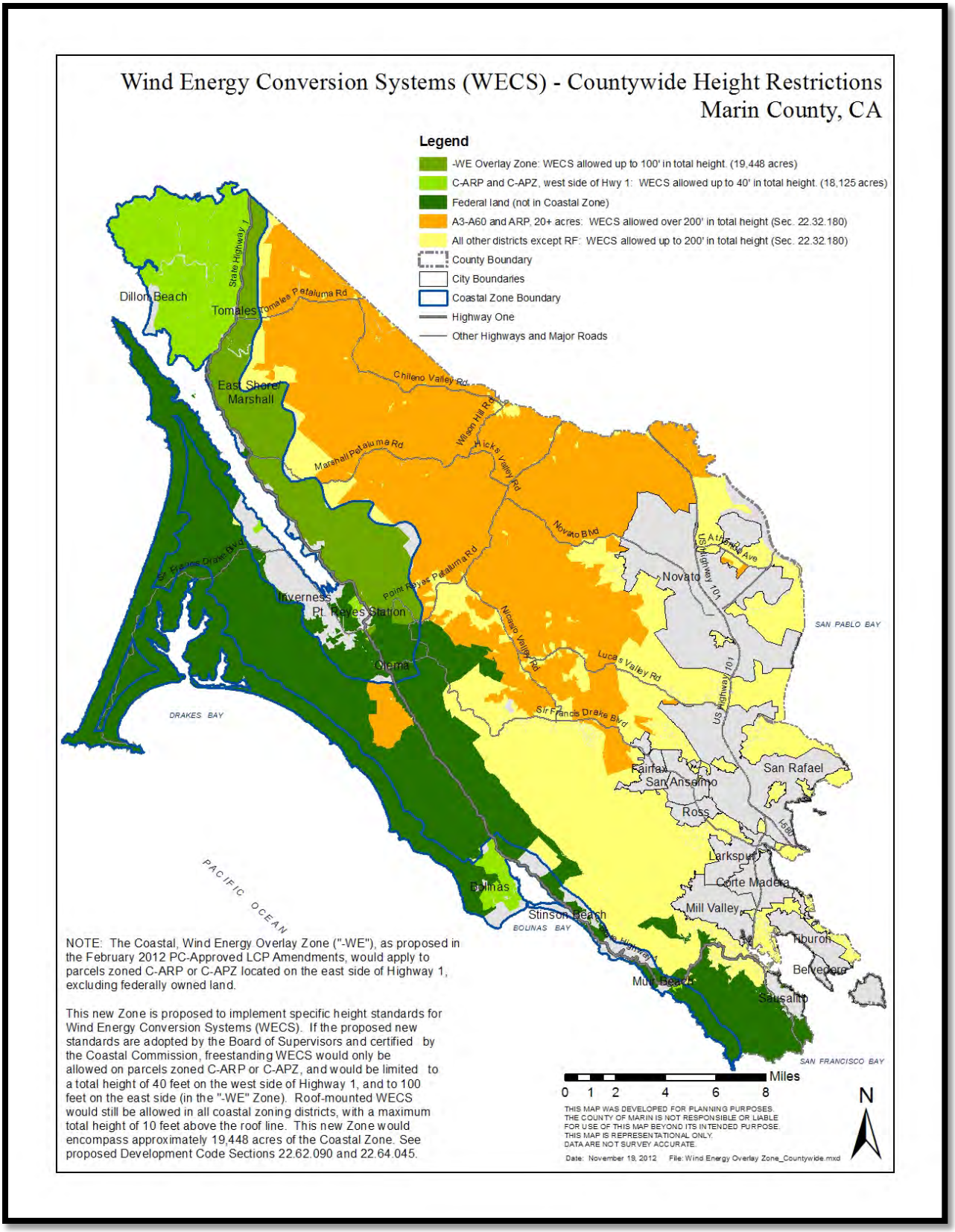
Chapter 22.71I of the Interim Code identifies two categories of WECS: noncommercial and commercial. Section 22.71.020I established that "noncommercial" WECS (up to 100 ft) are allowed in all County zoning districts, and that "commercial" WECS (over 100 ft) are allowed in the A, ARP, C-ARP and C-APZ zoning districts. Both noncommercial and commercial WECS are subject to the conditions of a use permit and the other requirements of Chapter 22.71I.

Consistent with Finding XV of Ordinance 3548 (see above), staff initially proposed that Section 22.32.180 be implemented in the Coastal Zone and become part of the LCPA. This alternative was first presented to the Planning Commission (PC) at the September 19, 2011 hearing, but met immediate opposition from both the PC and the public. After much deliberation and public input over the course of multiple hearings, the PC ultimately decided on a relatively conservative approach compared to the non-coastal WECS regulations of Section 22.32.180. In summary, the PC-Approved LCPA Development Code Section 22.32.190 (p. 10) would allow WECS in the Coastal Zone as follows:

- **Small Roof-Mounted WECS:** allow as a Principal Permitted Use in all coastal zoning districts.
- **Small Freestanding WECS** (up to 40'): allow as a Permitted Use only in coastal agricultural zoning districts (C-ARP and C-APZ). *See map on next page.*
- **Medium Freestanding WECS** (40' to 100'): allow as a Permitted Use only in coastal agricultural zoning districts (C-ARP and C-APZ) in the Coastal, Wind Energy "-WE" Combining District (i.e. on the east side of Highway One). *See map on next page.*
- **Large Freestanding WECS** (above 100'): prohibited in all coastal zoning districts.

The existing LCP does not prohibit "the development of alternative energy sources such as solar or wind energy…" Furthermore, with the adoption of Ordinance 2794 in 1983, the County has been

supporting wind energy by allowing and regulating the development of WECS for nearly thirty years. The PC-Approved LCPA does not change this approach, but rather refines and clarifies it to explicitly support the development of appropriate renewable energy facilities. LCPA Policies C-EN-4, C-EN-5, and C-EN-6 lay the groundwork for supporting renewable energy technologies and ensure that only those facilities that are able to avoid any adverse impacts to people, wildlife, and the environment will be considered. The specific standards in LCPA Development Code Sections 22.32.161 for Solar Energy Systems and 22.32.190 for WECS establish firm standards that must be adhered to by any such proposed facilities in the Coastal Zone.



NOTE: The Coastal, Wind Energy Overlay Zone ("-WE"), as proposed in the February 2012 PC-Approved LCP Amendments, would apply to parcels zoned C-ARP or C-APZ located on the east side of Highway 1, excluding federally owned land.

This new Zone is proposed to implement specific height standards for Wind Energy Conversion Systems (WECS). If the proposed new standards are adopted by the Board of Supervisors and certified by the Coastal Commission, freestanding WECS would only be allowed on parcels zoned C-ARP or C-APZ, and would be limited to a total height of 40 feet on the west side of Highway 1, and to 100 feet on the east side (in the "-WE" Zone). Roof-mounted WECS would still be allowed in all coastal zoning districts, with a maximum total height of 10 feet above the roof line. This new Zone would encompass approximately 19,448 acres of the Coastal Zone. See proposed Development Code Sections 22.62.090 and 22.64.045.

III. Public Facilities and Services

BOARD ACTION REQUIRED:

STAFF RECOMMENDATION:
Staff recommends Board approval of the Public Facilities and Services Policies of the PC-Approved LCPA Land Use Plan. • *See LCPA Land Use Plan, pp. 90-95*
ALTERNATIVE:
No Alternatives for Board Consideration. Proposed growth under the LCPA is consistent with Coastal Act direction that new development must be supported by adequate public services. First, the amount of total buildout proposed by the LCPA is only expected to minimally increase 2% over the existing LCP. Second, water service providers generally report sufficient water supply to meet future demand. Finally, the majority of the existing certified policies have been carried forward with relatively few changes; the LCPA predominately retains the original concepts and direction from the existing LCP.

BACKGROUND:

C. ISSUE: The Coastal Commission staff (CCC) has indicated that it will be necessary to examine the availability of public services to serve existing development as well as planned growth. The provisions of the LCP that affect new development and growth should reflect current land use and public facilities constraints and growth projections.

D. INTENT: The Coastal Act relates the amount of permitted new residential, commercial, and industrial development with the availability of adequate services. The Coastal Act directs new development to existing developed areas that are able to accommodate it or to other locations outside developed areas where adequate public services are available. Thus, whether within or outside existing developed areas, new development must be supported by adequate public services. Furthermore, the Coastal Act requires that public works facilities shall be designed and limited to accommodate needs generated by development permitted consistent with the Act. In other words, such facilities should be sized so as to provide adequate services to development, but not sized in such a way as to create growth-inducing effects.

Maintaining a balance between the level of development and capacity of public services is essential to preserve service quality and avoid service shortages. Without this balance, communities can experience such impacts as water pollution that could result from inadequate on-site sewage disposal, as well as public safety problems associated with an inadequate water supply.

C. RELEVANT LCPA POLICIES:

- ***LCPA Land Use Plan:*** *Policies C-PFS-1 and C-PFS-2 (p. 90)*

C-PFS-1 Adequate Public Services. Ensure that adequate public services (that is, water supply, on-site sewage disposal or sewer systems, and transportation including public transit as well as road access and capacity if appropriate) are available prior to approving new development, including land divisions. Lack of available public services shall be grounds for project denial or for a reduction in the density otherwise indicated in the land use plan.

C-PFS-2 Expansion of Public Services. Limit new or expanded roads, flood control projects, utility services, and other public service facilities, whether publicly owned or not, to the minimum necessary to adequately serve development as identified by LCP land use policies, including existing development. Take into account existing and probable future availability of other public services so that expansion does not accommodate growth which cannot be handled by other public service facilities. All such public service projects shall be subject to the LCP.

D. CCC ISSUE: Coastal Commission staff is in agreement with the proposed approach to include policies C-PFS-1 and C-PFS-2 in the LCPA that ensure that new development is adequately served by public services consistent with the Coastal Act Section 30250, and to ensure that new or expanded public works facilities do not induce growth inconsistent with the LCP and Coastal Act Section 30254. However, they have asked for a thorough analysis of whether adequate services exist to serve both existing and proposed development, and whether designated land uses and village limit (formerly community expansion) boundaries are appropriate and consistent with the Coastal Act. Further, the background sections of the existing LCP, which provide details on public services for each community, should be updated to help inform policy.

Coastal Commission staff also maintains that based on experience with other jurisdictions, and the fact that individual wells are relied on in many of the coastal villages, additional information on groundwater supplies may be required, including an evaluation of the cumulative impacts of wells on coastal resources, to ensure consistency with Coastal Act Section 30250 and other resource protection policies.

E. OTHER INPUT: No additional comments have been provided.

F. STAFF ANALYSIS: The LCPA, as well as the existing LCP, provide for growth within the Coastal Zone. The LCPA is intended to provide a framework for managing future growth and development in ways that are consistent with Coastal Act policies to protect coastal resources. As part of the LCPA process a Draft Land Use Analysis report has been prepared that describes development in the Coastal Zone and what has occurred since the LCP was originally certified, and that provides development projections that could occur if land vacant in 2006 were fully developed according to the zoning designations in the LCPA. The report examines this growth in conjunction with the availability of public services in compliance with Section 30250.

Marin's coastline extends approximately 106 miles in length from Sonoma County south down to Point Bonita. The Coastal Zone represents approximately 130 square miles (82,168 acres) of the county's 520 square miles of total land area. Of this total, approximately 53 square miles (33,913 acres) are owned and managed by the federal government (National Park Service). This leaves approximately 75 square miles (48,255 acres) of the Coastal Zone under County jurisdiction. See Map 2 Marin County Coastal Zone.

Demographically, the majority of Marin County's population lives in cities along U.S. 101. In 2010, approximately 6,502, or 2.6%, of Marin's 252,409 residents lived within the Coastal Zone. The overall population of the coastal zone decreased 1.4% from 1990 to 2010. Within the individual coastal communities, the change in population has been more dramatic. The population of Tomales (-28.2%), Point Reyes Station (-16.7%), Olema (-16.1%), Stinson Beach (-16.2%), Muir Beach (-6.3%), and Inverness (-6.3%) all shrank in size. On the other hand, East Shore/Marshall (20.1%), Bolinas (19.2%), and Dillon Beach (2.1%) experienced minor to larger population gains. With respect to housing units, in contrast, the Coastal Zone saw a 22.6% growth in the number of housing units during this same period. However, this averages out to an approximate increase of only 1% per year. For more information refer to the Draft Land Use Analysis report.

Census Population and Housing Change 1990 - 2010[1]		
Village	**Population Change**	**Housing Unit Change**
Bolinas	19.2%	42.5%
Dillon Beach	2.1%	31%
East Shore/Marshall	20.1%	112.6%
Inverness	-6.3%	33.6%
Muir Beach	-6.3%	7.3%
Olema	-16.1%	24.4%
Point Reyes Station	-16.7%	11.1%
Stinson Beach	-16.2%	17.1%
Tomales	-28.2%	4.3%
Coastal Zone – all areas	-1.4%	22.6%
Marin County	9.7%	5.3%

The following table provides a buildout summary comparing figures of the existing LCP to the LCPA. The amount of total buildout proposed by the LCPA is only expected to increase 2% over the existing LCP, from 5,333 units to 5,427 units. In fact, in the majority of the coastal villages the amount of buildout is expected to decrease in relation to existing buildout, except for the areas of East Shore/Marshall, Muir Beach, and Stinson Beach, which are proposed to increase.

The land use policies of the LCPA are consistent with the certified LCP since most policies, except those that have been implemented, have been carried forward. Moreover, new policies that have been added further strengthen the protection of coastal resources, such as C-CD-2, C-CD-3, and C-CD-4, which are discussed briefly below.

Buildout Summary Comparison of the Existing LCP to the LCPA							
Village Area	**LCP Existing Units (1980/81)**	**LCP Proposed Units (1980/81)**	**LCP Buildout (1980/81)**	**LCPA Existing Units (2007)**	**LCPA Proposed Units**	**LCPA Proposed Buildout**	**Buildout Percent Change**
Bolinas	602	815	1,417	666	377	1,043	-26%
Dillon Beach	297	235	532	399	125	524	-1.5%
East Shore/Marshall	70	60	130	121	76	197	52%

[1] US Census Bureau

Inverness	740	420	1,160	960	357	1,317	14%
Muir Beach	129	44	173	146	33	179	4%
Olema	27	103	130	37	17	54	-59%
Point Reyes Station	186	615	801	374	137	511	-36%
Stinson Beach	540	360	900	751	214	965	7%
Tomales	72	88	160	103	41	144	-10%
Other areas	n/a	n/a	n/a	232	261	493	--
Total	**2,663**	**2,670**	**5,333**	**3,789**	**1,638**	**5,427**	**2%**

The Draft Land Use Analysis report updates the existing land use and public facilities background data contained in the LCP. This report also updates and analyses both current and projected population growth and current and projected infrastructure capacity. Constraints to existing public services are also identified, as well as criteria necessary for siting new development in Coastal Zone, consistent with those constraints.

The following table presents a summary of current (2005) and 2030 supply and demand by water service area on an annual basis. The water agencies generally have sufficient water on an average annual basis and do not anticipate projects to increase overall supply and see little or no future growth in water demand. The only exception is EMWS, which anticipates an increase in water demand from 15 to 21 AFY (a proportionally substantial increase to 140 percent). Most of the water agencies are strained to meet peak demands in summer and seek additional supply or storage to meet peak demands, which this table does not address. NMWD West Marin service area may have a deficit in future years if the projected buildout water use is reached. NMWD is actively investigating additional supplies and most likely would have additional groundwater rights supplies and surface rights. In general, the water agencies have effectively used conservation (water demand management) to reduce and delay water supply augmentation projects.

Current and Projected Water Supply and Demand Comparison (Normal Year)[2]

Water Service Area	2005/Current		Water Supplier 2030 Buildout	
	Supply (AFY)	Demand (AFY)	Supply (AFY)	Demand (AFY)
NMWD West Marin	372	347	372	533
BCPUD	175	165	175	165
SBCWD	203	175	203	181
IPUD	145	95	145	100
MBCSD	50	29	50	29
CSWS	56	29	56	29
EMWS	21	15	21	21

The LCPA does not propose any changes to the kind, location and intensity of land uses as reflected on the existing land use and zoning maps. LCPA policies C-CD-22, C-CD-23, C-CD-24, and C-CD-25 establish the land use map designations, land use categories, and land use intensity standards. Map Set 19a – 19m are the Land Use Policy Maps, which show the spatial distribution and intensity of existing and proposed uses of the land for housing, business, agriculture, open space, and other categories of public and private uses within the Coastal Zone. The zoning maps are included as part of the Development Code and implement the policies of the LCPA.

[2] 2007 CWP FEIR, p. 4.9-76

The zoning districts are established in Chapter 22.62 of the LCPA Development Code, which also describes allowable land uses and Coastal Permit requirements and development standards, if any, for each district. Zoning in the Coastal Zone remains unchanged by the LCPA. In addition, the zoning maps that show which district applies to each parcel of land also remain unchanged. Although the coastal zoning districts and the zoning maps are not proposed to change, in some instances, certain uses allowable within those districts are proposed to change.

The proposed LCPA requires that new development is concentrated in urban areas with adequate public services, including water supply, wastewater disposal, and transportation capacity, and that new development not have significant adverse effects on coastal resources. New Policy C-CD-2, adapted from Coastal Act Section 30250(a), spells out these requirements. Further, C-CD-3 ensures the type and intensity of new development conforms to the land use categories and density provisions on the Land Use Policy Maps.

The LCPA also continues to concentrate new residential and commercial development within existing developed areas by maintaining the existing village limit boundaries (formerly called community expansion boundaries). Only minor adjustments have been made to the village limit boundaries to reflect state or federal land acquisitions that have occurred on the periphery of Inverness, Olema, and Point Reyes Station. Furthermore, new village limit boundaries are designated for Bolinas, Stinson Beach, and Muir Beach, which lacked such boundaries in the Unit I LCP. These limits reflect the existence of surrounding public and agricultural lands. The village limit boundaries are shown on the Land Use Policy maps; the criteria used to establish the boundaries are described in Policy C-CD-11, while Policy C-CD-12 provides a verbal description. The village limit boundaries are intended, in part, to address the requirement of Coastal Act Section 30250(a), which provides that new residential, commercial, or industrial development, with certain exceptions, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. The coastal villages in Marin County represent existing developed areas, where at least modest levels of new development are able to be supported.

The existing Unit I and Unit II LCPs require that a determination of adequate services be made prior to approving new development, and proposed LCPA policies continue that policy. Furthermore, the LCPA would continue to provide that a lack of available services shall be grounds for denial of a project or for a reduction in density, per Policy C-PFS-1 and C-PFS-2, respectively, as well as Development Code Section 22.64.140.A.1.

With respect to water supply, the proposed LCPA policies would maintain existing requirements for ensuring that water wells and other water sources are determined to be adequate to support new development. Specifically, recommended policies would continue to prohibit the development of new wells in most cases where an existing public or private water system is available to serve development, as described in Policy C-PFS-14 and Development Code Section 22.64.140.A.14; require rigorous hydrological and environment studies in conjunction with applications for new wells or other water sources serving five or more parcels in Policy C-PFS-13 and Development Code Section 22.64.140.A.13; provide yield and location standards for individual water wells and other domestic water sources in Land Use Policy C-PFS-16 and Development Code Section 22.64.140.A.16; require Coastal Permit approval for the development of water sources including wells, streams, and springs, unless specifically exempted or categorically excluded in Policy C-PFS-15 and Development Code Section 22.64.140.A.15; and require the use of water saving devices to minimize wastewater generation and encourage the conservation of Coastal water resources in Land Use Policy C-PFS-17 and Development Code Section 22.64.140.A.17. As described in the above table, water service providers generally anticipate being able to provide sufficient supply to meet projected future demand.

Most areas of the Coastal Zone rely on individual on-site sewage disposal systems. The LCPA continues to require that new or expanded systems be designed and sized to meet the needs of new development, including any changes to the type or intensity in use of existing structures as stated in Policy C-PFS-7 and corresponding Development Code Section 22.64.140.A.7.

Although the existing LCP addresses the need for adequate on-site sewage disposal capacity, C-PFS-6 (corresponding to Development Code Section 22.64.140.A.6) is a new policy that explicitly identifies protection of the quality and biological productivity of coastal waters as a factor to consider in the design, construction and maintenance of new and expanded sewage disposal systems. In addition, certain requirements of existing County waste water treatment regulations which have been amended or expanded since the existing LCP was certified would be incorporated into the LCPA. For instance, variances to applicable regulations would not be permitted for sewage disposal systems on newly created lots in LCPA Policy C-PFS-8 (Development Code Section 22.64.140.A.8). Policy C-PFS-10 and Development Code Section 22.64.140.A.10 would require compliance with Regional Water Quality Control Board regulations regarding the functioning and repair of existing septic systems, and new development on lots within 400 feet of a public sewer line would be required to connect to the sewer system in most cases via Policy C-PFS-5 and Development Code Section 22.64.140.A.5.

Current county regulations related to the design and use of alternative on-site sewage disposal systems were not in place at the time the current LCP was adopted in 1980-81. Accordingly, the LCPA proposes a new policy to provide guidance regarding the circumstances under which alternative systems may be considered, as well as standards related to their design, operation, and maintenance in LCPA Policy C-PFS-11 and Development Code Section 22.64.140.A.11. Further, LCPA Program C-PFS-11.a has also been added to reflect the County's interest in researching and implementing safe and effective innovative waste water disposal systems.

Where on-site systems that serve existing development have failed, new LCPA Policy C-PFS-12 proposes to allow construction of an off-site system only when there is no alternative means to protect coastal water quality and appropriate controls would be in place in order to prevent new or expanded development. This policy corresponds to Development Code Section 22.64.140.A.12.These policies, in conjunction with the rest of the LCPA, serve to ensure that adequate services are available to meet existing and planned growth.

With regards to the Coastal Commission concern on the potential need for additional information on groundwater supplies and an evaluation of the cumulative impacts of wells on coastal resources, such studies would be prohibitively costly and not feasible. It should be noted that some of the water agencies have conducted groundwater studies to seek ways to increase water yields. For example, CSWS has conducted a hydrologic study to investigate the feasibility of further developing its existing wells to increase their yield. The study determined that further extraction of groundwater within the CSWS service boundaries would not be economically feasible. Since EMWS wells likely draw water from the same groundwater source area as the Coast Springs Water System’s wells, and have similar yields, it is very likely that further development of EMWS wells is similarly constrained.

The Marin Countywide Plan (CWP) contains goals, policies and programs that would reduce the need for extra facilities to meet peak demands. County goals for Public Facilities and Services include Goal PFS-2, Sustainable Water Resources. This goal contains two policies that pertain to peak demand reductions:

- Policy PFS-2.1 would promote water conservation, reduction of water waste, and better matching of the source and quality of water to the user’s needs. By reducing overall water demand, this policy would also support reduction of peak water demand.

- Policy PFS-2.2 would support cooperation with local water agencies to mitigate increases in water demand due to new development by supporting water efficiency programs, and thereby would minimize the increase in overall water demand and peak demand that would occur with new development.

CWP Programs PFS-2.a, PFS-2.b, PFS-2.f, PFS-2.g, PFS-2.h, PFS-2.i, and PFS-2.q. Program PFS-2.d would direct the County to support water demand planning by working with the water supply purveyors in the development of the Urban Water Management Plans.

While seeking alternative water sources may not be feasible for most of the water agencies, the CWP also includes various implementation programs that would reduce adverse impacts to the adequacy of the water supply by maximizing or increasing available supplies. Program **PFS-2.j** would encourage service providers to upgrade the water delivery systems in West Marin to reduce the incidence of saltwater intrusion and leakage. Program **PFS-2.k** would involve conducting a study of groundwater availability and water quality of the Tomales Bay watershed (including the Walker, Lagunitas, Stemple, and Olema Creek watersheds) and the aquifer bordering the Petaluma River to determine the potential for using local groundwater to supplement drinking water supplies. Program **PFS-2.n** would also encourage study of groundwater recharge to assess the feasibility of using direct precipitation collection to supplement existing water sources.

IV. Transportation

See also: Attachment #4 - Transportation

BOARD ACTION REQUIRED:

STAFF RECOMMENDATION:

Staff recommends Board approval of Policy C-TR-2 (p. 98) of the PC-Approved LCPA Land Use Plan, with minor edits as shown below.

Discussion: In keeping with the spirit of the original Unit I policy language, staff recommends modifying the Planning Commission approved language in policy C-TR-2 as shown below to add back in language to distinguish the unique features of Highway One in the southern portion of the Coastal Zone from that found from Bolinas northward. The Unit I language points out that "the narrow, twisty two-lane roadway successfully complements the rugged, open character of this coastal area."

C-TR-2 Scenic Quality of Highway One. Ensure that Highway One shall remain a scenic two-lane roadway throughout Marin's Coastal Zone. Maintain the existing narrow, twisty two-lane roadway that successfully complements the rugged, open character unique to the coastal area from the southern boundary of Marin's Coastal Zone northward to the Bolinas Lagoon. Ensure that improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway throughout the Coastal Zone and shall be limited to improvements necessary for the continued use of the highway: slope stabilization, drainage control, and minor safety improvements such as guardrail placement, signing, etc.; expansion of shoulder paving to accommodate bicycle or pedestrian traffic; creation of slow traffic and vista turn-outs, as a safety and convenience improvement; and other minor improvements necessary to adequately accommodate public transit. Avoid incursions and other adverse impacts in ESHAs and their buffers. These improvements shall limit the site alterations to the minimum amount necessary to carry out the project and minimize environmental impacts.

The Unit I and II existing policy language are provided below for reference:

Unit I, Public Services Policy 13, p. 49

Highway 1 provides an important and limited access route to the coastal zone. The narrow, twisting two-lane roadway successfully complements the rugged, open character of this coastal area. Highway 1 shall remain a scenic, two-lane roadway. Roadway improvement projects shall not, either individually or cumulatively distract from the rural scenic characteristics of the present roadway. Improvements (beyond repair and maintenance) shall be limited to minor roadway improvements as identified below:

- Slope stabilization, drainage control and minor safety improvements such as guardrail placement, signing, etc.
- Expansion of roadway shoulder paving to accommodate bicycle/ pedestrian traffic along the highway shoulder.
- Creation of slow traffic and vista turnouts, as a safety and convenience improvement.
- Other minor selected roadway improvements necessary to adequately accommodate public transit consistent with the goals of the following policy: no filling of streams or wetlands shall be permitted.

Unit II, Public Services Policy 4.a, p. 191

Transportation and road capacity. Highway 1. Highway 1 provides an important and limited access route to the coastal zone. As required by the Coastal Act, Highway 1 shall remain a scenic two-lane roadway. Improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway and, beyond repair and maintenance, shall be limited to the following minor projects: slope stabilization, drainage control, and minor safety improvements such as guardrail placement, signing etc; expansion of shoulder paving to accommodate bicycle or pedestrian traffic; creation of slow traffic and vista turn-outs, as a safety and convenience improvement; and other minor improvements necessary to adequately accommodate public transit consistent with the goals of this policy, provided that no filling of streams or wetlands occurs.
ALTERNATIVE:
No Alternatives for Board Consideration.

BACKGROUND:

A. ISSUE: Section 30254 of the Coastal Act establishes that Highway One shall remain a scenic two-lane road in rural areas of the Coastal Zone. The LCPA carries forward this standard in Policy C-TR-2. However, upon adapting the language from both Units I and II, the nuances related to the unique features of Highway One in the southern part of the Coastal Zone were inadvertently omitted in the revised policy.

B. INTENT: The scenic character of the Marin County Coastal Zone is based in part on the small-scale, winding nature of Highway One and other rural coastal roads. As one progresses along these roads, incredible and often dramatic views of the ocean, beaches, mountains, lagoons and Tomales Bay come into view. To preserve the visual quality of the coast, it is necessary to maintain Highway One as a two-lane scenic road and to minimize the impacts of roads on wetlands, streams, and the scenic resources of the Coastal Zone.

C. RELEVANT LCPA POLICIES:

• ***LCPA Land Use Plan:*** *Policy C-TR-2*
C-TR-2 Scenic Quality of Highway One. Ensure that Highway One shall remain a scenic two-lane roadway. Ensure that improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway and shall be limited to improvements necessary for the continued use of the highway: slope stabilization, drainage control, and minor safety improvements such as guardrail placement, signing, etc.; expansion of shoulder paving to accommodate bicycle or pedestrian traffic; creation of slow traffic and vista turn-outs, as a safety and convenience improvement; and other minor improvements necessary to adequately accommodate public transit. Avoid incursions and other adverse impacts in ESHAs and their buffers. These improvements shall limit the site alterations to the minimum amount necessary to carry out the project and minimize environmental impacts.

D. CCC ISSUE: None.

E. OTHER INPUT: No additional comments have been provided.

V. Overnight Accommodations

See also: Attachment #2; and Attachment #4 – Parks, Recreation, and Visitor-Serving Uses

BOARD ACTION REQUIRED:

STAFF RECOMMENDATION:
Staff recommends Board approval of Policy C-HS-6 and Program C-HS-6.a of the PC-Approved LCPA Land Use Plan. • *See LCPA Land Use Plan, p. 87*
ALTERNATIVE:
No Alternatives for Board Consideration.

BACKGROUND:

A. ISSUE: The adequacy of visitor accommodations and the potential regulation of private vacation rentals in the Coastal Zone.

B. INTENT: To balance the Coastal Act priority of providing an adequate supply of overnight accommodations in the Coastal Zone with the necessity to meet local needs, recognize infrastructure constraints and protect community character.

C. RELEVANT LCPA POLICIES:

- ***LCPA Land Use Plan:*** *Policies C-HS-6 and Program C-HS-6.a (p. 87*
  - *Also relevant: LCPA Policies C-CD-14 (p. 62), C-PK-4 and C-PK-7 (p. 111)*

Policy C-HS-6 Restricted Short-Term Rental of Primary or Second Units. Consider restricting the use of residential housing for short term vacation rentals.

Program C-HS-6.a Address Short-Term Rental of Primary or Second Units. Consider restricting the use of residential housing for short term vacation rentals.

1. Work with community groups to determine the level of support for an ordinance restricting short-term vacation rentals.
2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.

D. CCC ISSUE: The primary concern of CCC staff is that an adequate amount of visitor accommodations is provided in the Coastal Zone. They assert that if this can be demonstrated, then restrictions on private vacation rentals may be justified. They have requested that specific criteria be incorporated into LCPA Policy C-HS-6, from which potential zoning restrictions and regulations for short-term vacation rentals would follow. They are interested in the particular circumstances under which such rentals would be allowed or prohibited.

Coastal Act Policies:

- **Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals.** Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

- **Section 30221 Oceanfront land; protection for recreational use and development.** Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

- **Section 30222 Private lands; priority of development purposes.** The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- **Section 30253 Minimization of adverse impacts.** New development shall do all of the following:
  …
  (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

E. OTHER INPUT:

- **Coastal Communities:** Many coastal residents, in particular in heavily visited Stinson Beach, have become increasingly concerned about the growing number of private vacation rentals compared to the diminishing number of full-time occupants in the community. They complain about losing their sense of community and the significant adverse impacts to infrastructure and local residents during peak visitor periods. Alternately, some owners of these rental businesses are concerned about the type of restrictions and regulations that may be imposed, and how it might affect their business.

STAFF ANALYSIS:

Private vacation rentals have become an abundant resource of overnight accommodations in the Coastal Zone. The Coastal Act establishes that visitor-serving uses are a priority land use as they help to support and enhance opportunities for public coastal recreation (Section 30222). The Act further requires that the "present and foreseeable future demand" for public recreation be adequately provided for on oceanfront land (Section 30221), and Coastal Commission staff has established that overnight accommodations are an important factor in achieving this objective. However, the Act also recognizes that there needs to be a balance between providing for such opportunities and simultaneously protecting the unique coastal resources and individual communities that make the coast such a popular visitor destination (Sections 30116; 30253).

When LCP Unit I was certified in 1980, the southern half of the Coastal Zone (Unit I area) was purported to have a relatively low demand for overnight accommodations compared to the northern

half (Unit II area). This was concluded based on multiple factors at the time. First, there was a low business retention rate in the southern communities of Bolinas and Stinson Beach, where most of the visitor-serving businesses such as restaurants and motels were struggling and failing to survive long term. Second, it was apparent that the majority of visitors to the Unit I area were local Marin residents traveling to the Coastal Zone on day excursions and who therefore were not in need of overnight accommodations. Lastly, it was also thought that because of the close proximity to eastern Marin and San Francisco, visitors to the southern Coastal Zone who did seek overnight accommodations would do so in the other nearby areas that offered more amenities.[3]

When LCP Unit II was certified in 1981, visitor demand in the northern half of the Coastal Zone was apparently high and steadily increasing. Many of the northern communities are more remote and more difficult to reach from eastern Marin and San Francisco, which created a higher demand for overnight facilities. Most of the existing overnight accommodations for the Coastal Zone at the time were already located in the northern coastal communities to serve this need, but it was anticipated that their number would need to grow substantially to accommodate the increasing demand.[4]

CDA staff has recently completed an inventory of the overnight accommodations now available in the Coastal Zone. The survey shows that the supply of such facilities has increased dramatically over the past three decades (see Attachment #2).[5] Trends in occupancy rates indicate that demand for these accommodations has continued to rise as well.[6] Contrary to the expectations of LCP Units I and II however, this growth in the supply and demand has occurred throughout the entire Coastal Zone, rather than just in the northern area as anticipated. As a result, there is now an abundance of overnight accommodations operating successfully in all nine of Marin's coastal communities.

During off-peak visitation periods, visitor-serving business can be slow in the Coastal Zone resulting in many accommodations only being available on a seasonal basis, or shutting down business altogether. As a result, the total number of overnight facilities available at any given time can vary depending on the time of year. As of July 2012, there were an estimated 359 individual overnight accommodation facilities whose location could be verified in the Coastal Zone, including private vacation rentals, hotels, motels, campgrounds, RV parks, bed & breakfast inns, and hostels.[7] At full capacity, these facilities can provide accommodations for approximately 4,659 visitors. This is a considerable increase from the figures provided in the existing LCP Units I and II, which identified a total of 13 individual overnight accommodation facilities for the entire Coastal Zone that provided accommodation for an estimated 1,340 visitors.[8] This equates to more than a twenty-five fold increase in the number of coastal overnight accommodations available over the past three decades, with total capacity for visitors more than tripling.

Summary Table of Coastal Overnight Accommodations (2012):

	Hotels/Motels/Inns/B&Bs ROOMS	**Campgrounds (Tent & RV)/ Hostels SITES/BEDS**	**Private Vacation Rentals UNITS**	**TOTAL**
Rooms/Sites/Units	279	966	357	1602[9]
Capacity (# of people)	625	2080	1974	4659

[3] LCP Unit I (1980). Recreation and Visitor Serving Facilities (p. 11).
[4] LCP Unit II (1981). Recreation and Visitor Serving Facilities (p. 24).
[5] 12/11/12 Staff Report, Attachment #2: LCPA Appendix 2, Inventory of Overnight Accommodations in the Coastal Zone (2012).
[6] East Bay Economic Development Alliance (2011). Marin Occupancy Rates: http://www.eastbayeda.org/research_facts_figures/charts/hotel_occupancy_percent_by_county.aspx
[7] CDA staff has identified 138 private vacation rentals listed online for which further details were not provided in the listing.
[8] Exact capacity numbers not provided in LCP Units I and II, capacity estimated by CDA staff for purpose of comparison, based on the assumption of two people per room/campsite/RV site and one person per hostel bed.
[9] This is the total number of rooms, camp/RV sites, hostel beds, and rental units provided by the 359 overnight accommodation facilities/business in the Coastal Zone.

In reviewing the trend in occupancy rates over the past eight years for Marin, it is apparent that while demand throughout the various coastal communities remains strong, it does fluctuate on a seasonal basis, reaching peak visitation numbers during the summer, early fall, and on holidays. During the slower winter months of December thru February, occupancy rates have consistently been in the range of 55 to 63%. These increase significantly in the months of May thru October, typically peaking in July and August around anywhere between 71 to 83%, depending on the year.[10] This indicates that the provision of overnight accommodations is adequately serving current existing demand, while still providing ample accommodations for future foreseeable demand should it continue to grow.

If the southern Coastal Zone was struggling for overnight visitors thirty years ago, that has certainly changed. Today, Stinson Beach is one of the most popular coastal destinations in Marin, and is so frequented by overnight visitors that it is now home to the highest number of private vacation rentals in the entire Coastal Zone. Of the approximate 773 total residential dwelling units in Stinson Beach, at least 200 are confirmed to be currently available as private vacation rentals. This accounts for 25% of the residential development in the community, and at full capacity can provide accommodations for roughly 1,271 visitors. Other types of overnight facilities in the area provide accommodation for an additional 100 visitors. During the summer months, occupancy rates for overnight accommodations in Marin consistently maintain a level well above 80%, according to the East Bay Economic Development Alliance.[11] According to 2010 Census data, there are presently 632 full-time residents living in the Stinson Beach community. Given these statistics, it is estimated that the number of people staying overnight in Stinson Beach nearly triples during peak visitation periods. Add to this the hundreds more visitors who come to the area just for day trips, and the resulting strain that is put on local infrastructure and full-time residents is evident.

Because the number of overnight accommodations has reached a level that appears to adequately provide for the demand, and the abundance of such businesses is beginning to negatively impact the character of select coastal communities, participants in the LCP public outreach process have raised the question of whether it is time to start regulating and possibly restricting short-term vacation rentals. Marin County would not be the first coastal jurisdiction to establish regulations for vacation rentals. The coastal cities of Carmel[12], Imperial Beach[13], and Monterey[14] all prohibit private residential homes in residential zoning districts from being rented for periods less than thirty consecutive days. Mendocino County requires permits for short-term vacation rentals, and limits the total number of rentals that can operate in the Town based on a ratio of one rental per every thirteen residential units.[15]

Santa Cruz County also recently adopted an ordinance regulating vacation rentals, which was subsequently certified as part of its LCP by the Coastal Commission. The new Santa Cruz regulations "allow vacation rentals in all zoning districts that allow stand-alone residential uses and require: 1) a permitting/registration process; 2) payment of Transient Occupancy Tax (TOT) to the County; 3) signage identifying a structure as a vacation rental, including the name and phone number of a local contact person responsible for responding to complaints; 4) a dispute resolution process, and; 5) that the property owner be subject to enforcement provisions." The regulations also "limit the number of guests allowed in a vacation rental unit at any one time, and the number of vehicles allowed per vacation rental unit." In a particularly popular beach destination area of Santa Cruz known as the Live Oak Designated Area (LODA), there are further restrictions that prohibit new vacation rentals if the number of rentals exceeds "20% of the residential use of any particular block or if vacation rentals constitute more than 15% of residential stock in the LODA overall." [16]

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[10] East Bay Economic Development Alliance (2011). Marin Occupancy Rates: http://www.eastbayeda.org/research_facts_figures/charts/hotel_occupancy_percent_by_county.aspx

[11] East Bay Economic Development Alliance (2011). Marin Occupancy Rates: http://www.eastbayeda.org/research_facts_figures/charts/hotel_occupancy_percent_by_county.aspx

[12] Carmel-by-the-Sea Municipal Code Section 17.08.060 – Prohibited Uses. http://www.codepublishing.com/CA/carmel.html

[13] Imperial Beach Municipal Code Section 19.17.020 – Permitted Uses. http://qcode.us/codes/imperialbeach/

[14] City of Monterey Municipal Code Chapter 38 Article 5 – R Residential Districts. http://www.codepublishing.com/ca/monterey/

[15] Mendocino County Municipal Code Chapter 20.748 – Single Unit Rentals and Vacation Home Rentals. http://www.co.mendocino.ca.us/planning/pdf/CHAPTER_20.748.pdf

[16] California Coastal Commission staff, Central Coast District Office (June 23, 2011). Staff report to the Commission regarding Santa Cruz County LCP Amendment Number 1-11 Part 3 (Vacation Rental Regulations. http://documents.coastal.ca.gov/reports/2011/7/W6b-7-2011.pdf

Currently, private vacation rentals in Marin are not regulated and the existing minimal requirements not prioritized for enforcement. All homes made available for short-term or long-term rental are legally considered businesses, consistent with Chapter 5.54 of the County Code. Therefore, they are required to obtain a business license from the office of the Treasurer-Tax Collector, for which they must pay an annual renewal fee. Homes available for short-term rental (i.e. less than 30 days at a time) are considered "Class B" businesses, which means the cost of the business license is based on the gross receipts of the home. In addition to a business license fee, these short-term vacation rentals are considered a type of "hotel" and are therefore required to charge renters the appropriate transient occupancy tax (TOT), pursuant to Chapter 3.05 of the County Code. The TOT is currently 10% of the rent charged for the total rental time, paid by the renter to the business owner, who then forwards their aggregated TOT total to the County on a quarterly basis.

Aside from the requirements for a business license and payment of TOT, there are no existing restrictions on these businesses, and in some coastal communities this lack of regulation has led to an imbalance of visitor- vs. local-serving uses. The most extreme example of this can be found in Stinson Beach, where the growing influx of visitors consistently creates adverse impacts within the community related largely to parking, traffic congestion, noise and septic issues. Local residents also complain that private events such as wedding receptions have become a popular use of private rentals adjacent to beach areas. Ceremonies are often held on the beach followed by a large party for the reception at one of the nearby private rentals. The small residential neighborhoods along the beach are not suited for such large gatherings and as a result the neighborhood and other beach users can suffer parking shortages, noise impacts, and over-capacity septic systems. In addition, community members have repeatedly testified that budget constraints in recent years have forced the County to cut back on select public services such as local sheriff patrol, providing minimal support where needed to regulate parties, ease traffic congestion, and enforce parking laws.

In addition to the issues mentioned above, it has recently become apparent that there may be many private rentals operating in the Coastal Zone that do not have a business license and are not paying TOT. This represents a potentially significant financial loss to the County in difficult economic times, and is unfair to those businesses that are adhering to County rules. Planning staff is presently working with the Department of Finance to determine how best to reconcile this disparity, and to develop a better system for tracking these businesses going forward.

Regulations for vacation rentals modeled after those recently adopted in Santa Cruz County would help alleviate many if not all of these issues for Marin's coast. As done in Santa Cruz, the Board could consider applying restrictions on the number of vacation rentals for areas where there is found to be an imbalance between visitor-serving and residential uses. A permitting/registration process would help the County keep track of the private rentals and hold the owners accountable for appropriate licenses, permits and fees, as well as for enforcement issues. Regulations limiting the number of guests and vehicles allowed per rental would help prevent parking shortages and septic over-flow, as well as reduce noise impacts to other coastal users. While it is important to support private vacation rentals as a priority visitor-serving use, it is imperative to ensure that their existence does not result in a loss of community character or adversely impact the full-time residents that create the community. It is because of these locals and the unique characteristics of their coastal communities that make the Coastal Zone such a special, desirable visitor destination in the first place.

LCPA Policy C-HS-6 and Program C-HS-6.a establish the framework necessary to implement a vacation rental ordinance at a later date. Based upon direction by the Board, this task could be added to the department workplan at the appropriate time. The ordinance would then be drafted by staff and presented to the Board as a proposed separate amendment to the LCP.

ATTACHMENT #2
Local Coastal Program Amendments (LCPA)
Coastal Overnight Accommodations

Overnight Accommodations in the Coastal Zone *(updated 10/9/12)*						
Location, Name	**Hotel/Motel/Inn/Bed and Breakfast (B&B) ROOMS**	**Confirmed (Mapped) Private Rental UNITS**	**Campsites**	**Trailer/RV (spaces)**	**Hostel (beds)**	**CAPACITY (# of people)**
DILLON BEACH						
Abalone Alcove		1				6
Absolute Vista		1				10
Beachnest		1				6
Breaking Waves		1				5
C's		1				12
Canyon Del Sol		1				10
Coastal Cottage		1				5
Dancing Moon		1				9
Dill n' Thyme		1				6
Dillon Beach Old Town		1				10
Dillon Beach Resort		3				6
Dillon Beach Yacht Club		1				12
Duncan's Dunes		1				9
Etoile de Mer		1				10
Knot-a-Care		1				10
Lawson's Resort & RV Park at Lawson's Landing*			650	see campsites*		1300
Lindo Mar		1				6
Memories by the Sea		1				9
Nautical Nook		1				6
Osprey Landing		1				10
Petersen's Beach House		1				2
Point of View		1				8
Sea Breeze		1				8
The Sea Captain		1				6
Sea Crest		1				6
Seas the Day		1				11
Surf View		1				8
Surly Clam		1				9
Treasure Box		1				8
Uli Kohola - The Blue Whale		1				8
Wabi Tei		1				10
Whale Watcher		1				12
Windmist Cottage		2				10
Other Vacation Rentals (10)		14				46
TOMALES						
The Continental Inn	10					20
Not-a-Bank		1				4
Other Vacation Rentals (none)		0				0
MARSHALL / EAST SHORE OF TOMALES BAY						
Ann's View on Tomales Bay		2				4
Bayglow Cottage		1				6
Blue Bay Beach Cottage		1				6
Coal & Feed		1				8
High Tide Cottage		1				6
Inn at Tomales Bay	5					10
Marconi Conference Center	40					80
The Mermaid's House		2				4
Nick's Cove Cottages		12				48
Poet's Loft		2				4
Ravensview Cottage		1				5
Sea Mist Cottage		2				6
Other Vacation Rentals (2)		2				4

INVERNESS						
Bayshore Cottage		1				2
Boat-In Camping on Tomales Bay (PRNS)**			20			241
Dancing Coyote Beach B&B	3					6
Inverness Secret Garden Cottage		1				2
Inverness Valley Inn	20					40
Ladderloft Cottage		1				4
Manka's Inverness Lodge	6					12
Motel Inverness	7					16
On the Waterfront B&B	1					2
Osprey Peak B&B	2					4
Point Reyes Farmstay		1				6
Point Reyes Hostel					56	56
Seahaven Vista		1				8
Smitty's Cottage on the Beach		2				4
Ten Inverness Way	5					10
Tomales Bay Resort	35					70
The Trees by Tomales Bay		1				7
Other Vacation Rentals (3)		3				6
POINT REYES STATION						
Abalone Inn	3					8
Annie's Garden Cottage		1				2
Apple Cottage		1				2
Artist's Retreat		1				3
Bay View Cottage		1				2
Berry Patch Cottage & Hideaway		2				6
Black Heron Inn	3					6
The Blackthorne		1				12
Coast Campground (PRNS)			14			28
Egret's Overlook Home		1				4
Ferrando's Hideaway Cottages	2					4
Frank's Place		1				5
Gallery Cottage		1				2
Holly Tree Inn & Cottages	7					17
Jasmine Cottage		1				2
Knob Hill Cottage		3				6
Laurel Ridge Cottage		1				2
Laveder House Cottage		1				4
Lingonberry Farm B&B	3					6
Lone Fir Cottage		1				4
Marsh Cottage B&B	1					3
Morning Glory Cottage		1				2
Neon Rose		1				2
Old Creamery Cottage		2				9
Old Point Reyes Schoolhouse Compound		5				25
One Mesa Bed & Breakfast	6					17
Owl Hollow Cottage		1				2
Pinecrest		1				2
Point Reyes Country Inn and Stables	10					20
Point Reyes Station Inn	5					10
Point Reyes Vineyard Inn	3					8
Point Reyes Vista		1				6
Rosemary Cottages B&B	2					11
Seven Grey Foxes B&B	2					4
Sky Campground (PRNS			12			24
Terri's Homestay		1				2
Tree House		3				6
Waldo's Ranch House		1				10
Wildcat Campground (PRNS)			8			16
Windsong Cottage		1				2
Other Vacation Rentals (5)		5				10

OLEMA						
Alta Olema B&B	6					14
Bear Valley Inn	4					12
Inn at Roundstone Farm	5					10
Olema Cottages		8				28
Olema Druids Hall	4					8
Olema Inn	6					12
Olema Ranch Campground			107	80		374
Point Reyes Seashore Lodge	24					48
Other Vacation Rentals (none)		0				0
BOLINAS						
Blue Heron Inn	2					4
The Bolinas Cottage		1				4
Briarcombe		3				14
The Garden Room		1				4
The Grand Hotel		2				4
Juniper House		1				5
Lavender Hill		1				4
Loft at Woodville Ranch		1				4
Mornell Estate		1				7
The Perch		1				6
Smiley's Schooner Saloon & Hotel	6					12
Other Vacation Rentals (7)		8				32
STINSON BEACH						
Anchorage Inn B&B	1					2
Crispin's Cottage		1				2
The Landsburgh Chevalier Estate		1				11
Ocean Court Motel	14					28
Ocean View House		1				4
Patterson Sand Castle		1				2
Redwoods Haus Inn	3					11
Rocky Point-Steep Ravine Environmental Camp (Mt Tam State Park)			7			14
Sandpiper Motel	10					34
Serenity at Seadrift		1				2
Steep Ravine Cabins (Mt Tam State Park)			9			18
Stinson Beach Motel	6					12
Stinson Beachfront		2				6
Wit's End		1				8
Other Vacation Rentals (192)		192				1236
MUIR BEACH						
Pelican Inn	7					14
The Cottage at Muir Beach		1				4
Bicentennial Campground (GGNRA)			3			9
Other Vacation Rentals (none)		0				0
TOTALS	**279**	**357**	**830**	**80***	**56**	**4659**
LCP Unit I/II Totals	**84**	n/a	**235**	**331**	**40**	n/a
Difference (#)	**195**	n/a	**595**	**-251**	**16**	n/a
Difference (%)	**232%**	n/a	**253%**	**-76%**	**40%**	n/a

**Per the Dec 2011 Revised CCC Findings on Lawson's Landing, it is estimated that Lawson's can accommodate approximately 650 total campsites as follows:*
Area 1: 3.75 acres; ~81 RVs/tents; 21.6 density (sites/acre)
Area 2: 12.06 acres; ~233 Travel Trailers/RVs/tents; 19.3 density
Area 3: 5.84 acres; ~86 tents; 14.7 density
Area 4: 11.88 acres; ~250 RVs/tents; 21.04 density
Totals: 33.53 acres; ~650 campsites; 19.4 density

***Boat-in camping is allowed on national park beaches on the west side of Tomales Bay north of Tomales Bay State Park's Indian Beach. There are 17 individual beach sites where camping is allowed, and twenty permits are available each day as follows: 9 permits for 1-6 people; 8 permits for 7-14 people; 3 permits for 15-25 people.*

LCP Units I and II - Overnight Accommodations in the Coastal Zone				
Location, Name	**Hotel/Motel/Inn/Bed and Breakfast (B&B) Rooms**	**Campsites**	**Trailer/ RV (spaces)**	**Hostel (beds)**
UNIT I				
MUIR BEACH				
Pelican Inn	6			
UNIT II				
OLEMA				
Olema Ranch Campground		121	75	
INVERNESS RIDGE				
Inverness Motel	8			
Manka's/ Inverness Lodge	9			
Golden Hinde Boatel	36			
Inverness Valley Inn	9			
Holly Tree Inn (B&B)	3			
10 Inverness Way (B&B)	5			
MARSHALL/ EAST TOMALES BAY				
Marconi Cove Marina		22 (incl RV)		
TOMALES				
Byron Randall Guest House (B&B)				
Victoria and Albert (B&B)				
DILLON BEACH				
Lawson's Dillon Beach Resort [1]	4		25	
Lawson's Landing		46	231	
All private	78	189	331	
All public parks		46		40
TOTALS:	**84**	**235**	**331**	**40**

[1] *The trailer sites are rented on a yearly basis.*

ATTACHMENT# 3
Local Coastal Program Amendments (LCPA)
Staff recommended changes and corrections to Planning Commission Approved Draft

The items in highlighted ~~strike-out~~ and underline format indicate minor corrections and clarifications proposed by staff to the February 2012 PC-Approved Local Coastal Program Amendment (LCPA) for consideration by the Board of Supervisors. The proposed revisions are primarily intended to correct errors, clarify text, and improve internal consistency between the LCPA Land Use Plan and Development Code, or between Development Code provisions that apply within and outside of the Coastal Zone. Revisions related to Agriculture and Biological Resources were addressed in a similar attachment for the Board of Supervisors hearing on October 2, 2012. This attachment includes the corrections and clarifications related to all other topics.

Environmental Hazards (EH)
Revision proposed for consistency with Development Code Section 22.70.160 (Coastal Zone Variance Exemptions) **C-EH-12 Floor Elevations Requirements for Existing Buildings in Flood Hazard Zones.** Within flood hazard zones as mapped by the Federal Emergency Management Agency, allow existing buildings that are encroaching into a required ~~property line~~ yard setback to be raised ~~to meet the minimum floor~~ above the base flood elevation without the need for a variance to setback requirements, as long as the finished floor is not more than 18 inches above the base flood elevation and the extent of the encroachment is not expanded. ~~building's internal floor area~~.
Community-Specific Policies
Revision proposed to reflect existing uses and Coastal Act priorities. **C-BOL-1 Community Character of Bolinas.** Maintain the existing character of ~~small-scale~~ residential, small-scale commercial and visitor-serving, and agricultural uses in Bolinas.
Revision proposed to reflect existing uses and Coastal Act priorities. **C-OL-1 Community Character of Olema.** Maintain Olema's existing mix of residential, small-scale commercial and visitor-serving, and open space land uses and small-scale, historic community character. Minimize impacts of future development in the hillside area of Olema with the following design standards: *(remainder of policy not shown*)
Revision proposed to reflect existing uses and Coastal Act priorities. **C-PRS-1 Community Character of Point Reyes Station.** Maintain the existing mix of residential and small-scale commercial and visitor-serving development and small-scale, historic community character in Point Reyes Station.
Revision proposed to reflect existing uses and Coastal Act priorities. **C-INV-1 Community Character of Inverness.** Maintain the existing character of residential and small-scale commercial and visitor-serving development in the Inverness Ridge communities.

Revision proposed to reflect existing uses and Coastal Act priorities.

C-ES-1 Community Character of the East Shore of Tomales Bay. Maintain the existing character of low-density, residential, agriculture, mariculture, visitor-serving, and fishing or boating-related uses. Allow expansion or modification of…

Revision proposed to reflect existing uses and Coastal Act priorities.

C-TOM-1 Community Character of Tomales. Maintain the existing character of residential and small-scale commercial and visitor-serving development in the community of Tomales. No expansion of commercial zoning is recommended since there is adequate undeveloped land zoned for visitor-serving and commercial development for anticipated future needs. Encourage development of overnight accommodations such as a motel, cottages, and a hostel. New development shall reflect the historic character of the town's architecture and shall be set back from the creek which flows through commercially zoned areas.

Revision proposed to reflect existing uses and Coastal Act priorities.

C-DB-1 Community Character of Dillon Beach. Maintain the existing character of residential and small-scale commercial and visitor-serving development in Dillon Beach and Oceana Marin. Dillon Beach Resort, including all properties zoned C-RCR and C-RMPC between Dillon Beach Road and Dillon Creek, would be an appropriate site for new development of a modest scale, including a small motel, cafe, delicatessen, or restaurant, and day-use facilities. Due to its proximity to the shoreline, the former Pacific Marine Station is an especially suitable area for facilities where many people can enjoy its prime location. The site offers opportunities, for example, for community services, a conference center, and youth hostel. Limited residential development would be appropriate at the Dillon Beach Resort, provided it is developed as a secondary use in conjunction with visitor-serving uses. All development shall demonstrate adequate water supply and sewage disposal, and shall be sited out of sand dunes and other environmentally-sensitive areas. Building heights shall be limited to that which is compatible with the scale and character of the area. Existing C-RCR and C-RMPC zoning shall be maintained. Maintain existing C-RCR and C-APZ-60 zoning at Lawson's Landing.

Parks, Recreation, and Visitor-Serving Uses (PK)

Revision proposed to incorporate Unit I State and Federal Parklands Policy 17, p. 14, regarding Mount Tamalpais State Park, which was unintentionally left out of the LCPA.

C-PK-11 State Parks. The State Department of Parks and Recreation has numerous holdings in the Coastal Zone, several of which have not been developed. Collectively, these holdings form Tomales Bay State Park and limited portions of Mount Tamalpais State Park. The Department has prepared a general Plan for both Tomales Bay State Park, which includes most of the state park lands in Marin County's Coastal Zone, as well as Mount Tamalpais State Park. Development within the state parks should be consistent with their adopted General Plans as described below.

Mount Tamalpais State Park The development of additional recreational and visitor services on those portions of the Mount Tamalpais State park within the coastal zone, including hiking trails, equestrian trails, a "primitive" hostel at the Steep Ravine Cabins and improved parking and support facilities at Red Rock are consistent with the LCP policies. Such facilities shall be similar in design, size and/or location as those proposed by the Mount Tamalpais State Park Plan. Consistent with the protection of

significant resources, additional trail development to improve access to public tidelands is encouraged.

Tomales Bay State Park. The Tomales Bay State Park General Plan states that it "aims to preserve what works well now in the park and only recommends changes to park management, activities, and recreational and administrative facilities that can harmonize with the area's sensitive values and support valuable visitor experiences of Tomales Bay and its surrounding landscape." Support development at Tomales Bay State Park consistent with the adopted General Plan:

1. Focus and anchor east shore recreation at Marconi Cove and west shore recreation at Heart's Desire area.
2. Manage the greater part of park areas for their habitat, watershed, and aesthetic values and for low-impact and low-density recreation opportunities such as trail use, nature observation, and picnicking.
3. Enhance trail connections with Point Reyes National Seashore in the Heart's Desire and Inverness areas.
4. Improve recreational opportunities along the Highway One corridor where recent acquisitions present new opportunities.
5. Formalize small-scale camping opportunities in previously developed areas.
6. Provide watercraft and sailboard launching opportunities at Marconi Cove and provide hiking and mountain biking recreational opportunities at the proposed trail in the Millerton Uplands.
7. Use sustainable design in siting, construction, and maintenance of park facilities. Furthermore, the following guidelines shall be applied as standards for coastal project permit review for proposed development in the park: *(Remainder of policy not shown)*

Public Coastal Access (PA)

Revision proposed to correct department name.

C-PA-11 Privacy of Neighbors. In determining appropriate management measures for public coastal accessways, including hours of operation, the Marin County Parks department of other managing entity should take into account the need to respect the privacy of neighboring residents.

Revision proposed to correct department name.

C-PA-17 Restoration of Public Coastal Access Areas, Where Necessary. The Marin County Parks department should restore areas under its control that become degraded though public access use, by such means as revegetation, trail improvements, installation of boardwalks, and informational signing, as funds and staffing or volunteer support permit.

Development Code Chapter 22.32:
Standards for Specific Land Uses

Revision proposed to clarify the requirements for Wind Testing Facilities (coastal) and to remove reference to a nongovernmental agency.

22.32.190 – Wind Energy Conversion Systems (WECS) (Coastal)

…

A. Permit requirements.

…

5. Wind Testing Facilities. For the purpose of Section 22.32.190, wind testing facilities are those facilities or structures which have been temporarily installed to measure wind speed and directions and to collect other data relevant to siting WECS. Wind testing facilities (for example: Meteorological Towers) may be allowed as a Permitted Use on a temporary basis, if necessary to perform a wind measurement study. Installations of temporary (up to one year) wind testing facilities shall be considered ~~pursuant to Section 22.32.200~~ through the Coastal Permit process pursuant to Chapters 22.68 and 22.70. Any proposed wind testing facilities shall comply with the development standards and requirements of WECS (coastal) contained in this Section.

…

H. Post approval requirements.

…

1. Post-Construction Avian and Bat Monitoring Program. A post-construction avian and bat monitoring program shall be required of the owner during periods of nesting, roosting, foraging, and migration, for Small Freestanding WECS and Medium WECS (coastal). The application of this requirement shall be in accordance with criteria established by a governmental agency, such as the U. S. Fish and Wildlife Service (USFWS) or the California Department of Fish and Game (CDFG). ~~, or by PRBO Conservation Science~~.

…

Section deleted to eliminate redundancy. Wind Testing Facilities (coastal) are now adequately address in Section 22.32.190, as shown above.

~~22.32.200 – Wind Testing Facilities (Coastal)~~

~~Facilities or structures (for example: Meteorological Towers) may be allowed as a Conditional Use on a temporary basis, if necessary to perform a wind measurement study. Installations of wind testing facilities shall be considered through the Temporary Use permit process pursuant to Chapter 22.50 (Temporary Use permits) as well as the Coastal Permit process pursuant to Chapters 22.68 and 22.70. Any proposed wind testing facilities shall comply with the development standards and requirements of WECS (coastal) contained in Section 22.32.190.~~

Development Code Chapter 22.62:
Coastal Zoning Districts and Allowable Uses

Revision proposed for consistency with provisions of Development Code Section 22.32.200 regarding "wind testing facilities," Section 22.32.050 regarding "child day-care facilities," and to remove an incorrect use listing.

TABLE 5-1-d - ALLOWED USES AND PERMIT REQUIREMENTS FOR COASTAL AGRICULTURAL & RESOURCE-RELATED DISTRICTS (full table and notes not shown)

LAND USE (1)	**PERMIT REQUIREMENT BY DISTRICT**			**See Standards in Section:**
	C-APZ Agricultural	**C-ARP** Agricultural Residential	**C-OA** Open Area	

	Production	Planned		
RESOURCE, OPEN SPACE USES				
Wind energy conversion systems (WECS), Small Roof-mounted	PP	PP	PP	22.32.190
Wind energy conversion systems (WECS), Small Freestanding, and Medium (coastal)	P	P	—	22.32.190
Wind energy conversion systems (WECS), Large (coastal)	—	—	—	22.32.190
Wind Testing Facility (coastal)	P	P	—	22.32.190
~~Water wells or septic systems to serve development on adjoining land~~	~~U~~	~~U~~	~~U~~	
Solar energy systems (coastal), roof-mounted	PP	PP	PP	22.32.161 22.42.055(2)
Solar energy systems (coastal), free-standing	P	P	P	22.32.161
RETAIL TRADE USES				
Child day-care centers	U	U	—	22.32.050
Child day-care – Large family day-care homes	P ~~U~~	P ~~U~~	—	22.32.050
Child day-care – Small family day-care homes	P	P	—	22.32.050

Revision proposed for consistency with provisions of Development Code Section 22.32.050 regarding "child day-care facilities."

TABLE 5-3-e - ALLOWED USES AND PERMIT REQUIREMENTS FOR COASTAL COMMERCIAL/MIXED USE DISTRICTS (Full table and notes not shown)

LAND USE (1)	**PERMIT REQUIREMENT BY DISTRICT**					**See Standards in Section**
	C-VCR Village Commercial Residential	**C-H1** Limited Roadside Business	**C-CP** Planned Commercial	**C-RMPC** Residential Commercial Multiple Planned	**C-RCR** Resort and Commercial Recreation	
SERVICE USES						
Child day-care centers	U	U	U	U	—	22.32.050
Child day-care, large family day-care homes	P ~~U~~	P ~~U~~	P ~~U~~	P ~~U~~	—	22.32.050

Child day-care, small family day-care homes	P	P	P	P	—	22.32.050

Development Code Chapter 22.64:
Coastal Zone Development and Resource Management Standards

Revision to table notes to refer to Coastal Zone Variance procedures.

TABLE 5-4-a – COASTAL ZONE DEVELOPMENT STANDARDS

...

Notes:

...

(4) See Section See Section 22.20.060 (Height Measurement and Height Limit Exceptions) for height measurement and exceptions. Building height limits may change, as follows:

a. In C-R1 districts of the Stinson Beach Highlands, the primary building height limit is 17 feet.

b. Single-family dwellings over 25 feet in height may require Design Review and Variance approval in compliance with Chapters 22.42 (Design Review) and ~~22.54 (Variances)~~ 22.70.150 (Coastal Zone Variances), in addition to a Coastal Permit.

Revision to table notes to refer to Coastal Zone Variance procedures.

TABLE 5-5 – COASTAL –B COMBINING DISTRICT DEVELOPMENT STANDARDS

...

Notes:

...

(3) See Section 22.20.060 (Height Measurement and Height Limit Exceptions) for height measurement and exceptions. Primary building height limit in the Stinson Beach Highlands is 17 feet, not 25 feet. Single-family dwellings over 25 feet in height may require Design Review and Variance approval in compliance with Chapters 22.42 (Design Review) and ~~22.54 (Variances)~~ 22.70.150 (Coastal Zone Variances) in addition to a Coastal Permit.

Development Code Chapter 22.66:
Coastal Zone Community Standards

Revision to reference correct Development Code section.

22.66.110 – Dillon Beach Community Standards

...

B. C-R-1:B-D Zoning standards. The following standards shall apply in those areas of Dillon Beach governed by the C-R-1:B-D zoning district.

...

2. Setback requirements. Structures shall be located in compliance with the following minimum setbacks (See Section 22.20.090~~100~~, Setback ~~Measurement~~ Requirements and Exceptions):

Development Code Chapter 22.70:
Coastal Permit Administration

Revision proposed to clarify that categorical exclusion determinations are not subject to appeal.

22.70.030 – Coastal Permit Filing, Initial Processing

…

B. Determination of permit category. The Director shall determine if the proposed project is categorically excluded, qualifies for a De Minimis Waiver, or requires a Coastal Permit that does or does not require a public hearing as follows. With the exception of categorical exclusions, ~~This~~ determinations regarding permit category may be appealed in compliance with Section 22.70.040 – Appeal of permit Category Determination.

…

Revision to reference correct Development Code section.

22.70-100 – Notice of Failure to Act

…

A. Notification by County. Upon a determination that the time limits established in compliance with Government Code Section 65950 et. seq. have expired, the Director shall, within five days of the determination, notify persons entitled to receive notice in compliance with Section 22.70.050 (Public Notice) ~~22.72.080 (Notice of Coastal Permits)~~ that it has taken final action by operation of law in compliance with Government Code Section 65956. The appeal period for projects approved by operation of law shall begin only upon receipt of the County's notice in the office of the Coastal Commission.

Revision to reference correct Development Code section (Note: referenced Development Code section 22.70.050 is located outside Article V and may be renumbered to eliminate duplicate section numbering).

22.70.120 – Expiration Date and Time Extensions

A. Time limits, vesting, extensions. Coastal permit time limits, vesting requirements, and extension provisions shall comply with Section 22.70.050 ~~22.56.050~~ – Time Limits and Extensions.

B. Findings. In addition to the requirements of Section 22.70.050 ~~22.56.050~~, Coastal Permit extensions may be granted by the Director upon a finding that the project continues to be in conformance with the requirements and objectives of the Marin County Local Coastal Program.

…

ATTACHMENT #4
Local Coastal Program Amendments (LCPA)
Analysis of Other Issues

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LCPA topics not addressed in this document:

Agriculture *(see 10/2/12 and 11/13/12 Staff Reports)*

Biological Resources *(see 10/2/12 and 11/13/12 Staff Reports)*

Energy *(see 12/11/12 Staff Report: Attachment #1)*

Public Facilities and Services *(see 12/11/12 Staff Report: Attachment #1)*

INTRODUCTION

The draft Local Coastal Program Amendments (LCPA) are the product of thorough consideration by the Planning Commission, based on substantial public input. During 2009-10, the Planning Commission held a series of 19 workshops, during which each section of the Local Coastal Program (LCP) was discussed. The policies of the existing certified LCP Units I and II were considered, along with potential revisions to those policies. Public testimony was taken, and direction was provided by the Planning Commission regarding which existing LCP provisions should be amended and which retained. Meetings with key stakeholders were also conducted by staff.

A preliminary draft of the LCPA Land Use Plan policies was published in January 2011, reflecting the Planning Commission's direction. Based upon this interim guidance, staff crafted amendments to the Development Code and zoning provisions that are designed to implement the LCPA policies. A complete Public Review Draft of the LCPA, containing both proposed Land Use Plan policies and implementing

Development Code amendments, was presented to your Board and the Planning Commission in joint session in June 2011. That Public Review Draft was then the subject of additional review during 2011. Four community workshops were held, followed by nine public hearings conducted by the Planning Commission, during which the provisions of the Public Review Draft were considered one by one, and revisions were made as directed by the Planning Commission. The product of this extensive review was the set of revised Local Coastal Program Amendments (LCPA) that was approved by the Planning Commission (PC) on February 13, 2012 and forwarded to your Board with a recommendation for approval.

Two public workshops were conducted by your Board, on March 20 and 27, 2012, for the purpose of receiving comments and providing an opportunity for preliminary questions and concerns to be raised by members of your Board. The PC-Approved LCPA provisions for Agriculture and Biological Resources, in particular, were the focus of a number of such questions. The topics of Agriculture and Biological Resources were also the subject of informal discussions conducted subsequently by County staff with the staff of the Coastal Commission.

Two public hearings on the LCPA, on October 2 and November 13, 2012, focused on Agriculture and Biological Resources. Your Board provided direction on a number of LCPA provisions, and additional Board discussion on these topics is scheduled for continued discussion at the public hearing on December 11, 2012, time permitting. Otherwise the discussion will be continued at the following hearing on January 15, 2013.

Scheduled for your December 11, 2012 hearing are specific proposed LCPA provisions related to Sea Level Rise, Wind Energy Conversion Systems (WECS) (Coastal), Public Facilities and Services, Transportation, and Overnight Accommodations. Attachment #1 provides analysis of these subject areas.

By contrast, Attachment #4 addresses the remaining LCPA provisions, that is, provisions other than Agriculture and Biological Resources and those topics addressed in Attachment #1 for consideration on December 11, 2012. LCPA provisions addressed by Attachment #4 are those in the following topic areas: Environmental Hazards; Mariculture; Water Resources; Community Design; Community Development; Housing; Transportation; Historical and Archaeological Resources; Parks, Recreation, and Visitor-Serving Uses; and Public Coastal Access. Many of the policies in these topic areas are proposed to be “carried over” unchanged from the existing certified LCP Units I and II. Other policies include ones that the Planning Commission has proposed for revision with the goals of improving clarity, addressing changed circumstances, and ensuring that the LCP provisions continue in the future to protect coastal resources, public participation in land use decision-making, and the economy of coastal Marin County. Also addressed in Attachment #4 are key amendments proposed to the Development Code intended to provide necessary services to the public and permit applicants, while eliminating unnecessary expenditure of time and effort.

The LCPA provisions addressed in Attachment #4 are being provided to your Board for proposed approval on a “consent” basis. That is, if your Board as a whole has no objections to these changes, they will be deemed approved. Of course, any Board member may identify any issue for public discussion before the LCPA provisions are approved.

The LCPA provisions summarized below are grouped according to the LCPA Land Use Plan policy chapters. An introductory background description is provided for those provisions in each policy area, followed by a description of key changes contained in the LCPA. Such changes, of course, represent those provisions that are different from the existing LCP policies. Summary findings of consistency of the LCPA provisions with applicable policies of Chapter 3 of the Coastal Act are included as a guide to compliance with that law’s objectives. Ultimately, of course, to be certified by the Coastal Commission the LCPA must be found to be consistent with the provisions of the Coastal Act.

NATURAL SYSTEMS AND AGRICULTURE

Environmental Hazards

A. Background

Marin County's certified Local Coastal Program (LCP), Units I and II, contain provisions regarding seismic and geologic hazards that are associated with development. However, the policies contained in Units I and II are different, although hazards are present throughout the Coastal Zone. Furthermore, the Unit I and II provisions regarding the expected economic lifespan of new structures are inconsistent with each other and are unrealistically short. The "economic lifespan" of new development should reflect an appropriate planning horizon for new development that takes into account a reasonable period of time during which a structure can be expected to remain in use. New development should be approved with an expectation that it will remain reasonably safe from environmental hazards throughout its anticipated lifespan, and thus it is essential to project a reasonable "economic lifespan" when planning new development. Moreover, the Unit I and II provisions appear to apply only to new blufftop development, as opposed to all shoreline development, although shoreline hazards are present on all shoreline properties.

B. Proposed LCP Changes

1. "Economic Lifespan" for New Development

"Economic lifespan" is defined in the existing LCP Unit II, for planning purposes, as being 50 years, while "economic life expectancy," as used in LCP Unit I lacks a definition but is apparently intended to be 40 to 50 years in length. However, single-family homes and other structures, if well designed and constructed, can remain in usable condition for far more than 40 or 50 years. LCPA Policies C-EH-1 and C-EH-5 and accompanying Development Code provisions, such as in Section 22.64.060.B, therefore establish an "economic life" for planning purposes of 100 years. Proposed new development, to be approved, must be supported by an assurance that during its lifespan it will be safe from and not contribute to geologic or other hazards. Anticipated hazards, as reflected in Policy C-EH-2, include earthquakes, tsunamis, landslides, liquefaction, beach or bluff erosion, flooding, and inundation from accelerated sea level rise, consistent with the Coastal Act's mandate of Section 30253 to "minimize risks to life and property in areas of high geologic, flood, and fire hazard" and "assure stability and structural integrity…" so as to not "require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs."

2. Safety of Blufftop Development

Existing Unit I and II policies contain limited tools to assure that new blufftop development will be set back a sufficient distance from the bluff edge to provide safety throughout the structure's anticipated lifespan. Although LCP Unit II requires that new structures be set back a "sufficient distance" and LCP Unit I contains a formula for calculating that distance, the formula addresses only anticipated bluff recession and not related safety concerns, such as slope stability.

LCPA Policy C-EH-5 provides a thorough formula for determining the sufficient setback for new development, in order to reasonably ensure its stability for the economic life of the development and to eliminate the need for a shoreline protective device. The formula incorporates a minimum factor of safety against sliding, while taking into account anticipated bluff recession during the 100-year economic life of the development and accelerated bluff retreat due to sea level rise. The formula for calculation of an appropriate bluff setback is also reflected in LCPA Dev. Code Sec. 22.64.060.B. An additional provision regarding development on bluffs is contained in Policy C-

EH-6, which requires that drainage associated with blufftop development be addressed such that it not contribute to the erosion of the bluff face. Furthermore, Policies C-EH-7 and C-EH-16 restrict the placement of structures on bluff faces, including stairs or ramps, in order to protect visual resources as required by Coastal Act Section 30251, as well as the stability of the bluff.

3. Shoreline Protective Devices

The policies contained in LCP Unit I regarding shoreline protective devices (seawalls, groins, and other structures designed to protect buildings or beaches) are different from their counterparts in Unit II. Varying terms, such as "shoreline protective work" and "protective shoreline structure," are used in different LCP policies. Furthermore, the LCP Unit II mixes together policies that address shoreline structures that have protective purposes (e.g. revetments and seawalls) with policies that address shoreline structures serving fishing or recreation (e.g. piers). These two types of shoreline structures are quite different, and the Coastal Act provides different standards for their approval.

Section 30235 of the Coastal Act regarding certain shoreline protective devices contains both limitations on the approval of shoreline protective devices (i.e. certain criteria must be met for approval) and a mandate, rather than permission, to approve those shoreline protective devices that meet the criteria. Those distinctions are not reflected in the existing LCP. For instance, Unit II Shoreline Structures Policy #1 provides, in part, simply that "protective works or piers may be necessary or desirable."

LCPA Policy C-EH-13 both discourages shoreline protective devices and recognizes that, in certain circumstances, such devices shall be approved. To be approved, the criteria established by the Coastal Act must be met. That is, a shoreline protective device must be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Policy C-EH-13 requires also that non-structural alternatives to a shoreline protective device, such as sand replenishment, must be examined. Furthermore, in order to be approved, a shoreline protective device must be required to serve a coastal-dependent land use or to protect an existing structure or public beach, consistent with Sec. 30235 of the Coastal Act.

The provisions of Coastal Act Sec. 30235 regarding approval of future shoreline protective devices make most sense if the mandatory approval of such devices applies only to a principal structure, such as a single-family dwelling, rather than to an outbuilding or accessory structure, such as a gazebo or utility shed. Thus, Policy C-EH-13 addresses the potential need for a shoreline protective device in connection with an existing principal structure, residence, or second residential unit. Policy C-EH-15, however, addresses the fact that a new accessory structure on a shoreline parcel may reasonably be sited within an area subject to shoreline erosion hazard as long as the structure is designed to be movable or removable and as long as the applicant agrees to remove it when necessary. For instance, a deck may be located in an area that is likely to be safe from coastal erosion for, say, 30 years, while the principal structure on the property logically must be set back farther, in order to be safe for at least 100 years.

LCPA Policy C-EH-14 contains standards to ensure that the design and construction of a necessary shoreline protective device be visually compatible with its surroundings, minimize impacts on the natural movement of sand, and otherwise limit the device's impacts. Policy C-EH-17 prohibits the creation of new shoreline parcels unless the parcels can be developed with structures that will not require a shoreline protective device during their economic lifespan. Finally, in order to address sudden hazards from storms or other events, Policy C-EH-21 provides for the approval of an emergency shoreline protective device, but only on a temporary basis. To be retained on a permanent basis, a regular coastal permit application must be submitted for the protective device.

4. Flood Hazard

LCP Unit I contains few provisions regarding the siting and design of new development to address the hazard of flooding. Unit II Hazards Policy #5.a requires that an applicant demonstrate that the area of construction is stable for development, but does not otherwise require the applicant to address flood hazards through measures such as placing the floor elevation at a particular height to minimize the risk of floodwaters entering the living area of a structure. Existing LCP policies, in particular, lack provisions that address the needs of property owners with existing structures in already-developed areas that are subject to potential floods.

LCPA Policy C-EH-11 addresses a problem in the Seadrift Subdivision at Stinson Beach, where the special flood hazard (V zone) as mapped by the Federal Emergency Management Agency (FEMA) establishes a minimum floor elevation for new development. While the minimum floor elevation provides safety for the building and its occupants, it creates a conflict with the building height limits at Seadrift, where the existing LCP policies and implementing C-RSPS zoning provisions incorporate maximum finished floor and total height limits measured from sea level (mean lower low water) rather than from the required minimum floor elevation. In some cases, applying LCP and C-RSPS zoning height limits would preclude the construction of a house that complies with mandatory FEMA floor elevation requirements. LCPA Policy C-EH-11 and Dev. Code Sec. 22.65.070.D. provide that building height limits for affected lots in Seadrift be measured so as to take into account the minimum floor elevation that is required by FEMA.

LCPA Policy C-EH-12 addresses a separate issue that affects owners of certain existing homes within flood hazard zones as mapped by FEMA, such as those in parts of Stinson Beach. Renovation of such dwellings may require elevation of the living area in order to achieve a minimum floor elevation, resulting in the need for a variance to setback requirements even where no expansion of the building's internal floor area is proposed. Policy C-EH-12 and Dev. Code Sec. 22.70.160.D address this issue by allowing existing buildings that encroach into a required yard setback to be raised to meet a minimum floor elevation requirement without the need for a variance.

5. Sea Level Rise

Although climate change is likely to cause a rise in sea level, the existing LCP Unit I and II provide no policy direction regarding such a significant change in coastal conditions. Over time, development located near the shoreline is likely to become more vulnerable to coastal erosion, wave attack during storms, and inundation from rising seas.

The potential for sea level rise is a challenge that extends well beyond the borders of Marin County, of course. Other entities, both governments and non-governmental organizations, are researching and developing critical information and analysis regarding the issue. To assure that Marin County applies the most up-to-date information on the subject, LCPA Program C-EH-22.a provides that research and appropriate responses shall continue.

Additional policies and other actions for future inclusion in the LCPA may result from information-gathering. Policy approaches to be examined include options such as relocating existing or planned infrastructure to safer locations, in conjunction with entities such as Caltrans, and changing siting and design standards for new private development.

The LCPA contains provisions to accommodate new development while minimizing risks from natural hazards. Section 30253(a) of the Coastal Act provides that new development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. LCPA provisions, including policies, programs, and the requirements contained in Dev. Code Sec. 22.64.060, address the anticipated economic lifespan of development, setbacks for blufftop development, and the design of shoreline protective devices, among other factors, consistent with the Coastal Act.

Mariculture

A. Background

Mariculture operations in Tomales Bay and Drake's Estero supply a substantial share of California's commercial oyster production. LCP Units I and II encourage the continuation of mariculture activities in the Coastal Zone, and Unit II also includes a very detailed description of the administration and status of mariculture leases in Tomales Bay.

The Coastal Commission retains permanent coastal permit authority over development on State tidelands and public trust lands, including mariculture operations in coastal waters. The Coastal Commission issues permits for mariculture development only to those who hold a lease or entitlement from the Department of Fish and Game.

The County's regulatory role with respect to mariculture leases is extremely limited in relation to that of the Department of Fish and Game, the Coastal Commission, the Army Corps of Engineers and, within park boundaries, the National Park Service. The County's primary responsibility with respect to coastal permitting for mariculture operations is to assure that necessary onshore support facilities are not precluded by other land uses.

Marin County has primary coastal permitting responsibility over development onshore, where mariculture support facilities are likely to be located, except within Point Reyes National Seashore, where the Coastal Commission has regulatory responsibility over federal activities and federally licensed or permitted activities. Furthermore, County-approved developments that are located between the sea and the first public road are appealable to the Coastal Commission, and such appeals are reviewed by the Coastal Commission taking into account LCP provisions. Because onshore support facilities are functionally related to the mariculture operations that take place in coastal waters, the LCP addresses both components of mariculture operations. Inclusion of offshore mariculture policies in the LCP serves the additional function of providing advisory guidance to the Coastal Commission in its coastal permitting process for developments in coastal waters. In practice, a mariculture development may involve coastal permits from both the Coastal Commission and the County. For example, placement of oyster racks in coastal waters would require a Coastal Commission permit, while an associated processing structure onshore would require a County coastal permit, and a pier extending from the shore into the waters of the bay would potentially require coastal permits from both agencies.

B. Proposed LCP Changes

LCPA policies omit the overly detailed mariculture provisions found in LCP Unit II, which generally exceed the County's regulatory authority over development in State waters. At the same time, LCPA Policy C-MAR-1 provides continued support for mariculture in the County's Coastal Zone, consistent with Coastal Act Sec. 30233, which includes aquaculture among the allowable purposes for dredging and fill of coastal waters, and Section 30222.5, which requires that ocean front land that is suitable for coastal dependent aquaculture be protected for that use. Policy C-MAR-3 provides general standards for mariculture operations for use by the appropriate coastal permitting jurisdiction (either the County or the Coastal Commission). Such standards provide for the protection of eelgrass beds, public access along the shoreline, boating access, and protection of visual resources, among other factors. The LCPA supports mariculture in the Coastal Zone, consistent with policies of the Coastal Act.

Water Resources

A. Background

The LCP responds to a number of different laws regarding coastal water quality. Those laws include not only the California Coastal Act, but also the federal Clean Water Act and Sec. 6217 of the federal Coastal Zone Act Reauthorization Amendments. One type of pollution, known as "point source" pollution, is addressed by, among other authorities, a National Pollutant Discharge Elimination System (NPDES) permit (Phase II) issued by the San Francisco Bay Regional Water Quality Control Board pursuant to Sec. 402(p) of the Clean Water Act. "Nonpoint source" water pollution is addressed by efforts such as the Nonpoint Source Pollution Control Program that is supported jointly by the California Coastal Commission and the State Water Resources Control Board.

The LCP addresses activities that constitute "development" as defined by the California Coastal Act (Sec. 30106). That definition is broadly inclusive. It encompasses not only construction, but also land divisions and changes in the intensity of use of land or water.

B. Proposed LCP Changes

1. Support for Water Quality Protection

The existing LCP Units I and II contain policies that address the water quality impacts of new development, but most of the policies address only development projects that involve significant grading (that is, 150 or more cubic yards of grading). Furthermore, the Unit I and II policies lack an overall goal statement that addresses the need for a variety of measures to address the range of development types typical of the Coastal Zone.

In the decades since the existing LCP was approved, water quality planning has evolved to address not only large, individual projects, but also the cumulative impacts of smaller developments, including those undertaken by private property owners and public entities. In Marin County, planning and regulatory tools such as provisions of the Marin Countywide Plan, programs of MCSTOPPP, and Department of Public Works practices, have come to address projects involving grading of less than 150 cubic yards. Even a project that involves no grading of course can create water quality impacts. Adverse impacts to water quality can arise from an increase in impervious surfaces or from improper storm water drainage facilities, including small projects and those that involve little or no grading. Furthermore, significant building additions or redevelopment projects can contribute to water quality problems, along with new construction on vacant land.

LCPA Policies C-WR-1 and C-WR-2 incorporate several proposed changes that would broaden LCP protections for coastal water quality and that would better reflect the mandates of the Coastal Act. Policy C-WR-1 includes a broad goal statement lacking in the LCP Units I and II that supports the protection and enhancement of coastal water quality. Policy C-WR-2 addresses both public and private projects, both new developments and redevelopment projects, and both grading and non-grading projects. In general, polluted runoff can be addressed through site design, source control measures and onsite or area treatment. LCPA policies emphasize keeping pollutants out of runoff so they never reach natural coastal waters, as well as provide measures to reduce or eliminate runoff itself, such as minimizing impervious area and limiting site disturbance.

LCPA Policies C-WR-1 and C-WR-2 and accompanying Development Code provisions, such as Sec. 22.64.080.B, broaden the scope of the existing LCP water quality protections. This is consistent with the mandate of Coastal Act Section 30231 to maintain and restore the quality of

coastal waters for the protection of human health and biological productivity. Runoff from development in the Coastal Zone flows directly into the marine environment, and therefore the proposed policies would also address the requirement to protect marine resources that is found in Coastal Act Section 30230. The LCPA Water Resources policies broaden the focus of water quality planning and regulation, consistent with Coastal Act requirements.

2. Storm Water Drainage Policies

The existing LCP addresses storm water drainage, the extent of impervious surfaces, and the infiltration of storm water on-site, but only for those projects that involve substantial grading. And yet projects that lack substantial grading also can present a risk of increasing polluted runoff by, for instance, increasing the rate of flow of storm water runoff that leaves the site or by increasing the size of impervious surfaces, which do not allow infiltration of storm water runoff.

Most development projects involve roofed areas, paved areas, or other impervious surfaces, which together can increase the volume and rate of storm water runoff, thus potentially increasing the flow of sediment and other pollutants into coastal water bodies. Controlling drainage and maximizing infiltration of runoff on-site are key elements in addressing water quality protection. LCPA Policy C-WR-3 and Dev. Code Section 22.64.080.A.1 require drainage controls, in order to avoid an increase in peak flow and velocity following development, for all but the largest storm events. The LCPA requires drainage controls for two kinds of projects: those that involve a large area of impervious surface (i.e., 10,000 square feet or more), and those with a smaller area of impervious surface but where altered or increased flows from the project site have the potential to accelerate erosion or affect beneficial uses downstream.

3. Grading and Construction-Phase Policies

Existing LCP policies address grading in certain limited ways. Although all of the Coastal Zone drains to coastal waters, the practice of wintertime grading, which presents the greatest risk to water quality, is banned only in certain areas and not in others.

LCPA Policies C-WR-4 through C-WR-10 address in a consistent way the various aspects of grading and soil exposure that a project may entail during construction. The policies require that development be designed and oriented in order to minimize the amount of grading that is required. Policies also restrict vegetation clearing and grading during the winter season, throughout the Coastal Zone, and require use of measures, such as hydroseeding, to stabilize exposed soils. Accompanying Development Code measures, such as Sec. 22.64.080 (parts A and C), contain requirements for grading plans, erosion and sedimentation control plans, and limits on the extent and timing of grading. Furthermore, Policies C-WR-15 and C-WR-16, as implemented by Dev. Code Sec. 22.64.080.B, address potential construction-phase impacts from chemicals, fuels, and other potentially hazardous materials.

4. Post-Construction Impacts

Existing LCP policies require the use of a sediment basin, which is one type of structural measure to control polluted runoff, but only in certain instances and only during the construction phase of development. The policies lack requirements for measures to address polluted runoff following the construction phase of a development.

LCPA Policy C-WR-13 requires, in appropriate instances, the submittal of post-construction measures showing how storm water and polluted runoff would be managed or mitigated, using a variety of source control and treatment control measures and both structural and non-structural means. Policy C-WR-12 requires appropriate maintenance of water quality control facilities, in order to ensure that they function as intended. Development Code provisions, such as Sec. 22.64.080.A.2 and A.3, carry out these policies.

5. High-Impact Projects

Existing LCP policies address grading, soil exposure, and certain other key aspects of development but lack measures to address the particular categories of development that have a high potential for generating pollutants. Projects such as automotive repair shops and restaurants and those with large impervious surfaces, for instance, have the potential to contribute oil, grease, and other pollutants to coastal waters.

LCPA Policy C-WR-14 and accompanying Development Code measures specify the types of "high-impact" projects that might create adverse impacts to water quality and require that such projects incorporate Best Management Practices designed to avoid such impacts. Projects subject to additional design standards include those of a type that might contribute oil, grease, or other pollutants to coastal waters. Other projects subject to the design standards include those that involve the creation, addition, or replacement of 5,000 square feet or more of impervious surface, if located near coastal waters, or 10,000 square feet of impervious surface, regardless of location. LCPA provisions address projects that carry a high potential for generating nonpoint source pollutants, as well as other developments that, cumulatively, could adversely affect the quality of coastal waters.

BUILT ENVIRONMENT

Community Design

A. Background

Visual resources are a significant component of the Coastal Zone. The design of new or renovated structures and the protection of views are important considerations. The existing LCP contains only brief policies regarding protection of visual resources, and some of the policies are applicable only to part, rather than all, of the Coastal Zone. LCP Unit I policies establish height limits for new construction in certain communities (Bolinas, Stinson Beach, and Muir Beach) and set a standard that, to the maximum extent feasible, new development shall not impair existing scenic views from Highway One or Panoramic Highway. LCP Unit I also states that the County's design review ordinance shall continue to be enforced, although that ordinance itself has not been certified as part of the existing LCP. LCP Unit II policies require that structures shall be compatible with the character of the surrounding natural or built environment and be sited so as not to obstruct significant views. Additional design review policies are applicable to certain specific communities in the Unit II area (northern Coastal Zone), including Paradise Ranch Estates. Existing LCP policies do not address visually significant ridgelines.

B. Proposed LCP Changes

LCPA Policies C-DES-1 and C-DES-2 carry forward the existing LCP Unit II objectives that ensure new development is compatible in design with the character of its surroundings and to protect significant views to and along the coast as seen from public viewing areas. Under LCPA policies, those standards for protection of visual resources are applicable to the entire Coastal Zone. Meanwhile, the existing height limits for development in Stinson Beach and along the shoreline of Tomales Bay found in the existing LCP are maintained by LCPA Policy C-DES-4. Accompanying Development Code provisions, found in Sec. 22.64.100.A, serve to implement the LCPA policies.

LCPA Policy C-DES-3 and accompanying Development Code provisions, such as Sec. 22.64.100.A.3, add visually prominent ridgelines to the coastal resources that require protection in connection with new development. Existing LCP provisions generally prohibit development on or near visually prominent ridgelines unless no alternative exists and establish a maximum height for new development if a ridgeline location is the only option. LCPA Policy C-DES-3 is derived from the existing Marin Countywide Plan. Therefore, it does not represent a new policy direction, but its inclusion in the LCPA makes it clearly applicable to development both within and outside the Coastal Zone.

Subsidiary components of development, including signs, utilities, exterior lighting, and landscaping, are addressed by LCPA Policies C-DES-5 through C-DES-9 and C-DES-11, and Development Code Sec. 22.64.100.A. These LCPA provisions in large part carry forward existing LCP requirements, while making them applicable to the entire Coastal Zone. LCPA policies also carry out closely related objectives, such as minimizing both exterior night lighting and the modification of natural vegetation. For example, in combination with Policy C-EH-25 (Vegetation Management in an Environmentally Sensitive Habitat Area) and the Biological Resources policies, Policy C-DES-11 ensures that requirements for vegetation removal and irrigation are built in to the original design so as to avoid significant disruption of sensitive habitat areas not only at the construction stage, but in subsequent maintenance of "defensible space" against fire hazard.

LCPA provisions respond to Coastal Act Sec. 30251, which mandates the protection of scenic and visual qualities of coastal areas as a resource of public importance. Furthermore, Marin County's coastal villages are popular destinations for visitors from the Bay Area and beyond. LCPA provisions are consistent with Section 30253(5) of the Act, which calls for protecting special communities that constitute popular visitor destination points.

Community Development

A. Background

Section 30250 of the Coastal Act provides that new residential, commercial, and industrial development generally shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it. Concentrating development in existing communities serves to protect surrounding open space and agricultural lands and to protect scenic views, while minimizing the costs of providing needed utilities and services and maximizing the efficient use of energy.

The existing LCP, adopted in the early 1980s, specifies certain zoning changes that were designed to concentrate development in existing communities and address the limitations of community service facilities, but those policies have long since been carried out through rezonings that took place at the time of LCP certification. Thus, certain LCP policies seem to address the past rather than the future. Furthermore, the existing LCP appears to lack a Land Use Plan map that reflects the appropriate location and intensity for future development. LCP zoning maps exist, of course, but they are not supported by Land Use Plan maps. Finally, although LCP Units I and II contain a mechanism to encourage new development to locate within existing communities, that mechanism is labeled a "community expansion boundary," a term that implies that its purpose is to allow growth of the community outwards from the current location. The purpose of supporting new development within existing villages and communities, of course, is precisely the opposite: to avoid expansion into surrounding open space and agricultural lands.

B. Proposed LCP Changes

1. Parameters for New Development

LCPA Policy C-CD-2 states the broad objective of locating new development within or near existing developed areas with adequate services. Policy C-CD-3 contains the policy directive lacking in the existing LCP that requires new development of a type and intensity that conforms to Land Use Policy maps. Furthermore, LCPA Policy C-CD-3 makes clear that allowable densities for new development are stated as maximums and that they do not establish an entitlement to a particular intensity of development. Policy C-CD-4 supports the protection of open space areas, existing communities, and recreational opportunities in the Coastal Zone. Policy C-CD-5 recognizes the patterns of existing development by allowing legal non-conforming structures and uses to remain in place.

LCPA Policies C-CD-11 and C-CD-12 specify "village limit boundaries" for the purpose of concentrating new development within existing communities. The village limit boundaries replace the community expansion boundaries cited in the existing LCP. Furthermore, village limit boundaries are defined and mapped for all coastal villages, including those in the Unit I area (southern Coastal Zone) for which such boundaries are presently lacking. The purpose of the designated village limit boundaries is stated to preserve existing agricultural lands for agricultural use, while allowing for reasonable growth within the communities.

Additional provisions to support the maintenance of existing community character are found in LCPA Policies C-CD-13 through C-CD-16, C-CD-19 and C-CD-20. Such provisions, which are largely drawn from existing coastal community plans, discourage chain stores, support the residential character of village areas where appropriate, maintain the rural appearance of local roads, and protect existing visual character.

LCPA Policies C-CD-22 through C-CD-26 establish land use categories for agricultural, residential, commercial and mixed-use developments, as well as for public facilities. These

policies, which are reflected in accompanying Land Use Plan maps, establish the types and intensities of suitable development and indicate the appropriate zoning districts.

2. Implementing Measures

LCPA Development Code Sec. 22.60.010 provides permit requirements and development standards within the Coastal Zone and implements LCPA policies by identifying the location and density of development, providing for visitor-serving facilities, providing for public access to and along the coast, and protecting significant natural resources. Chapter 22.62 of the LCPA Development Code establishes coastal zoning districts, determines how the zoning districts are applied on the zoning maps, and provides general permit requirements for development. The zoning districts are associated with, and consistent with, land use categories shown on the LCP Land Use Plan maps. Tables 5-1 through 5-3 of Chapter 22.62 provide detailed information on allowed uses and permit requirements for each coastal zoning district. Additional development standards are contained in Tables 5-4 and 5-5. Together, LCPA Community Development policies and the accompanying provisions of the Development Code establish the type and intensity of new development that is allowed in the Coastal Zone, consistent with Sec. 30250 of the Coastal Act regarding the concentration of new development.

Energy

A. Background

No conventional power plants are located in Marin County's Coastal Zone. Based on the unique natural resources and recreational opportunities found in the Coastal Zone, the existing LCP does not permit major energy or industrial development, such as thermal electric generating plants fueled by nuclear energy, natural gas, or coal. On the other hand, renewable energy sources, such as wind and solar, have grown in significance since the existing LCP was first certified and could be proposed for development in the Coastal Zone. The support of renewable energy development where appropriate could help to reduce demand for non-renewable energy sources in the County.

B. Proposed LCP Changes

LCPA Policy C-EN-6 carries forward the same provision contained in the existing LCP that prohibits major energy and industrial development (Unit II New Development and Land Use Policy 7, p. 209; Unit I Public Services Policy 2, p. 48). The Coastal Act acknowledges that development of certain energy facilities and resources is necessary and provides procedures for siting such facilities in the Coastal Zone. The Coastal Act does not, however, provide for siting thermal power plants and other major energy developments on any site in the Coastal Zone, and the Coastal Commission has previously approved the existing LCP policies cited above as part of the certification actions that occurred in 1981-82.

The energy provisions of the LCPA take the approach of encouraging energy efficiency and the use of renewable energy sources, while protecting sensitive coastal resources and continuing to prohibit major energy and industrial development. LCPA Policies C-EN-1, C-EN-2, and C-EN-3 support energy efficiency in coastal developments. Policies C-EN-4 and C-EN-5 support the use of local renewable energy resources where technically and financially feasible at a scale that allows protection of biological, visual, and other coastal resources and public health, safety, and welfare. LCPA Development Code Sec. 22.32.161 provides standards for siting and design of solar energy systems in the Coastal Zone in order to avoid significant impacts to views, environmental quality, and wildlife habitats. Program C-EN-4.a supports future collaboration with other agencies to identify appropriate sites for renewable energy development with the least possible impact. The above LCPA provisions are drawn from similar provisions in the Marin Countywide Plan. Furthermore, LCPA Program C-EN-4.b is proposed for addition with the intent of evaluating the possibility of serving one or more coastal communities exclusively from renewable energy sources. (Note that LCPA Development Code Sections 22.32.190, 22.64.045, and 22.130.030 that provide implementing measures for Wind Energy Conversion Systems, or WECS, are discussed separately in Attachment #1)

LCPA provisions are consistent with Coastal Act Sec. 30253(4), which provides that new development shall minimize energy consumption, and Sec. 30251, which provides that scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. While the Coastal Act does not specifically address the use of renewable energy, LCPA provisions that work to minimize energy use overall, while protecting coastal resources, are consistent with Coastal Act policies.

Sec. 30624 of the Coastal Act addresses thermal electric generating plants. The policy provides that, under certain circumstances, new or expanded thermal electric generating plants may be constructed in the Coastal Zone. However, no such facilities have been developed in Marin County's Coastal Zone, and the Coastal Commission has previously certified the existing LCP policies (as noted above) that prohibit such developments. Therefore, the LCPA is consistent with Coastal Act policies.

Housing

A. Background

When the existing LCP was prepared beginning in the late 1970s, the Coastal Act contained a policy requiring that affordable housing opportunities be protected, encouraged, and, where feasible, provided. Subsequently, the Coastal Act was amended to delete that requirement. At the same time, Coastal Act Sec. 30007 states that nothing in the Act exempts a local government from meeting the requirements of State and federal law with respect to providing low- and moderate-income housing or meeting other housing requirements. The existing LCP has not been amended previously to reflect this change in the Coastal Act. Since the 1970s, the Legislature has adopted a number of affordable housing measures that apply both within and outside the Coastal Zone. Government Code Section 65915 contains policies that encourage the provision of affordable housing through density bonuses and incentives or concessions. Such incentives or concessions may include a reduction in site development standards, a modification of zoning code requirements, or some other measure that would result in cost reductions for the housing developer and therefore lead to lower housing costs for prospective residents.

Government Code Section 65915 provisions regarding incentives or concessions raise a potential issue with respect to compliance with Coastal Act standards. Site development standards, such as those establishing setbacks from sensitive areas, are an integral part of the LCP, and therefore incentives or concessions that vary from those standards could have an effect on how coastal resources are protected by the LCP. At the same time, Government Code Section 65915 states that it shall not be construed to supersede or lessen the effect of the Coastal Act. Consequently, housing provisions and Coastal Act resource protection standards must be addressed in the LCP in a way that reconciles various objectives to encourage affordable housing and also to protect natural resources and community character.

Demand for housing in Marin County is strong. The provision of workforce housing in West Marin, where the local economy rests in substantial part on agriculture and visitor-serving enterprises, is particularly critical. Assuring that housing is available for those employed locally, as well as for seniors, young families, and others, is challenging. Shortfalls in the housing supply directly lead to increased commuting, using up limited coastal road capacity and causing impacts to coastal recreational access and coastal dependent industries and uses. Adding to the complexity of the task are other goals of the LCP such as maintaining community character, ensuring adequate urban services, and protecting the natural environment. In addition, as noted above, State law requires that local governments take certain measures, not reflected in the existing LCP, to increase the supply of affordable housing.

LCP Unit I limits the demolition of existing housing units that provide housing opportunities for persons of low and moderate income and supports the continuation of then-existing moderate-cost housing assistance programs. LCP Unit II supports the provision of additional affordable housing opportunities through means such as small-lot zoning, higher density, and second residential units. In 2002, LCP Unit II was amended to provide for the Point Reyes Affordable Homes project, which was subsequently constructed northeast of Mesa Road in Point Reyes Station.

B. Proposed LCP Changes

LCPA Policy C-HS-1 carries forward the existing LCP limitation on demolition of existing affordable housing units, and LCPA Policy C-HS-4 carries forward the objective of retaining small lot zoning in the communities of Tomales, Point Reyes Station, and Olema for the purpose of providing affordable housing opportunities. Additional new LCPA measures support affordable housing. These include Policy C-HS-2, which allows additional residential density where consistent with water and sewage disposal facilities, and Policy C-HS-3, which applies to the Coastal Zone the County's already-adopted inclusionary requirement for affordable housing in residential developments of two or more units. Support for second residential units is contained in Policy C-HS-5, and where consistent with other LCP provisions, support for density

bonuses is provided in Policy C-HS-9. The latter policy responds to the California Legislature's mandate that local government provide concessions or incentives to support affordable housing, while also addressing other Coastal Act objectives, such as those mandating resource protection. Provisions in LCPA Dev. Code Section 22.64.130.A implements the policies described above.

LCPA Policies C-HS-7 and C-HS-8 support agricultural worker housing in the Coastal Zone. Finally, Policy C-HS-6 addresses the loss of certain residential units through conversion to short-term vacation rentals. That policy, and accompanying Program C-HS-6.a, make no immediate change in policy, but instead support the consideration of future LCP provisions that could restrict the use of residential housing units for short-term vacation rentals.

The LCPA Housing policies address the goal of encouraging affordable housing as reflected in State legislation and Marin County's Housing Element, while also addressing the Coastal Act's requirements for establishing parameters for the type and density of new development in the Coastal Zone and for protecting coastal resources.

Transportation
See also: Attachment #1, Section IV – Transportation

A. Background

The existing LCP includes policies that require Highway One to remain a scenic, two-lane (and "narrow, twisting" in Unit I) roadway and to limit improvements, beyond maintenance and repair, to minor safety improvements, expansion of roadway shoulder paving to accommodate bicycle/ pedestrian traffic, creation of slow traffic and vista turnouts, and other minor selected roadway improvements necessary to adequately accommodate public transit. Except for allowing limited roadway improvements along Highway One, LCP Unit I does not address bicycle and pedestrian access. LCP Unit II on the other hand encourages the use of bicycles as an alternative form of transportation and the development of bicycle and pedestrian paths.

B. Proposed LCP Changes

LCPA Policies C-TR-1 and C-TR-2 carry over the existing requirement that Highway One remain a two-lane road but broaden that requirement to apply to all roads in the Coastal Zone. Policies C-TR-4 through C-TR-9 support the expansion of bicycle and pedestrian facilities as alternatives to the auto. LCPA provisions recognize that bicycles and pedestrians can be accommodated with smaller facilities in comparison to those required for autos, and those on foot or bicycle experience more of the sights and sounds of the coastal environment around them. LCPA Policies C-TR-10 and C-TR-11 carry forward the existing LCP's support for public transportation and the reduction of visitor traffic congestion, and Policy C-TR-12 supports coordination with State and federal entities and others to improve transportation services in the Coastal Zone. LCPA Dev. Code Section 22.64.150 implements these policies. The LCPA support for bicycle and pedestrian paths and for public transit is consistent with Coastal Act Section 30213 regarding the provision of low cost recreational facilities and with Section 30253(d) requiring that development minimize energy consumption and vehicle miles traveled.

SOCIOECONOMIC

Historical and Archaeological Resources

A. Background

The existing LCP provides, with slightly different provisions, that the County shall maintain confidential information on known and probable archaeological sites. Furthermore, that the County shall require field surveys of such resources in connection with development proposals and mitigation measures for both archaeological and paleontological resources. However, it does not provide for monitoring by qualified archaeologists and Native American consultants in cases where significant resources are expected to be found or are discovered during construction.

The Coastal Act requires in Section 30244 that archaeological and paleontological resources, where identified, receive protection. Although the Coastal Act does not specifically require protection of historic structures, Sections 30251 and 30253(5) address the protection of the character of existing communities, including those that are destination points for visitors. Historic buildings form a significant component of the character of West Marin communities, and the LCP historic resource policies are intended to protect the unique character of coastal communities. The existing LCP reflects the designation of historic areas in coastal villages and the creation of Design Guidelines for construction in those areas, as well as for projects elsewhere that involve pre-1930 buildings.

B. Proposed LCP Changes

The LCPA carries forward the approach of the existing LCP of protecting historical resources. That is, the LCPA maintains the objective of protecting all structures within designated villages as well as pre-1930s structures elsewhere through use of limits on demolitions and alterations, the adopted Design Guidelines, and the Historic Review Checklists. At the same time, the LCPA substitutes new terminology for those resources. Instead of describing “historic areas” and “historic structures,” LCPA Policy C-HAR-4 through C-HAR-8 and accompanying Development Code Sec. 22.64.160 refer to communities and structures of “special character” and “visitor appeal.” In this way, those structures that are addressed by the existing LCP continue to be addressed, but for a slightly different reason, one that is more in line with the Coastal Act’s mandate to protect coastal communities that are destination points for visitors. After all, the reason visitors enjoy Marin County’s coastal villages is in part a function of their existing appearance, and that appearance was in many cases largely established in the 19th and early 20th centuries. Although more recent structures may have significant architectural or historical significance, and structures being built even today may have such significance in the future, the character of 19th and early 20th century villages and buildings will remain a significant draw for coastal visitors. LCPA provisions are consistent with the requirement of Coastal Act Sec. 30244 that addresses archaeological and paleontological resources and Sec. 30253(5) that addresses communities that because of their unique characteristics are popular visitor destination points.

Parks, Recreation, and Visitor-Serving Uses
See also: Attachment #1, Section V – Vacation Rentals; and Attachment #2

A. Background

The Marin County coast is a major visitor destination. Two units of the National Park System, numerous State and local parks, and villages with unique character draw visitors from around California and beyond. Because of their small size, however, coastal villages can seem overwhelmed by visitor-related impacts, such as traffic congestion and lack of parking opportunities.

LCP Unit II encourages the development of visitor-serving facilities, emphasizing that such development must preserve the unique qualities of Marin's coast. The policy states that new visitor-serving commercial development shall be compatible in style, scale, and character with that of the community in which it is located. Furthermore, the policy states that the County encourages a diversity of recreational opportunities and facilities, especially those of moderate cost, such as bed and breakfast facilities. LCP Unit I addresses the maintenance of the established character of the village commercial areas in Bolinas and Stinson Beach. The C-VCR zoning district is a key mechanism in the existing LCP to address both the need for visitor serving and local commercial facilities and established residential use, by allowing a mixture of residential and commercial uses. LCP Unit I provides that in the C-VCR district "new residential uses shall be permitted only if they are incidental to the commercial use," while providing also that exclusive residential use of C-VCR zoned property shall also be permitted as a conditional use up to a limit of 25 percent of vacant lots in each community.

The existing LCP recognizes a high priority both for visitor-serving facilities and the protection of the existing character of West Marin's villages, but provides only limited tools to achieve these twin goals. In particular, the existing provision that allows exclusive residential use of C-VCR zoned lots only up to a limit of 25 percent of existing vacant lots is problematic, because a determination of when the 25 percent limit would be reached could be difficult to ascertain. Furthermore, the existing LCP does not provide a means to encourage lower cost commercial recreation facilities, or to protect existing lower cost facilities. Public parks provide most of the low cost recreational opportunities that are available in the Coastal Zone, including day uses such as sightseeing, hiking, and nature study. For overnight visitors, there are also approximately 180 available campsites in Coastal Zone public parklands, according to a recent inventory completed by CDA staff (see Attachment #2).[1] The existing LCP supports the enhancement of public recreational opportunities, especially those of low and moderate cost. However, it lacks specific policy direction regarding the location of the California Coastal Trail, which was created subsequent to the LCP's adoption in the early 1980s.

B. Proposed LCP Changes

1. Visitor serving commercial facilities

LCPA Policies C-PK-1 and C-PK-2 carry over the existing support for visitor-serving commercial facilities, while requiring that new facilities be compatible with the character of the community. The C-VCR zoning district, which is a key tool for providing a mix of residential and commercial uses, including visitor-serving uses, is maintained. The means of applying that zoning district, however, is proposed to be changed through Policy C-PK-3. That policy states that while a mixture of residential and commercial uses is allowed in the C-VCR district, development of new commercial uses in certain circumstances would be facilitated in comparison with that of new residential uses. That is, a use permit would be required for residential uses proposed on the ground floor of a new or existing structure on the road-facing side of the property. That portion of

[1] 12/11/12 Staff Report, Attachment #2: LCPA Appendix 2, Inventory of Overnight Accommodations in the Coastal Zone (2012).

a building would generally provide the most suitable location for a new commercial visitor-serving facility, and the policy would facilitate such a project by allowing its development without the need for a use permit.

While supporting visitor-serving land uses in appropriate locations, LCPA provisions also call for a balance of visitor-serving and local-serving uses (Policy C-PK-4) and for small-scale rather than large tourist facilities (Policy C-PK-5) in order to ensure the vitality of the community. Bed and breakfast inns continue to be supported by Policy C-PK-6.

2. Lower cost visitor serving facilities

A new component is contained in LCPA Policy C-PK-7, which requires both the protection of existing lower cost visitor and recreational facilities and the inclusion in new facilities of a lower cost overnight component, either on or off-site. Commercial visitor-serving facilities are addressed in LCPA Dev. Code Sections 22.64.170 and 22.62.080 and in Table 5-3. LCPA provisions respond to Coastal Act Sec. 30222, which provides high priority for visitor-serving commercial recreational facilities, and Sec. 30213, which supports the provision of lower cost visitor and recreational facilities.

3. Public parks

LCPA policies incorporate few changes regarding public parks. Policy C-PK-8 calls for public recreational development to be undertaken in a manner which preserves the unique qualities of Marin's coast. Policy C-PK-10 carries over the existing LCP Unit II provision of providing advisory direction regarding the appropriate uses of federal parks. Coordination with federal and State park agencies is supported by Policy C-PK-9. Regarding the type and scale of recreational development that is suitable in State parks in the Coastal Zone, Policy C-PK-11 reflects the adopted general plans for Mount Tamalpais State Park and Tomales Bay State Park. The latter park plan has been updated since LCP Unit II was adopted, and Policy C-PK-11 incorporates selected provisions from that plan that are intended to support new recreational opportunities while protecting resources and protecting community character.

LCPA Policy C-PK-12 supports continued operation of the eight Marin County parks located in the Coastal Zone, and Policy C-PK-13 provides new direction to couple future acquisition of coastal parks in the County to objectives of the County's Parks Master Plan.

4. California Coastal Trail

LCPA Policy C-PK-14 supports completion of the California Coastal Trail through Marin County through work with willing sellers or donors and other entities. In the northern part of the County from Tomales to the County line, that policy supports a general route for the Coastal Trail as shown on Map 25 in the LCPA. Furthermore, the policy supports a route for an interim inland bypass, to the extent that it is necessary, to follow Dillon Beach Road and Valley Ford-Franklin School Road, as appropriate. Standards for the acquisition, siting, and design of the trail are provided. Furthermore, Program C-PK-14.a supports continued collaboration with State and federal park agencies, local communities, Caltrans, and other entities to identify gaps in the California Coastal Trail and to propose methods to complete the trail.

5. Fishing and boating

LCPA Policies C-PK-15 and C-PK-16 carry forward existing LCP Unit II policies from the Unit II LCP that support commercial fishing and recreational boating on Tomales Bay. These policies are consistent with Coastal Act Sec. 30234, which supports the provision of facilities that serve the commercial fishing and recreational boating industries, and with Sec. 30224, which supports increased recreational boating use of coastal waters.

Public Coastal Access

A. Background

A key goal of the Coastal Act is to maximize public access to the sea. Section 30212 requires the provision of public access to the coast in new development projects with specified exceptions where access would be inconsistent with public safety, military security needs, the protection of fragile coastal resources, or agriculture, or where adequate access exists nearby. “New development” in this context is defined by the Act to exclude certain development activities, including replacement of structures destroyed by a disaster, reconstruction of a single-family residence under certain circumstances, and improvements to certain existing structures. For developments other than those cited as exceptions, the Coastal Act requires an examination of the potential need to provide public access to and along the coast. Section 30214 of the Coastal Act recognizes the need in implementing public access requirements to take into account site-specific factors such as the capacity of the site to sustain public use and the need to provide for the management of access areas so as to protect the privacy of adjacent property owners.

Section 30604(c) of the Coastal Act requires that all coastal permits issued for projects located between the nearest public road and the sea be supported by an affirmative finding that the development is in conformity with the policy of Section 30212 and the other public access and public recreation policies of the Coastal Act. For projects that are located between the sea and the nearest public road but that do not border the shoreline itself, the property in question may simply afford no physical opportunity to provide access to the shoreline. For projects that do border the shoreline, the analysis must proceed a step further in order to address whether public access would be inconsistent with public safety, protection of fragile coastal resources, whether adequate access already exists nearby, or whether agriculture would be adversely affected. If none of these exceptions applies, then the provision of coastal access as part of the project must be considered.

The methods of acquiring public access must meet current standards, of course. Where the impacts of a proposed development on public access to the shoreline justify imposition of a permit condition to secure access, that is, where there is a nexus between the impacts of the proposed development and the provision of public access, then a permit condition requiring provision of public access is appropriate. In other instances, alternative methods of securing public access, such as public purchase, tax default acquisition, or donation of public accessways or easements over private land may be appropriate. Furthermore, significant public access opportunities are available on lands that are not owned by public entities, but instead are managed by nonprofit entities with a resource protection mission.

The existing LCP includes both general policies that support the acquisition of new coastal accessways, except where public access would be inconsistent with factors such as public safety, fragile coastal resources, or agricultural production, and specific policies that support new accessways in specified locations. The existing LCP policies do not address changes that have occurred since 1981 in appropriate means of requiring new coastal accessways, as well as changes in design and management standards.

B. Proposed LCP Changes

The objective of supporting and encouraging the enhancement of public coastal access opportunities remains unchanged in LCPA Policy C-PA-1. The means of securing additional public access opportunities, however, have been refined. Policy C-PA-2 requires that new development proposals be examined for a potential nexus between the impacts of the proposed development and the provision of public access as a component of the proposed development. Where a nexus exists, the policy provides that public access shall be required in conjunction with project approval, unless an exemption applies, as provided by Policy C-PA-3. These provisions reflect the requirements of Coastal Act Sec. 30210 through 30214.

LCPA Policy C-PA-6 provides that additional public access opportunities shall be secured through appropriate means. In addition to a possible requirement of public access as a condition of project approval, such means include public purchase, tax default acquisitions, agreements with nonprofit management entities, and voluntary donation. The priority list for potential acquisition of additional public coastal accessways remains part of the LCPA, but instead of being part of the policies (as in LCP Units I and II), the priority list is now provided in LCPA Appendix 1. The priority list remains a part of the LCPA, but readability of the existing LCP text has been improved by moving the detailed list into the appendix. According to information provided by Coastal Commission staff, as of 2009 all but two outstanding offers to dedicate public accessways required in connection with past coastal development approvals had either been accepted or, in a few cases due to expiration of time limits on the offer, had expired without acceptance.

Existing LCP provisions supporting the acceptance of offers to dedicate public coastal accessways and the protection of prescriptive rights of access are maintained, with refinements, in LCPA Policies C-PA-5, C-PA-7, and C-PA-8. Existing LCP provisions describing various categories of coastal accessways and taking into account the impacts of coastal accessways on their surroundings and neighbors are also maintained, with refinements, in LCPA Policies C-PA-9 through C-PA-11. New provisions pertaining to the design and management of coastal accessways that are not part of the existing LCP are contained in LCPA Policies C-PA-12 through C-PA-15, C-PA-17, C-PA-20, and C-PA-22. These provisions address goals such as making new accessways accessible to persons with disabilities, to the maximum extent feasible, and restoring existing accessways that may become degraded over time.

Implementation methods for LCPA Public Coastal Access policies are contained in Dev. Code Sec. 22.64.180. Together, LCPA policies and Development Code provisions provide a variety of means of ensuring that maximum access to the coast shall be provided for all, consistent with public safety, rights of private property owners, and natural resources, as required by Section 30210 of the Coastal Act.

Development Code: "Streamlining" Provisions

The LCPA includes a number of measures intended to provide necessary services to permit applicants and the public while eliminating unnecessary expenditure of time and effort. These measures are intended to maximize value achieved through the planning process. Among the goals of the planning process, of course, are protecting coastal resources and maximizing public participation in coastal planning processes. The following measures, contained within the LCPA Land Use Plan and Development Code, align with these goals.

A. Response to hazards associated with residential development in forested areas. LCPA provisions, including Policy C-BIO-4, Program C-BIO-4.b, and Dev. Code Chapter 22.130 – Definitions: Major Vegetation (coastal), provide for the protection of major vegetation, while allowing for protection of defensible space around structures.

B. Acceptance of risk for building in hazardous locations. LCPA Policy C-EH-3 requires that applicants for development in hazardous areas record a document exempting the County from liability for damage caused by natural hazards and acknowledging that future shoreline protective devices will not be allowed during the structure's economic life.

C. Reduction of unnecessary variance procedures. At the Seadrift subdivision in Stinson Beach, LCPA Policies C-EH-11 and C-DES-4 and Dev. Code Sec. 22.66.040.G provide for measurement of the maximum allowable building height in the special flood hazard zone from the minimum floor elevation required by the special flood hazard zone and adjust the maximum finished floor elevation and maximum height elevation requirements of the governing C-RSPS zoning district accordingly, thus reducing the need for variances from height limits. Elsewhere in Stinson Beach, the requirement for a variance to setback requirements in certain cases where a structure must be raised in order to meet FEMA flood hazard requirements is obviated by Policy C-EH-12 and Dev. Code Sec. 22.70.160.E. – Coastal Zone Variance Exemptions.

D. Minimizing permit requirements for small roof-mounted wind energy conversion systems. Small roof-mounted systems (that is, those that extend 10 feet or less above the roof line) require only a building permit and no coastal permit under LCPA Dev. Code Sec. 22.32.190 – Wind Energy Conversion Systems (WECS) (Coastal).

E. Reduction of paperwork for creation of new public coastal accessways. LCPA Policy C-PA-4 allows direct dedication of public coastal accessways, if required in conjunction with coastal permit approval, rather than the cumbersome process of recording an "offer to dedicate" followed by acceptance of the offer by a managing entity.

F. Compact format for the Development Code's Coastal Zone provisions. The LCPA Development Code amendments are crafted to be as concise as possible, while including all necessary provisions.

G. Maintenance of existing coastal permit exclusions, as authorized by the California Coastal Act. The "exclusion orders" that were previously adopted by the California Coastal Commission, which have the effect of excluding certain agricultural developments and single-family homes in designated areas from the requirement to obtain a coastal permit, remain in place under the LCPA. Furthermore, the LCPA contains Programs C-AG-2.a and C-AG-2.f that explore the possible amendment of the categorical exclusion orders in order to broaden their applicability to various agricultural activities and related uses.

H. De minimis coastal permit waiver. The LCPA Development Code amendments provide for a simplified process, as authorized by the Coastal Act, for County review of certain minor developments, while affording an opportunity for public review and comment. For instance, construction of small retaining

walls (less than 4 feet in height) and borings for test purposes could be subject to a de minimis coastal permit waiver, where there is no potential for adverse effects on coastal resources, as provided by LCPA Dev. Code Sec. 22.68.070 – De Minimis Waiver of Coastal Permit.

I. Consolidated coastal permit. To avoid duplicative coastal permit review of a project that "straddles" the jurisdiction line between Coastal Commission and County coastal permitting area, LCPA Dev. Code Sec. 22.68-090 – Consolidated Coastal Permit provides an option for a single, consolidated coastal permit to be reviewed by the Coastal Commission. This option could be used only where all parties, including the permit applicant, agree.

J. Public hearing waiver. For certain minor developments, as defined, a public hearing that would otherwise be required could be waived pursuant to LCPA Dev. Code Sec. 22.70.030.B.5, if no person requests that the hearing be held. Under current requirements, a public hearing is required for any development that is potentially appealable to the Coastal Commission, even where no one plans to attend such a hearing. In addition, pursuant to State law, a public hearing is no longer required for a project which only entails approval of a residential second unit (LCPA Dev. Code section 22.70.030.B.4). Finally, per Dev. Code Sec. 22.70.030.B.3, a project that qualifies for an administrative Coastal Permit, but also requires another "non-coastal" permit, can now be handled administratively as long as no public hearing is required for the other discretionary permit(s).

K. Coastal emergency permit. In the event of an emergency, such as an impending bluff failure, landslide or storm, LCPA Dev. Code Sec. 22.70.140 provides for County issuance of a coastal permit to authorize emergency work to avoid or mitigate damage. The existing LCP lacks such a provision, thereby potentially causing those facing an emergency to have to seek emergency approval from the Coastal Commission.

L. Coastal Zone variance. The LCPA, in contrast to the existing LCP, provides in Dev. Code Sec. 22.70.150 for the issuance of Coastal Zone variances to provide relief from development standards when special circumstances apply to the property. Coastal Zone variances provide relief only from standards relating to height, floor area ratio, and yard setbacks, and not from use limitations or minimum lot size and density requirements. In addition, new provisions in LCPA Dev. Code Section 22.70.160 establish a Coastal Zone variance exemption process for limited circumstances where development is proposed within the footprint of an existing structure.

M. Temporary events. LCPA Dev. Code Sec. 22.68.050 – Exempt Projects, part I. Temporary Events provides for an exemption from the requirement to obtain a coastal permit for certain temporary events. Such exemptions are authorized by the Coastal Act, but are not reflected in the existing LCP.

N. Public notice of coastal permits under review. Public notice provisions, as contained in LCPA Dev. Code Sec. 22.70.050, for developments under review by the County are consolidated into one set of requirements that address both projects that require a public hearing and those that do not. Furthermore, the requirement for mailed notice to interested parties is parallel to that for non-coastal public hearings, thus simplifying requirements for applicants and the public.

O. Appealable area maps. The LCPA maps more accurately focus on areas where developments would be appealable to the Coastal Commission based on the Coastal Act's geographic criteria. Approved developments located between the first public road and the sea are appealable to the Coastal Commission, even where the definition of the "first public road" draws substantial non-shoreline development into the appealable category. For instance, all developments on the Bolinas Mesa and on Inverness Ridge are currently designated as appealable to the Coastal Commission, regardless of their potential for impacts on public access to the sea or other coastal resources. A more accurate delineation of the first public road would exclude certain non-waterfront property and reduce the number of appealable projects and associated public hearing requirements. Adoption of changes to the appealable area maps is within the Coastal Commission's purview, and thus any such changes must be adopted by the Coastal Commission in order to become effective.

ATTACHMENT #5
Local Coastal Program Amendments (LCPA)
DRAFT Land Use Analysis Report
[11-26-2012]

INTRODUCTION

This report has been prepared to describe development in the Coastal Zone: what has occurred since the LCP was originally certified as well as projections that could occur if land vacant in 2006 were fully developed according to the zoning designations in the LCPA. Potential land use is defined as the possible build out of a parcel based on the LCP, zoning and development policies as interpreted by planners. There is no implicit or explicit time horizon associated with this "build out" estimate. While particular sites may develop at their respective buildout assumptions by a certain time, the date at which there would be buildout cannot be foreseen. The buildout numbers assume theoretical build out, which is based on calculating allowable development under the land use designation. This is the highest possible development potential. In some cases, theoretical buildout may be greater than the development that would realistically occur due to a number of factors such as:

- Environmental constraints may result in a lower density than allowed
- Other policies or regulations may lower the amount of development allowed
- A landowner may seek less development than is allowed under the land use

The location and density of new development is a major policy concern of the Coastal Act. This issue is addressed in Section 30250(a) of the Act which provides in part that new development shall be located within, contiguous with, or in close proximity to existing developed areas or in areas with adequate public services and where it will not have significant adverse effects on coastal resources.[1] This objective was reflected in the LCP Units I and II, certified in 1980 and 1981 respectively. The LCP continues to maintain this objective via policy C-CD-2 Location of New Development.

Marin's coastline extends approximately 106 miles in length from Sonoma County south down to Point Bonita. The Coastal Zone represents approximately 130 square miles (82,168 acres) of the county's 520 square miles of total land area. Of this total, approximately 53 square miles (33,913 acres) are owned and managed by the federal government (National Park Service). This leaves approximately 75 square miles (48,255 acres) of the Coastal Zone under County jurisdiction (refer to Map 2 Marin County Coastal Zone in the LCPA. Approximately 15,382 acres are within its coastal villages. From north to south, these villages include the following: Dillon Beach, Tomales, East Shore (including Marshall), Inverness, Point Reyes Station, Olema, Bolinas, Stinson Beach and Muir Beach.

Demographically, the majority of Marin County's population lives in cities along U.S. 101. In 2010, approximately 6,502, or 2.6%, of Marin's 252,409 residents lived within the Coastal Zone. The overall population of the coastal zone decreased 1.4% from 1990 to 2010. Within the individual coastal communities, the change in population has been more dramatic. The population of Tomales (-28.2%), Point Reyes Station (-16.7%), Olema (-16.1%), Stinson Beach (-16.2%), Muir Beach (-6.3%), and Inverness (-6.3%) all shrank in size. On the other hand, East Shore/Marshall (20.1%), Bolinas (19.2%), and Dillon Beach (2.1%) experienced minor to larger population gains. With respect to housing units, in contrast, the Coastal Zone saw a 22.6% growth in the number of housing units during this same period. However, this averages out to an

[1] LCP Unit II, p. 199

approximate increase of only 1% per year. Table 1 shows the percent change in census population and housing change for the coastal zone from 1990 – 2010.

Table 1 Census Population and Housing Change 1990 - 2010[2]		
Village	**Population Change**	**Housing Unit Change**
Bolinas	19.2%	42.5%
Dillon Beach	2.1%	31%
East Shore/Marshall	20.1%	112.6%
Inverness	-6.3%	33.6%
Muir Beach	-6.3%	7.3%
Olema	-16.1%	24.4%
Point Reyes Station	-16.7%	11.1%
Stinson Beach	-16.2%	17.1%
Tomales	-28.2%	4.3%
Coastal Zone – all areas	-1.4%	22.6%
Marin County	9.7%	5.3%

In terms of population growth, it is difficult to determining the historic population of the Coastal Zone prior to 1990. However, using data from the Census Bureau the County's Geographic Information System estimates that the population in the Coastal Zone was approximately 6,667 in 1990, which grew to 7,118 by 2000, then declined to 6,572 by 2010. This represents a decrease of 95 residents, or 1.4 percent of the population, over the twenty year period. In terms of housing units, there were approximately 3,929 housing units in 1990, which increased to 4,818 in 2010, representing a 22.6 percent increase (889 units) over the same period.

Table 2 Population and Housing in the Coastal Zone 1990 - 2010[3]		
Year	**Population**	**Housing Units**
1990	6,667	3,929
2000	7,118	4,143
2010	6,572	4,818
% Change (1990 – 2010)	-1.4%	22.6%

Table 3 shows residential buildout figures for the Coastal Zone for the existing LCP to the proposed LCPA. As stated in Unit I, the 1971 Marin County Housing Conditions Survey reported an existing 1,584 total units for all of the communities within the Coastal Zone. In comparison, the analysis done for the 2007 Marin Countywide Plan (CWP) Final Environmental Impact Report (FEIR) reflects that this number has since grown to approximately 3,789 existing units, a 139.2% increase over 36 years. The FEIR reports a buildout potential for 1,638 additional units, providing for a total buildout (by year 2030) of 5,427 units, a 43 percent increase.

[2] US Census Bureau

[3] Figures extracted from the US Census Bureau data and the Marin County Community Development Agency Geographic Information System

Table 3 Residential Buildout Figures for the Coastal Zone					
Village	**Existing LCP Units (1980/81)**	**LCPA Existing Units (2007)**	**LCPA Existing Vacant Lots (2007)**	**LCPA Potential Units (2007)**	**LCPA Buildout Total (2007)**
Muir Beach	129	146	18	33	179
Stinson Beach	540	751	135	214	965
Bolinas	602	666	577	377	1,043
Olema	27	37	21	17	54
Point Reyes Station	186	374	66	137	511
Inverness Ridge	740	960	328	357	1,317
Marshall / East Shore Tomales Bay	70	121	120	76	197
Tomales	72	103	31	41	144
Dillon Beach/Oceana Marin					
Oceana Marin	133	233	66	101	334
The Village	151	148	24	7	155
Lawson's Dillon Beach Resort	13	18	28	17	35
Lawson's Landing	n/a	n/a	n/a	n/a	n/a
Sub Total	*297*	*399*	*118*	*125*	*524*
Areas outside Village Areas	n/a	232	n/a	261	493
TOTAL	**2,663**	**3,789**	**1,414**	**1,638**	**5,427**

The majority of land within the Coastal Zone lies outside of the village limit (community expansion) boundaries, and is comprised mainly of open space, agricultural use, and federal and State parklands. However, some development does exist in these areas, primarily in the northern half of the Coastal Zone. In these "other" areas, there are approximately a total of 232 existing units and a buildout potential for 261 additional dwelling units, including farmworker and second units. The total buildout (by year 2030) for these "other" areas is 493 units.

The discrepancy in the number of dwelling units reported in the CWP FEIR compared to the 2010 Census should be noted. One potential reason for this discrepancy may be due to the methodology the Census Bureau used in counting the population. For example, the Census Bureau did not mail Census forms to post office boxes because responses must be associated with a specific residence location, not the post office box location. Most, if not all, residents in Marin's coastal villages receive mail via post office box. Instead, the Census Bureau canvased these areas door to door to conduct in person interviews with households that did not mail in their form or receive one. Census workers were supposed to be hired locally from the community they serve to obtain these census responses since they are local and familiar with the neighborhoods. However, undercounts in the census may occur and pose a problem, particularly because not all areas and groups are undercounted at the same rate. Another discrepancy may be due to the fact that there are more units on the ground being used for housing that are being reported, particularly on agricultural lands, for farmworker or other family members.

A review of County and Coastal Commission Coastal Permit records were conducted from 1980 through 2009.[4] This review indicates that residential development has been the predominate

[4] Only approved permits were tallied, although a few records that lack a final action but otherwise appear to have been complete were counted also. Records were tallied according to the property address, rather than by community plan boundaries. Tallied

form of new development in the Coastal Zone. There have been a total of 342 coastal permits issued for single family dwellings during this period. A breakdown of permits by community is as follows:

Coastal Permits for Single-Family Dwellings 1980 - 2009		
Community	**Coastal Permits**	**Categorical Exclusions**
Muir Beach	10	Need to research
Stinson Beach (excluding Seadrift)	30	Need to research
Seadrift	127	Need to research
Bolinas	20	Need to research
Olema	0	Need to research
Point Reyes Station	30	Need to research
Inverness Ridge	71	Need to research
East Shore/Marshall	10	Need to research
Tomales	13	Need to research
Dillon Beach	2	Need to research
Oceana Marin	29	Need to research
TOTAL	**342**	**To be determined**

In addition to construction of new single-family residences, significant development activities in the Coastal Zone include additions to existing residences and major repairs, including "tear-down" and replacement. Minor additions to existing structures, in many locations, do not require a coastal permit at all; however, most additions on sensitive sites, such as those located between the first public road and the sea, do require a coastal permit. Furthermore, land uses other than residential exist in the coastal zone. Agriculture, for instance, is extensive in the coastal zone. In many cases, however, agricultural and other non-residential land uses include relatively few activities that constitute "development." A tally of coastal permits reviewed since 1980 indicates the following:

Coastal Permits for Single-Family Dwellings 1980 - 2009	
Development Type	**Coastal Permits**
New single-family residence	342
Additions to Existing Single-Family Residence	354
Repairs to or Replacement of Existing Single-Family Residence	44
Multi-family residential	9
Visitor-serving accommodations	16
Nonresidential, Including Additions and Repairs	30
Agriculture/mariculture	40
Land divisions/lot line adjustments	101
Highway/transportation	16
Public Works, Including Water Wells and	69

records do not indicate whether development actually took place. Not counted were applications that were withdrawn, permit time extensions, permit amendments that only changed permit conditions, and a handful of records that were apparently faulty, such as a few with non-coastal-zone addresses. Included in the tally also are records of single-family residences subject to a categorical exclusion, which therefore did not require a coastal permit application, although categorical exclusion records do not appear to be fully complete.

Parks	
Shoreline protective device/slope stabilization	34
Other (habitat restoration, unspecified)	97
TOTAL	**1,152**

The discrepancy in the number of dwelling units reported in the CWP FEIR compared to the 2010 Census should be noted. One potential reason for this discrepancy may be due to the methodology the Census Bureau used in counting the population. For example, the Census Bureau did not mail Census forms to post office boxes because responses must be associated with a specific residence location, not the post office box location. Most, if not all, residents in Marin's coastal villages receive mail via post office box. Instead, the Census Bureau canvased these areas door to door to conduct in person interviews with households that did not mail in their form or receive one. Census workers were supposed to be hired locally from the community they serve to obtain these census responses since they are local and familiar with the neighborhoods. However, undercounts in the census may occur and pose a problem, particularly because not all areas and groups are undercounted at the same rate. Another discrepancy may be due to the fact that there are more units on the ground being used for housing that are being reported, particularly on agricultural lands, for farmworker or other family members.

Public Facilities: Water Supply and Demand

The Coastal Act relates the amount of permitted new residential, commercial, and industrial development with the availability of adequate services. The Coastal Act directs new development to existing developed areas that are able to accommodate it or to other locations outside developed areas where adequate public services are available. Thus, whether within or outside existing developed areas, new development must be supported by adequate public services. Furthermore, the Coastal Act requires that public works facilities shall be designed and limited to accommodate needs generated by development permitted consistent with the Act. In other words, such facilities should be sized so as to provide adequate services to development, but not sized in such a way as to create growth-inducing effects.

Maintaining a balance between the level of development and capacity of public services is essential to preserve service quality and avoid service shortages. Without this balance, communities can experience such impacts as water pollution that could result from inadequate on-site sewage disposal, as well as public safety problems associated with an inadequate water supply.

The following table presents a summary of current (2005) and 2030 supply and demand by water service area on an annual basis. The 2030 demand figures are those projected by the water supplier. This table does not address summer peaks when available water supplies may fall short or during drought periods. The water agencies generally have sufficient water on an average annual basis and do not anticipate projects to increase overall supply and see little or no future growth in water demand. However, most are strained to meet peak demands in summer and seek additional supply or storage to meet peak demands. NMWD West Marin service area may have a deficit in future years if the projected buildout water use is reached. NMWD is actively investigating additional supplies and most likely would have additional groundwater rights supplies and surface rights. In general, the water agencies have effectively used conservation (water demand management) to reduce and delay water supply augmentation projects.

Current and Projected Water Supply and Demand Comparison (Normal Year)[5]				
Water Service Area	2005/Current		Water Supplier 2030 Buildout	
	Supply (AFY)	Demand (AFY)	Supply (AFY)	Demand (AFY)
NMWD West Marin	372	347	372	533
BCPUD	175	165	175	165
SBCWD	203	175	203	181
IPUD	145	95	145	100
MBCSD	50	29	50	29
CSWS	56	29	56	29
EMWS	21	15	21	21

A detailed description and analysis for each water service area is included in the remainder of this report.

Zoning and Land Use

The zoning districts are established in Chapter 22.62 of the LCPA Development Code, which also describes allowable land uses and Coastal Permit requirements and development standards, if any, for each district.

Coastal Zoning Districts	
Zoning	**Description**
Agricultural and Resource-Related Districts	
C-APZ	Coastal, Agricultural Production Zone
C-ARP	Coastal, Agricultural Residential Planned
C-OA	Coastal, Open Area
Residential Zoning Districts	
C-RA	Coastal, Residential, Agricultural District
C-R1	Coastal, Residential, Single-Family
C-RSP	Coastal, Residential, Single-Family Planned
C-RSPS	Coastal, Residential Single-Family Planned, Seadrift Subdivision
C-R2	Coastal, Residential, Two-Family
C-RMP	Coastal, Residential, Multiple Planned
Commercial and Mixed-Use Zoning Districts	
C-VCR	Coastal, Village Commercial/Residential
C-H1	Coastal, Limited Roadside Business
C-CP	Coastal, Planned Commercial
C-RMPC	Coastal, Residential/Commercial Multiple Planned
C-RCR	Coastal, Resort and Commercial Recreation

[5] 2007 CWP FEIR, p. 4.9-76

Special Purpose and Combining Districts C-OA C-PF	Open Area Public Facilities Minimum Lot Size

Land Use Categories

LCPA policies C-CD-22, C-CD-23, C-CD-24, and C-CD-25 establish the land use map designations, land use categories, and land use intensity standards. Map Set 19a – 19m are the Land Use Policy Maps, which show the spatial distribution and intensity of existing and proposed uses of the land for housing, business, agriculture, open space, and other categories of public and private uses within the Coastal Zone. The land use categories, minimum lot size/density range, FAR, and consistent zoning are described as follows:

Agricultural

The following agricultural land use categories established to preserve and protect a variety of agricultural uses, and to enable the potential for agricultural production and diversification. Historically, 60 acres has been the minimum parcel size for most agricultural lands in the county. Various policies regarding agricultural productivity, water availability, effects on water quality, and other factors govern the subdivision of such lands, along with the intensities described below. The effect is that subdivisions of agricultural lands are rare.

Land Use Category	Minimum Lot Size/Density Range	FAR	Consistent Zoning
Agriculture 1 (C-AG1)	31 to 60 acres	.01 to .09	C-APZ-60 C-OA
Agriculture 2 (C-AG2)	10 to 30 acres	.01 to .09	C-APZ-11 to C-APZ-30 C-OA
Agriculture 3 (C-AG3)	1 to 9 acres	.01 to .09	C-ARP-2 to C-ARP-10

Very Low Density Residential

The following very low density residential land use categories (minimum lot sizes of 5 to 60 acres) are established for single-family residential development on large properties in rural areas where public services are very limited or nonexistent and on properties where significant physical hazards and/or natural resources significantly restrict development.

Land Use Category	Minimum Lot Size	FAR	Consistent Zoning
Single-Family 1 (C-SF1)	20 to 60 acres	.01 to .09	C-RSP-0.05 to C-RSP-0.016
Single-Family 2 (C-SF2)	5 to 19 acres	.01 to .09	C-RSP-0.02 to C-RSP-0.05

Rural/ Residential

The following Rural/Residential land use categories (minimum lot sizes of 20,000 square feet to 5 acres) are established for single-family residential development in areas where public services are limited and on properties where physical hazards and/or natural resources may restrict development.

Land Use Category	Minimum Lot Size/ Density Ranges	FAR	Consistent Zoning
Single-Family 3 (C-SF3)	1 to 5 acres	.01 to .09	C-R1:B4 C-R1:B5 C-RA:B4 C-RA:B5 C-RA:B6 C-ARP-2 C-RSP-0.2 to C-RSP-1 C-A2:BD C-A2:B4
Single-Family 4 (C-SF4)	20,000 sq. ft. to 1 acre (1–2 du/ac)	.01 to .15	C-RA:B3 C-RSP-1.1 to C-RSP-2 C-R1:BD C-R1:B3 C-RR:B3 C-RE:B3
Planned Residential (C-PR)	1 unit per 1 to 10 acres	.01 to .09	C-RMP-0.1 to C-RMP-1

Low Density Residential

The following low density residential land use categories (minimum lot sizes of 20,000 square feet or less) are established for single-family and multi-family residential development in areas where public services and some urban services are available and where properties are not typically limited by physical hazards or natural resources

Land Use Category	Minimum Lot Size/ Density Ranges	FAR	Consistent Zoning
Single-Family 5 (C-SF5)	10,000 to 20,000 sq. ft. (2–4 du/ac)	.01 to .25	C-R1:B2 C-RA:B2 C-RR:B2 C-RSP-2.1 to RSP-4 C-A2:B2
Single-Family 6 (C-SF6)	Less than 10,000 sq. ft. (4–7 du/ac)	.01 to .3	C-R1 C-R1:B1 C-RA:B1 C-RSP-4.1 to C-RSP-0.5
Multi-Family 2	1 to 4 du/ac	.01 to .3	C-R2

(C-MF2)			C-RMP-1 to C-RMP-4

Low to Medium Density Residential

The following low to medium density residential land use categories (from 5 to 16 units per acre) are established where moderate density single-family and multi-family residential development can be accommodated in areas that are accessible to a range of urban services near major streets, transit services, and neighborhood shopping facilities.

Land Use Category	Density Range	FAR	Consistent Zoning
Multi-Family 3 (C-MF3)	5 to 10 du/ac	.1 to .3	C-RMP-5 to C-RMP-10

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 floor area ratio (FAR) standards for this designation. 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.

Land Use Category	Density Range	FAR	Consistent Zoning
General Commercial/Mixed Use (C-GC)	---	See Land Use Policy Maps	C-CP C-H-1 C-RMP-.1 to C-RMP-30
Neighborhood Commercial (C-NC)	---	See Land Use Policy Maps	C-VCR C-RMPC C-VCR:B2
Recreational Commercial (C-RC)	---	See Land Use Policy Maps	C-RCR

Public Facility, Quasi-Public Facility, and Open Space

Lands used for public facilities and quasi-public institutional purposes, including airports, schools, hospitals, cemeteries, government facilities, correctional facilities, power

distribution facilities, sanitary landfills, and water facilities, are designated Public Facility or Quasi-Public Facility, depending on the nature of their use. The Public Facility category is established for land owned by a governmental agency and used as a public institution. The Quasi-Public Facility category is provided for land owned by a nongovernmental agency that is used as an institution serving the public. A Public Facility or Quasi-Public Facility designation may be combined with another land use designation. In such instances, the applicable standard of building intensity is that for Public or Quasi-Public Facility, as depicted on the Land Use Policy Maps. Lands in public ownership for open space purposes, such as recreation, watershed, and habitat protection and management, are designated Open Space. In addition, private lands may be designated Open Space when subject to deed restrictions or other agreements limiting them to open space and compatible uses. Lands designated Open Space are subject to an FAR of .01 to .09. The following categories shall be established for public and quasi-public land use. The zoning designations listed are examples of consistent zoning and are not the only possible consistent zoning designations.

Land Use Category	Density Range	FAR	Consistent Zoning
Public (C-PF)	---	See Land Use Policy Maps	C-PF C-PF-RSP-.05 to C-PF-RSP-7 C-PF-RSP-.01 to C-PF-RMP-16 C-PF-ARP-20
Quasi-Public (C-QPF)	---	See Land Use Policy Maps	C-RMP-.1 C-RA:B1
Open Space (C-OS)	---	See Land Use Policy Maps	C-OA

Transportation

Road Capacity

The capacity of a road is a measure of its ability to accommodate moving traffic, both that generated by local development and that generated by visitors from outside the coastal zone. In contrast to water and sewer service, which do not in themselves inhibit visitor travel to or use of the coast, the capacity of the road network and its congestion level have a direct effect on the visitor's ability to get to the coast and on his experience once he arrives. A second contrast with other services is that the capacity of Highway One (or State Route 1/Shoreline Highway), the major coastal access link, is limited and, except for minor improvements, cannot be expanded. In the Coastal Act, the Legislature specifically required that Highway One be maintained as a scenic two-lane road in rural areas of the coastal zone. Thus, its present and future capacity is limited to the traffic which it can handle in its present configuration, or with minor improvements.

Highway One is a two-lane highway that runs north to south in West Marin and the Coastal Zone. With the exception of its access point from U.S. 101 at Tamalpais Valley, Highway One follows the east side of the Golden Gate National Recreation Area and the entire recreational corridor of West Marin for the duration of its length through the county. There is relatively little

development surrounding Highway One. The corridor is used primarily for intercommunity travel within West Marin or by visitors to the county.[6]

The CWP FEIR stated that certain segments of Highway One reported substandard LOS ratings. However, these segments are outside the Coastal Zone and include Highway One between U.S. 101 and Almonte Boulevard, with a V / C ratio of 1.53 for the northbound direction, PM peak and 1.35 for the southbound direction, AM peak. This is primarily due to the performance of the signal at State Highway One and Almonte Boulevard.[7] A review of more recent roadway segment monitoring results indicates that Highway One from Sir Francis Drake Boulevard to Point Reyes Station reported a LOS A.[8]

Traffic volumes and peak levels of service for various segments of Highway One are shown in the table below. All segments exhibit a peak hour LOS A.

Traffic Volumes and Peak Levels of Service for State Route 1 (Highway One) ADT and Peak Hour[9]

Post Mile						Peak Hour LOS and basis			
Segment	**Location or segment**	**Back AADT**	**Ahead AADT**	**Ahead Pk Hr**	**Back Pk Hr**	**% Ahd**	**LOS Ahd**	**% Back**	**LOS Back**
5.92	Muir Woods Rd	3250	3750	390	330	13.93%	LOS A	11.79%	LOS A
12.21	Panoramic Highway	3750	4050	420	390	15.00%	LOS A	13.93%	LOS A
17.066	Fairfax Bolinas Rd	2750	2350	240	280	8.57%	LOS A	10.00%	LOS A
17.2	Bolinas Rd	2350	2600	270	240	9.64%	LOS A	8.57%	LOS A
26.509	Sir Francis Drake Blvd, South	2600	3300	340	270	12.14%	LOS A	9.64%	LOS A
28.6	Sir Francis Drake Blvd, North	3300	6000	620	340	22.14%	LOS A	12.14%	LOS A
29.33	Point Reyes Petaluma Rd	6000	2300	240	620	8.57%	LOS A	22.14%	LOS A
38.409	Marshall Petaluma Rd	2300	1450	180	290	6.43%	LOS A	10.36%	LOS A
45.36	Tomales Petaluma Rd	1700	1350	170	220	6.07%	LOS A	7.86%	LOS A
45.66	Dillon Beach Rd	1300	1250	160	170	5.71%	LOS A	6.07%	LOS A
47.86	Two Rock Rd	1250	960	120	160	4.29%	LOS A	5.71%	LOS A
50.509	Marin Sonoma County Line	960			120			4.29%	LOS A

Sir Francis Drake Boulevard Through Inverness

Sir Francis Drake Boulevard through Inverness serves as a major access road to the Point Reyes National Seashore and Tomales Bay State Park and is a scenic roadway for coastal visitors. The road is also the sole access way for residents of Inverness Ridge. It parallels the Tomales Bay shoreline and passes through the communities of Inverness and Inverness Park where small commercial establishments, restaurants, and parking facilities are sited adjacent to the road, Both the volume and pattern of recreational traffic impacts these uses and has raised concern in the community about safety and road capacity.

[6] 2007 CWP FEIR, 4.2-6
[7] 2007 CWP FEIR, 4.2-6
[8] 2011 Marin Congestion Management Program Amended Draft, Table 5, p. 12
[9] Based on Caltrans data from V/C rations which were last used in the 1999 CMP. Data compiled by Art Brook, Marin County Department of Public Works, email correspondence dated 4/3/2012.

The existing LCP reported that, based on planning and engineering estimates of road capacity, existing and future traffic volumes, and visitor use of nearby state and federal parks, Sir Francis Drake had adequate capacity to handle existing traffic volumes and all projected increases. This conclusion was based on an estimated road capacity of 10,000 average daily trips (ADT) and actual peak use counts of 3300 ADT, taken near Bear Valley Road in the summer of 1976. Projected increases in traffic volumes, assuming full buildout on Inverness Ridge and a doubling of recreational traffic, are not anticipated to utilize all of the remaining 6700 ADT capacity. Traffic counts taken from the Tomales Bay State Park General Plan illustrates the peak/hour, peak/month and annual average daily traffic counts for Sir Francis Drake Boulevard and Highway One.

Traffic Counts for Highway One and Sir Francis Drake Boulevard[10]			
	Peak Hour	**Peak/Month**	**Annual Average Daily Traffic**
*Highway One	700	6900	6500
**Sir Francis Drake Boulevard	385	2193	1500
*State of California, Department of Transportation, Traffic Operations Division, 2001 traffic counts **Marin County Department of Public Works. June and July 1996. Counts taken at intersection of Sir Francis Drake Boulevard and Pierce Point Road.			

The current vehicle service levels on Highway 1 and Sir Francis Drake Blvd. are well within moderate traffic levels defined as having reasonably steady, high-volume flows of traffic as indicated by the National Research Council's Highway Capacity Manual (2000).[11]

Besides Highway One, the second main access link to the Coastal Zone is Sir Francis Drake Boulevard. Three other roads provide-access to the coast from eastern Marin - the Tomales-Petaluma, Marshall-Petaluma, and Pt. Reyes - Petaluma Roads - but since these roads are relatively lightly traveled, they do not have capacity problems.

Transit Service

Local transit service to West Marin and the Coastal Zone is provided by Marin Transit via the West Marin Stagecoach. Two routes serve the Coastal Zone: Routes 61 and 68. Route 61 operates Monday through Friday, offering limited weekday and weekend morning and evening routes between Marin City and downtown Bolinas via Panoramic Highway, with stops in Stinson Beach. On the weekends service extends to the Sausalito Ferry. Route 68 operates daily from San Rafael, serving the San Geronimo Valley via Sir Francis Drake Boulevard with stops at the Bear Valley Visitor Center at the Point Reyes National Seashore, Olema, downtown Point Reyes Station, Inverness Park, and Inverness. Routes are limited on Sundays and holidays with limited morning and evening service the rest of the week. The Stagecoach can accommodate up to two bicycles and are available on a first-come, first-served basis. Vehicles are also equipped with rear wheel-chair lifts and space for up to two wheelchairs.

[10] California State Parks, Tomales Bay State Park General Plan, Volume 1 of 2, May 14, 2004, p. 33
[11] California State Parks, Tomales Bay State Park General Plan, Volume 1 of 2, May 14, 2004, p. 227

DILLON BEACH

Dillon Beach Buildout (Unit II - 1981)[12]					
	Existing Units	**Vacant Lots**	**Potential Units**	**Buildout Total**	**Existing Nonresidential SQFT**
Oceana Marin	133	138	172	305	n/a
The Village	151	19	19	170	n/a
Lawson's Dillon Beach Resort	13	6	44	57	n/a
Lawson's Landing	n/a	n/a	n/a	n/a	n/a
TOTALS	**297**	**163**	**235**	**532**	**n/a**

Dillon Beach Buildout (2007)					
	Existing Units	**Vacant Lots**	**Potential Units**	**Buildout Total**	**Existing Nonresidential SQFT**
Oceana Marin	233	66	101	334	480 ft^2
The Village	148	24	7	155	0 ft^2
Lawson's Dillon Beach Resort	18	28	17	35	25,195 ft^2
Lawson's Landing	--	--	--	--	--
TOTALS	**399**	**118**	**125**	**524**	**25,675 ft^2**

Dillon Beach is a small coastal community overlooking Bodega Bay on the northwest coast of Marin County and surrounded extensively on the north and east by agricultural lands.[13] According to the US Census, the full time population of the community has increased from 277 in 1990 to 319 in 200, and then decreased to 283 by 2010, a total change of 2.1%. Meanwhile, housing units, as recorded by the Census, increased from 336 in 1990 to 440 in 2010, a 31% increase over the twenty year period. The surrounding agricultural lands are in active agricultural use and many of them are under agriculture preserve (Williamson Act) contracts. The community lies approximately three miles south of the Sonoma County line and four miles west of Tomales, off Highway One, and at the end of Dillon Beach Road.[14] The Dillon Beach Community Plan divides the community, which covers approximately 211 total acres of land, into four distinct subareas known as Oceana Marin, the Village, Lawson's Dillon Beach Resort and Lawson's Landing.[15]

[12] LCP Unit II (amended), Table 24, p. 200
[13] 1989 Dillon Beach Community Plan, p.. ES-1 & ES-3.
[14] 1989 Dillon Beach Community Plan, p. 2-1.
[15] 1989 Dillon Beach Community Plan, Figure 2-3, p. 2-6

Census Population and Housing in Dillon Beach 1990 - 2010[16]		
Year	**Population**	**Housing Units**
1990	277	336
2000	319	415
2010	283	440
% Change (1990 – 2010)	2.1%	31%

The Census reports the median age of Dillon Beach residents as 57.4 years. The majority (94%) of the population is white while 3.2% is Hispanic or Latino. Of the 440 total housing units, 147 (33.4%) are occupied while 293 (66.6) are vacant. Of these vacant units, 7.3% are for rent, 1.6% are for sale, and 56.1% are for seasonal, recreational, or occasional use. Of the occupied units, 85% are owner occupied while 15% are rentals. The majority of the vacant housing units (84.3%) are for seasonal, recreational, or occasional use.

A review of Coastal Permits indicates that two have been issued in The Village area and 29 in the Oceana Marin areas since 1980. However, construction of single-family residences (and an addition to an existing single family dwelling) is categorically excluded from a Coastal Permit in these areas. Further research is needed here to determine the number of categorical exclusions that have been issued in Dillon Beach.

The LCP recommended rezoning various properties in Dillon Beach to address issues with new development, including the appropriate density of development on multi-family parcels in Oceana Marin, and the density of residential and commercial development in Lawson's Dillon Beach Resort. Parcels in Oceana Marin were rezoned to in order to recognize the environmental characteristics of the sites and public service constraints. Furthermore, residential densities were established in the C-RMPC district in Lawson's Dillon Beach Resort were established, based on the environmental characteristics of the site and public service constraints. Before any development or subdivision of these parcels occurs, adequate water supply and sewage disposal must be demonstrated. The following describes buildout for the Oceana Marin, Village, and Lawson's Dillon Beach Resort areas.

Oceana Marin

Oceana Marin is a private subdivision covering approximately 153 acres on the hilly, northern part of the Dillon Beach Community.[17] LCP Unit II reported an existing 133 units within the subarea and 138 vacant lots with buildout potential for an additional 172 dwelling units, bringing total potential buildout for Oceana Marin to 305.[18] Today, there are 233 existing units in Oceana Marin. There remain approximately 66 vacant lots and a buildout potential of 101 dwelling units. This provides a total potential buildout of 334 units within the subarea of Dillon Beach.

The Village

The Village refers to the nine acre residential neighborhood in the center of town. It is the small, older, tightly clustered area of the community defined by Ocean View Avenue, Park Avenue, Cypress Avenue, Beach Avenue, Summer Street, and the northernmost block of Cliff Street. It is characterized by small houses and cottages built on very small lots. It is the oldest, most tightly-clustered group of houses in the Dillon Beach community.[19] According to the LCP Unit II, this area (formerly known as Old Dillon Beach) had 151 existing units in 1981, with 15 vacant lots

[16] US Census Bureau
[17] 1989 Dillon Beach Community Plan, p. ES-3.
[18] LCP Unit II (amended), Table 20, p. 200.
[19] 1989 Dillon Beach Community Plan, p. ES-3.

providing a buildout potential of 19 additional dwelling units.[20] There are now 148 existing dwelling units in the area, representing a loss of three units since 1988 when the LCP was amended. There remain approximately 24 vacant lots in the area and a buildout potential of 7 additional units, bringing the total buildout potential for the Village to 155 units.

Lawson's Dillon Beach Resort

Lawson's Dillon Beach Resort is defined as the area from the Village south to Lawson's Landing.[21] The Lawson's Dillon Beach Resort area covers approximately 49 acres and includes the Lawson's old general store, cabins for vacation rental, as well as a cafe and surf shop.[22] The area also includes an extensive beachfront for public recreational use. Today the Lawson's Dillon Beach Resort area is developed with 18 dwelling units, an increase of 5 units since 1988. There are approximately 28 vacant lots in the subarea, with a buildout potential for 17 additional units, bringing total potential buildout for Lawson's Dillon Beach Resort to 35 units.

The LCP reported that the Ocean Marin, Village, and Lawson's Dillon Beach Resort areas of Dillon Beach together contain approximately 297 existing units and 163 vacant lots. At that time the community had a reported buildout potential of 235 additional units with a total potential buildout potential of 532 dwelling units.[23] Today, there are exists approximately 399 units, an increase of 33% over a 20 year period. There is also approximately 2,486 existing nonresidential square feet. There now remain 118 vacant lots with a buildout potential of 125 dwelling units and no additional nonresidential square feet, providing a total potential buildout for Dillon Beach of 524 units. The majority of the development potential in Dillon Beach exists in the Oceana Marin subdivision, which contains 101 of the 125 potential buildout units.

The buildout estimates described above are based on the assumption that adequate public services would be available for all lands zoned for residential or other types of development. However, development within the boundaries of water and sewer service districts is constrained in many cases by limited capacity. Outside the boundaries of service districts, development is constrained in some areas by lack of available groundwater or soil conditions that are poorly suited for on-site sewage disposal.

Water Supply

The Dillon Beach area primarily uses groundwater for its water supply and is served by two small independent water companies: the California Water Service Company (formerly Coast Springs Water Company) and the Estero Mutual Water System.[24] The Coast Springs Water Supply (CSWS) is based on seven groundwater wells in Dillon Beach. During the drier summer months, the combined yield of these wells can drop dramatically from a maximum average combined yield of roughly 50,000 gpd down to approximately 24,000 gpd.[25]

A large portion of this water, up to 36,000 gpd, is pumped from a single large well located adjacent to the channel of Dillon Creek. This well is actually a horizontal infiltration gallery dug into the ground approximately 30 yards from the centerline of Dillon Creek from which water is pumped. The water from this well is not strictly groundwater, but is rather groundwater under the influence of surface water, namely Dillon Creek. In addition to this horizontal well, CSWS operates six vertical wells known as the "hillside wells." These wells are drilled to depths

[20] LCP Unit II (amended), Table 20 p. 200.
[21] 1989 Dillon Beach Community Plan, p. ES-4.
[22] http://www.dillonbeachresort.com/
[23] LCP Unit II (amended), p. 200
[24] 2007 CWP FEIR, p. 4.9-1
[25] 2007 CWP FEIR, p. 4.9-43

between approximately 200 to 250 feet into hillsides surrounding Dillon Beach and yield the remainder of the system's water supply. [26]

CSWS also maintains two storage tanks with a combined capacity of 335,000 gallons. These tanks are used to store water pumped by the CSWS's potable water wells for later distribution. This storage capacity allows CSWS to deal with peak single day water demand during vacation periods, which may exceed the well system's daily extraction capacity. Peak demand in Dillon Beach can rise sharply during peak vacation periods. Typical peak demand during these periods is approximately 40,000 gpd. This is very close to the CSWS average daily well yield of 50,000 gpd, and in excess of observed lower yield levels during periods of drought. This storage capacity enables CSWS to meet peak demands, but a prolonged period of peak demand coinciding with a drought could exhaust this supply.[27]

The Marin County Environmental Health Services documents 12 drinking water wells within the community of Dillon Beach. These wells include some of the wells operated by CSWS or EMWS and private wells. The private wells, while few in number, may lessen the demands placed on CSWS, represent potential future connections, or potentially compete for groundwater supplies.[28] In the future, private well failure may prompt a well owner to request connection to EMWS. The CSWS currently has a moratorium on new service hookups. At this point, the CSWS has no plans to expand its water supply or to lift the moratorium on new service connections. With this in mind, it is anticipated that there will be no foreseeable increase in CSWS water supply.[29]

CSWS has conducted a hydrologic study to investigate the feasibility of further developing its existing wells to increase their yield. The study determined that further extraction of groundwater within the CSWS service boundaries would not be economically feasible.[30]

The **Estero Mutual Water System (EMWS)** is a mutually homeowner-owned water company. Water provided to the community by EMWS is from nearby groundwater and surface water resources. These include two wells that together yield approximately 3 gpm.[31] These wells are screened in deep aquifers that respond slowly to both recharge and drawdown, although seasonal variations do occur. Peak well yields often occur in the months of May and June. In addition to wells, EMWS also has riparian water rights to divert during the rainy season up to 400 AFY from an unnamed tributary of the Estero de San Antonio. Diverted flows that are not immediately delivered to customers are stored in a small reservoir. The reservoir is then slowly drawn down over the course of the summer dry season.[32] The annual supply from the reservoir is estimated to be 17 AFY. As the supply of water from the reservoir is independent from daily surface water flows and EMWS's groundwater well supply, this supply provides EMWS a means of satisfying higher seasonal demand during the summer and dealing with single day, peak demand spikes during prime vacation periods.[33]

Records compiled by Marin County Environmental Health Services indicate 12 domestic drinking water wells in Dillon Beach. As noted in the preceding CSWS discussion, these wells

[26] Ibid
[27] Ibid, p. 4.9-43 – 4.9-44
[28] CWP FEIR p. 4.9-44
[29] Ibid
[30] Ibid, p. 4.9-46
[31] Ibid
[32] CWP FEIR, p. 4.9-47
[33] CWP FEIR, p. 4.9-48

can reduce the demands placed on EMWS or, conversely, compete for available supply. In the future, private well failure may prompt a well owner to request connection to EMWS.[34]

Currently, no capital improvements are planned for the expansion of EMWS water supplies in the next several years as the system is sufficient to meet current and projected future water demand.[35] Water levels in the wells are slow to respond to precipitation, with peak levels occurring as late in the year as early June. The annual yield of these wells has been estimated at four AFY.[36]

As mentioned above, the Coast Springs Water System recently conducted a hydrologic study to investigate the feasibility of further developing its existing groundwater wells to increase yields. This study determined that further extraction of groundwater from these wells was economically infeasible. Since EMWS wells likely draw water from the same groundwater source area as the Coast Springs Water System's wells, and have similar yields, it is very likely that further development of EMWS wells is similarly constrained.[37]

Limitations to the EWMS water supply include:[38]

- Surface water availability is limited, especially during droughts;
- Groundwater yield is limited; and
- There is a shortage of storage. A severe multiyear drought could result in the draining of the reservoir.

Coast Springs Water System Existing and Future Demand

Coast Springs supplies water to a portion of the Oceana Marin subdivision and to the Village. Estero Mutual's service area is limited to properties within Oceana Marin. In addition to providing joint water service to the Oceana Marin subdivision, the two companies share some of the same source areas for water supply. While the systems are individually managed and operated, a one-inch plastic line physically connects the two for emergency purposes.[39]

The Coast Springs Water System (CSWS) currently has a moratorium on new service hookups, and at this time has no plans to expand its water supply or lift said moratorium.[40] The CSWS presently provides water to customers through 252 individual service connections. The bulk of these connections (249) are to single-family residential customers. CSWS also serves one commercial customer, a mobile home park, and a post office in Dillon Beach. The current moratorium allows only for the addition of three connections to currently undeveloped lots.[41] It should be noted that the data in the following table provide only an estimate of year-round water demand and are not illustrative of the challenges posed by CSWS by seasonal fluctuations in water demand. The CSWS experiences summer peaking problems but is not expected to experience a water supply deficit during extreme droughts.

It is important to note that the County's buildout numbers do not consider the moratoria for this supplier. While the moratorium is not expected to be lifted in the near future, it is unclear what

[34] CWP FEIR, p. 4.9-47
[35] CWP FEIR, p. 4.9-47
[36] CWP FEIR, p. 4.9-49
[37] CWP FEIR, p. 4.9-49
[38] CWP FEIR p. 4.9-49
[39] LCP Unit II, as amended by Resolution No. 88-333, p.8.
[40] 2007 CWP FEIR, p. 4.9-44.
[41] 2007 CWP FEIR, p. 4.9-66.

the water supply situation will be in 2030. It is anticipated that technological advances will allow even greater conservation of water and make alternative water supply sources more feasible leading to the lifting of the connection moratoria. Meanwhile, the LCP requires the use of water saving devices in all new development in order to minimize wastewater generation and to encourage the conservation of coastal water resources. This is in addition to the requirement that adequate public services are available prior to approving new development.

CSWS Current and Projected Water Demand[42]				
	2005		2030	
Water Use Sector	**No. of Accounts**	**Deliveries (AFY)**	**No. of Accounts**	**Deliveries (AFY)**
Single Family	249	27	252	27
Multi Family	1	*	1	*
Commercial	1	*	1	*
Industrial	0	0	0	0
Institutional/ Governmental	1	*	1	*
Landscape Irrigation	0	0	0	0
Agricultural	0	0	0	0
Losses	0	2	0	2
Total	*252*	*29*	*255*	*29*

Current and Projected Water Supply and Demand Comparison (Normal Year)[43]				
	2005/ Current		Water Supplier 2030/Buildout	
Water Service Area	**Supply**	**Demand (AFY)**	**Supply**	**Demand (AFY)**
CSWS	56	29	56	29
EMWS	21	15	21	21

Estero Mutual System Existing and Future Demand

The Estero Mutual Water System (EMWS) is a mutually homeowner-owned water company[44] that serves approximately 132 individual connections, all of which are single-family residential developments located within Oceana Marin. In addition to these connections, there are about 40 undeveloped lots in Dillon Beach. Once these lots are developed, the total number of connections serviced by the EMWS would be 172. Further expansion of demand is not anticipated with the exception of the subdivision of four to six existing undeveloped lots. Thus, by 2030, there could be a maximum of 178 connections serviced by EMWS.[45] Currently, no

[42] 2007 CWP FEIR, Exhibit 4.9-28, p. 4.9-67
[43] 2007 CWP FEIR, Exhibit 4.9-31, p. 4.9-76
[44] 2007 CWP FEIR, p. 4.9-46.
[45] 2007 CWP FEIR, p. 4.9-66.

capital improvements are planned for the expansion of EMWS water supplies in the next several years as the system is sufficient to meet current and projected future water demand.[46] It is anticipated that water demand will grow by approximately 35 percent as the number of new water service connections could likely grow from 132 to 178. The EMWS experiences summer peaking problems and would likely experience a water supply deficit during extreme droughts.

EMWS Current and Projected Water Demand[47]				
	2005		2030	
Water Use Sector	**No. of Accounts**	**Deliveries (AFY)**	**No. of Accounts**	**Deliveries (AFY)**
Single Family	132	14	178	19
Multi Family	0	0	0	0
Commercial	0	0	0	0
Industrial	0	0	0	0
Institutional/ Governmental	0	0	1	0
Landscape Irrigation	0	0	0	0
Agricultural	0	0	0	0
Losses	0	1	0	2
Total	***132***	***15***	***178***	***21***

Sewage Disposal

The North Marin Water District provides sewer service to 199 residential connections in Dillon Beach. The gravity system flows to a lift station with a capacity of 144,000 gallons per day. Flows from the sewerage lift station are discharged into two three-million gallon storage and treatment ponds. Treated effluent is discharged to an 11-acre subsurface disposal field.[48]

Sewage treatment and disposal in most of Oceana Marin is provided by a centralized sewer system. Treatment and disposal in the Village, Lawson's Dillon Beach Resort, Lawson's Landing, and the surrounding agricultural areas rely on individual, on-site septic systems. The combination of sandy soils and seasonal occupancy has so far allowed most septic systems to function effectively. However, methods of sewage disposal at Lawson's Landing have caused problems in the past. The recently approved project at Lawson's Landing by the Coastal Commission requires improvements in sewage disposal facilities, including a new wastewater treatment and disposal system and abandonment of the existing unpermitted septic tanks.[49] Due to the potential for substantially greater development on the multi-family parcels in Oceana Marin and at Lawson's Dillon Beach Resort, proposed development in all planned districts in these areas (C-RMP, C-RMPC, and C-RCR) shall demonstrate prior to approval that safe and environmentally-sound sewage disposal is available.[50]

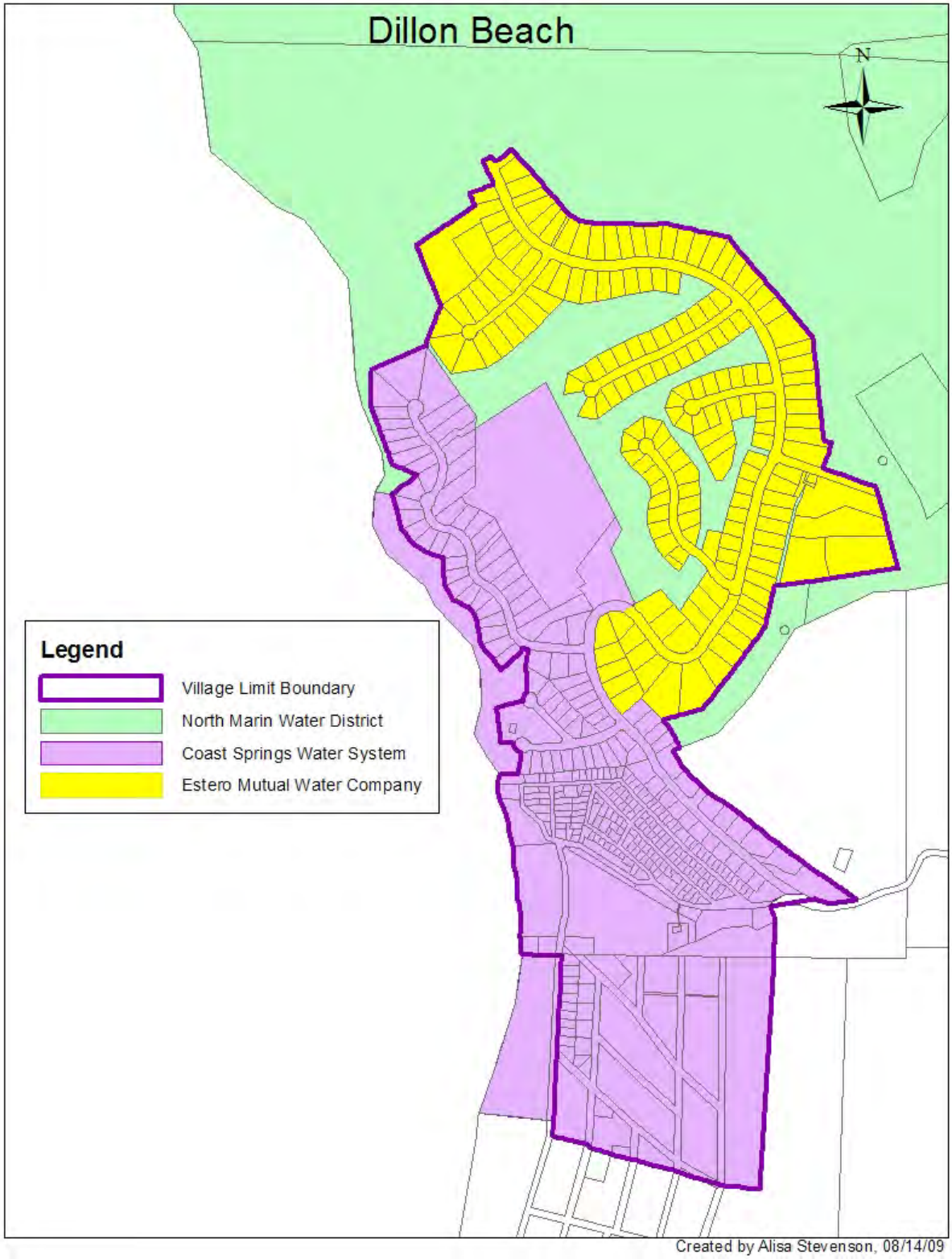
[46] 2007 CWP FEIR, p. 4.9-47.
[47] 2007 CWP FEIR, Exhibit 4.9-29, p. 4.9-68.
[48] 2007 CWP FEIR, p. 4.10-20
[49] California Coastal Commission Staff Report 2-06-018/A-2-MAR-08-028 (Lawson's Landing), 7/1/11, p. 121
[50] LCP Unit II (amended), Policy 3e, p. 191

Village Limit Boundary

The village limit boundary for Dillon Beach extends from the northern boundary of the Oceana Marin subdivision on the north to the southern end of Lawson's Dillon Beach Resort to the south, and from the shoreline on the west to the eastern side of Oceana Marin, the Village, and Lawson's Dillon Beach Resort. Lawson's Dillon Beach Resort parcel 100-100-47 is included within this area. This boundary provides an urban/rural delineation and is intended to preserve agricultural lands for agricultural uses, by establishing the area within which development is to occur.[51] Areas to the north and east of the village limit boundary area are zoned as agricultural production zones with a maximum of one unit per 60 acres (C-APZ-60) in order to protect agricultural uses, the water quality and habitat of Esteros Americano and de San Antonio, and the area's scenic resources. The area from the village limit boundary south to Tomales Bay (Lawson's Landing) is zoned for resort and commercial recreation (C-RCR), but is also used during part of the year for grazing cattle. Lawson's Landing is a separate, private recreational resort area that includes a private beach, bayfront property and a campground. Lawson's Landing is adjacent to the Dillon Beach community and is outside of the village limit boundary.

No changes are proposed for the Dillon Beach Village Limit Boundary.

[51] 1989 Dillon Beach Community Plan, p. 1-2.


Dillon Beach
N
Legend
Village Limit Boundary
North Marin Water District
Coast Springs Water System
Estero Mutual Water Company
Created by Alisa Stevenson, 08/14/09

TOMALES

Tomales Buildout						
Source:	Existing Units	Vacant Lots	Potential Units	Buildout Total	Existing Nonresidential SQFT	Proposed Non-Residential SQFT
Unit II, 1981[52]	72	n/a	88	160	n/a	n/a
Unit II, 1981[53]	91	n/a	102	193	n/a	n/a
CWP FEIR, 2007	103	31	41	144	35,833	35,833

Census Population and Housing in Tomales 1990 - 2010[54]		
Year	**Population**	**Housing Units**
1990	284	117
2000	210	85
2010	204	122
% Change (1990 – 2010)	-28.2	4.3%

The village of Tomales is a small well-defined historic settlement covering approximately 260 acres of land located near Highway 1 just east of Tomales Bay. According to the US Census, the full time population has decreased from 284 in 1990 down to 204 in 2010, a 28.2% loss. The median age of Tomales residents is 50.5 years. Census data reports that 94.6% of the population is white and 4.4% are Hispanic or Latino. The average household size is 2.06 persons. Meanwhile, the number of housing units has remained relatively stable, increasing 4.3% from 117 to 122 units over the same twenty year period. Of the 122 total housing units, 99 (81.1%) are occupied and 23 (18.9%) are vacant. Of these vacant units, 3 (2.5%) are for rent, one (0.8%) is for sale, two (1.6%) are sold but not occupied, while 14 (11.5%) are for seasonal, recreational, or occasional use. Of the occupied housing units, 59 (59.6%) are owner-occupied and 40 (40.4%) are renter-occupied.

The median age of Tomales residents is 50.5 years. Census data reports that 94.6% of the population is white and 4.4% are Hispanic or Latino. The average household size is 2.06 persons.

The 1981 LCP Unit II reported 72 existing residential units in Tomales and a buildout potential of 88 additional units, bringing total buildout to 160 units. Buildout figures for Tomales were updated in 1988 and reflected 91 existing units and up to 102 additional buildout units. Today there are approximately 103 existing dwelling units, an increase of 43 percent. The total projected buildout for the community is now estimated at 144 total units (as of 2007), based on the assumption of 31 vacant lots that together may provide a buildout potential of 41 additional dwelling units, including second units. Most residential and commercial development in Tomales

[52] LCP Unit II, p. 200.
[53] LCP Unit II p. 205 (amended via Resolution 88-333)
[54] US Census Bureau

is still concentrated in a well-defined 12 block area in the center of town, where existing zoning permits 6,000 square foot lots.

Records indicate that approximately 13 Coastal Permits for new residential units have been issues since 1980.[55] The majority of these permits (ten) were issued since 2000. However, the construction of single family residences (and additions) on a vacant, legal lot of record within the identified exclusion area are excluded from a Coastal Permit. There have been approximately [X] Categorical Exclusions for new residential units issued during this period. Additional research is needed here to determine the number of categorical exclusions that have been issued.

There is approximately 35,833 square feet of non-residential development in Tomales. No additional non-residential development is proposed.

Water Supply

Unit II identified two issues concerning water supply: 1) Whether adequate groundwater resources are available to serve buildout, and 2) if buildout would cause overdraft of those resources.[56] These questions are difficult to answer because no studies on groundwater availability have been conducted for the area, as such studies would be time consuming and expensive.

On site water sources are required to be proved before new development can take place, although there is little knowledge of the area's groundwater characteristics or the long-range capacity for population growth depending on local water sources. Ideally, a groundwater supply study could be conducted to determine whether the yield of the groundwater basin can support buildout of the community. Such a study, however, would be an expensive and time-consuming undertaking. Regardless, buildout of the community may not exhaust groundwater supplies or cause overdraft of the groundwater basin. Since water availability may be uncertain in some locations, however, on-site well test to demonstrate adequate flow must continue to be required prior to development.[57] LCP Policy LCP policy C-PFS-1 requires ensuring that adequate services, e.g. water supply, sewage disposal, and transportation (including public transit as well as road access and capacity if appropriate) are available prior to approving new development. Lack of available services shall be grounds for project denial or for a reduction in the density.

A limited-scope hydro geological assessment report was written by Kleinfleder, Inc. in 2005 for a proposed 22-unit housing development on the Sass property. This study's scope was specific to two new wells that were drilled for the development. Neither a groundwater budget nor a hydrologic water balance was performed. The study showed that the aquifer was able to transmit groundwater at rates sufficient to supply water to both wells. Outside wells were influenced by pumping tests, but not adversely impacted and there was adequate recovery.[58]

Potable water for Tomales is provided by private, individual on-site wells tapped into local groundwater sources.[59] According to Marin County Environmental Health Services (EHS), as of 2007 there were 100 total private wells in Tomales, 79 of which were used for domestic purposes and 17 for irrigation. Two wells are used for both purposes.[60] A focused review of well

[55] California Coastal Commission and Marin County Community Development Agency permit database, 2009
[56] LCP Unit II, p. 166
[57] Unit II p. 166 (amended language)
[58] Marin LAFCO Tomales Area Service Review and Sphere of Influence Update, 2009, p. 7
[59] 1997 Tomales Community Plan, p. IV-18.
[60] 2007 CWP FEIR, Exhibit 4.9-19, p. 4.9-50.

construction and pumping rates for approximately 60 wells in Tomales revealed that wells are screened in fractured sandstone of the Franciscan Complex with yields ranging between two and 30 gpm. Specific capacity (defined as the ratio of well yield over water level drawdown) averages between 0.1 and 0.3 gallons per minute per foot of drawdown (gpm/ft of dd), which is below the threshold for consideration of a municipal public water supply well. The existing water supply conditions in Tomales indicate that fractured bedrock can provide limited water supply to rural communities. While the concentration of private wells in these rural communities indicates the presence of groundwater supply, a large numbers of wells also may indicate that well yields are limited, that wells are prone to failure and replacement, and that numerous wells are being drilled to provide sustainable supply.[61]

There are three potential other sources of water: (1) deep wells and springs, (2) Walker Creek, and (3) Stemple Creek. Walker Creek is approximately one mile south of Tomales, while Stemple Creek is approximately one mile north. Importing water form these two distant sources would be economically infeasible for a community as small as Tomales. General estimates of water potential from these sources would require a study of moderate scale, while a comprehensive study would be a larger undertaking. In the absence of such information, long-range plans for development in Tomales are based on the historical precedent that there was apparently sufficient local water available to serve larger populations in the past (about 300 people in the late 1800's), but it should be noted that this is not really an adequate information base because per capita water use may be higher today and historical data is not very specific.[62]

The availability of water supply for hydrant flow still remains an issue for fire safety. Emergency water supplies are available and accessible at various locations around the village. There is a 69,000-gallon community fire water storage system that is owned and operated by Marin County Fire Department located on the corner of Railroad and Second Street. It has been in operation since 1999 and includes five fire hydrants. Since this tank and its related water distribution facilities (water lines, fire hydrants, etc.) have been constructed, emergency water supply storage capacity and distribution has been adequate for structural fire protection in Tomales. This upgrade improved the area's ISO (Insurance Service Office) rating from 9 to 4.[63] The ISO rating is a numerical grading system used by the insurance agency to develop premium rates for residential and commercial businesses with regards to fire protection services.

In spring 2008, the high school installed a 250,000-gallon water storage tank for the purposes of irrigation and fire protection. There are future plans to serve the elementary school and residential areas on the east side of Highway 1. With this extension there would be the possibility of four additional hydrants. These future plans are dependent on grant funding. In addition, the TVCSD plans to get their wastewater treatment system advanced to a tertiary treatment level, which would provide an additional one million gallons of emergency water for fire suppression.[64]

Sewage Disposal

The Tomales Village Community Services District (TVCSD) and Tomales Sewer Maintenance District together provide sewage collection and service system for existing residences, commercial establishments and school facilities.[65] The TVCSD was formed in 1999 to provide

[61] 2007 CWP FEIR, Exhibit 4.9-19, p. 4.9-50
[62] Unit II p. 166 (amended language)
[63] Tomales Area Service Review & Sphere of Influence, August 2009, p. 7
[64] Tomales Area Service Review & Sphere of Influence, August 2009, p. 8
[65] 2007 CWP FEIR, p. 4.10-20.

wastewater collection and treatment service in Tomales, as well as recreation services and park maintenance and operation of the Tomales Community Park. There are currently 109 active connections being served by the Tomales sewer system.[66] In 1979, there were 75 connections. [67] Sewage in the downtown area is provided by TVCSD while septic systems are used in the outlying areas.

The Tomales wastewater treatment plant is a biological treatment type, secondary treatment facility designed for an average annual flow of 0.038 mgd. Disposal of the treated effluent is into a storage pond from which an adjacent field is seasonally irrigated. Gravity sewers are predominately six and eight inches in diameter. There is approximately 2.25 miles of existing gravity sewer main and 1.25 miles of collection lines. The collection system includes one lift station. The lift station is equipped with two grinder sewage pumps, each of which are capable of delivering the 22 gpm (30,000 gpd) design flow. Dual pumps are provided so that one is a standby unit for the other in case one of the pumps becomes inoperable. (TVCSD 2009, page 2, and Marin LAFCO, 2008c).

TVCSD's treatment process includes influent and effluent flow measuring and recording equipment, secondary treatment by aerated ponds, irrigation field, and the high school storage pond and school irrigation areas. The storage ponds provide effluent storage during winter months when irrigation is impractical. The total capacity of the storage pond is based upon storage for a period of 120 days. (Marin LAFCO, 2008c, page 5). According to TVCSD, 15% of total capacity has been set aside for infill projects within District boundaries. The system is currently operating at approximately half capacity. There is adequate capacity to support foreseeable future growth in Tomales.

The Tomales wastewater treatment plant is designed for an average annual flow of 38,000 gpd. It is estimated that the system could accommodate a population of up to 450 people.[68] According to the 2007 CWP FEIR, the total number of existing dwelling units within these districts amounts to 90 units, including 28 within the Tomales Village Community Service District and 62 within the Tomales Sewer Maintenance District.[69] This leaves 50 existing residential dwellings in Tomales outside of the community sewer service area that as a result likely have to rely on the use of individual on-site septic systems. For the 2007 FEIR, the service district reported the ability to accommodate approximately 50 new residential units.[70]

The Marin Local Agency Formation Commission (LAFCO) is in the process of conducting a Tomales Area Service Review and Sphere of Influence Update. The proposal would accommodate future sewer connections and park services to six parcels: APNs: 102-041-40, 41, 42, 43, 44, and 102-080-08. A Draft Initial Study was released in September 2009 (http://lafco.marin.org/studies/pdf/MarinLAFCOTVCSDDMND.pdf). LAFCO staff recommended the LAFCO Commission adopt Alternative 2 as the revised SOI of the TVCSD to correlate with the C-VCR, C-CP and C-RSP zoning district boundaries (consistent with PF-1.1 of the Community Plan). LAFCO has not brought the boundary change to the Commission as of yet. This will be further updated if and when the Commission considers this issue.

[66] Marin Lafco Tomales Area Service Review and Sphere of Influence Update Draft Initial Study, Sept.. 2009 p. 102
[67] LCP Unit II, p. 177
[68] Marin LafcoTomales Area Service Review and Sphere of Influence Update Draft Initial Study, Sept. 2009 p. 14
[69] 2007 CWP FEIR, Exhibit 4.10-3, p. 4.10-16.
[70] 2007 CWP FEIR, p. 4.10-20.

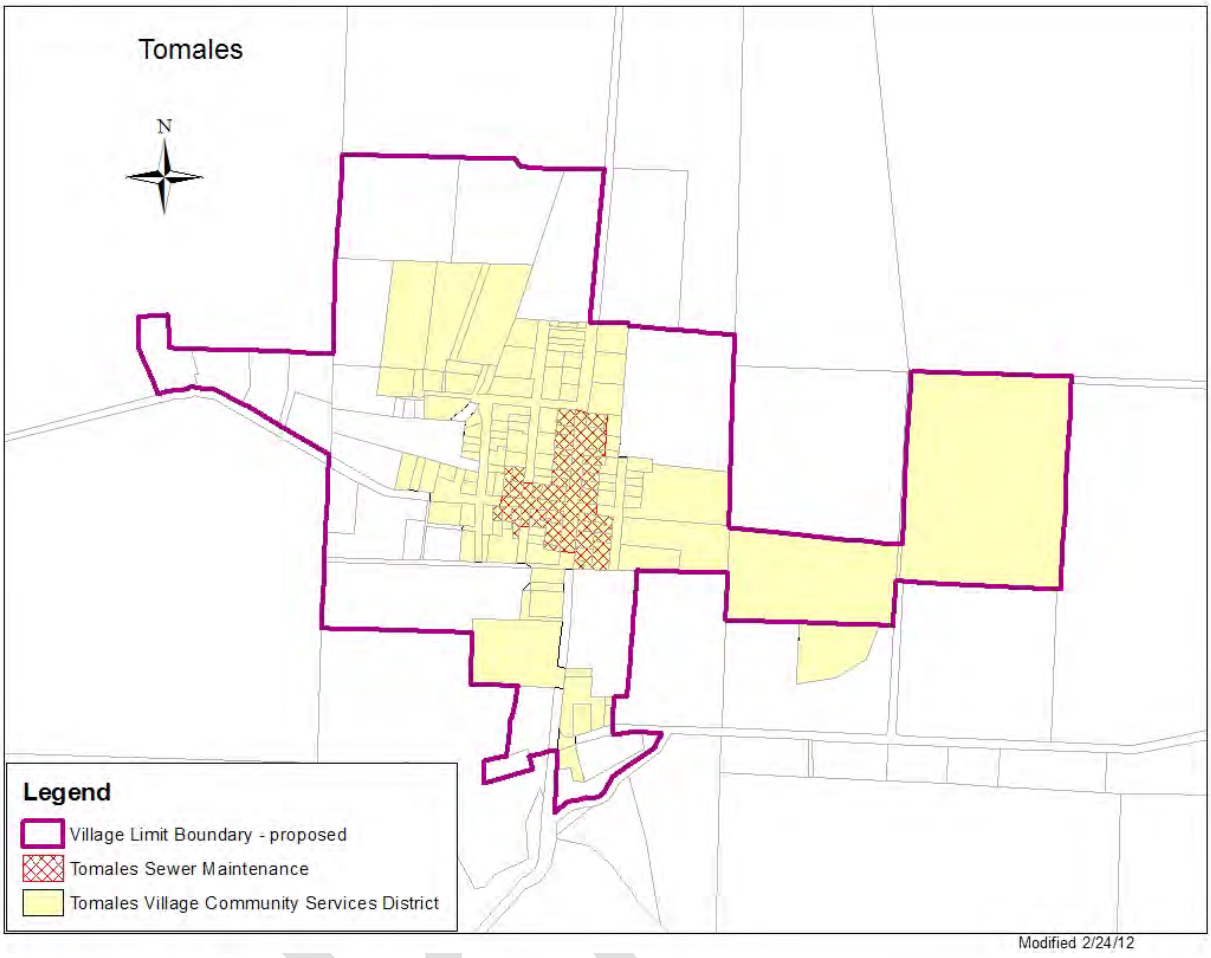
Village Limit Boundary

The Tomales village limit boundary was established by the 1977 Tomales Community Plan, primarily to avoid intrusion into surrounding agricultural lands.[71] The community expansion boundary continues to include a core of small VCR-zoned lots surrounded by small agricultural parcels. According to Unit II, the boundary was drawn to include: 1) those parcels that are too small for large scale agricultural use, and 2) those parcels that have been zoned for commercial use.[72] The expansion area includes a core of lots zoned C-VCR surrounded by residentially zoned parcels of up to 7 units per acre. These are buffered by parcels 2 – 15 acres in size zoned for 2, 5, and 10 acre lots. It also includes a fire station, churches, and several public school sites. Except for these, no parcels larger than 15 acres lie within the expansion boundary. Except for a number of parcels adjacent to Tomales – Petaluma Road zoned C-ARP-20, all other lands outside the boundary are zoned C-APZ-60.

A change to the community expansion boundary is proposed to remove parcel 100-090-18, a 12.4 acre unimproved parcel owned by Michael Etemad and zoned C-APZ-60. This parcel is not within the Tomales Village Community Services District or Tomales Sewer Maintenance District. It is also outside of the Community Plan boundary. Removing the parcel from the expansion area would align both the community plan and community expansion boundary in this section of the community, and is also consistent with the criteria used to delineate the community expansion boundaries. Aside from this change, no further modifications are proposed.

Existing zoning provides room for expanded commercial development. No rezonings are recommended. A number of small agricultural parcels were rezoned from A-2, A-10, and A-20 zoning to planned agricultural/residential (C-ARP) zones to allow for the preservation of the maximum amount of agricultural land, protect views within the community, and allow greater flexibility in design. All lands within the village limit boundary that are zoned C-ARP should remain zoned as such at current maximum densities (one unit per 2, 5, 10 and 20 acres).

[71] LCP Unit II, p. 204.
[72] LCP Unit II p. 92


Tomales
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Legend
Village Limit Boundary - proposed
Tomales Sewer Maintenance
Tomales Village Community Services District
Modified 2/24/12

EAST SHORE/MARSHALL AREA

East Shore/Marshall Area Buildout Comparison				
Source:	**Existing Units**	**Vacant Lots**	**Potential Units**	**Buildout Total**
LCP Unit II, 1981[73]	70	56	60	130
CWP FEIR, 2007	121	120	76	197
Percent Change (1981 – 2007)	72.9%	114.3%	26.6%	51.5%

Census Population and Housing in East Shore 1990 - 2010[74]		
Year	**Population**	**Housing Units**
1990	269	182
2000	328	190
2010	323	387
% Change (1990 – 2010)	20.1%	112.6%

The East Shore community covers approximately 4,250 acres of a very narrow strip of land along the eastern shoreline of Tomales Bay.[75] Existing development is generally clustered in small sheltered pockets[76] with residential development occurring predominately west of Highway One along the shoreline. Between these residential clusters are stretches of undeveloped land which currently afford visual and physical access to the shoreline.[77] The community plan reported that no town center has developed and remained central to the social and economic fabric of the East Shore community, which continues to remain true.[78] The planning area of the East Shore includes the town of Marshall, shoreline uses north and south of the town, and agricultural land to the east of the shoreline. Highway 1 runs in a north-south direction through the planning area parallel to the shoreline, and the Marshall-Petaluma Road extends eastward in the planning area from the town of Marshall toward Sonoma County.[79]

The East Shore Community Plan reports a population count of 250.[80] The US Census reports that the population increased from 269 in 1990 to 328 in 2000, then slightly decreased to 323 in 2010, representing a 20.1% increase over the twenty year period. However, it should be noted the population remained relatively stable between 2000 and 2010. Meanwhile, the number of housing units increased from 182 to 387 between 1990 and 2010, a 112.6% increase. A large majority of the growth in housing units appears to have occurred from 2000 to 2010.

[73] LCP Unit II, p. 200.
[74] US Census Bureau
[75] 1987 East Shore Community Plan, p. i.
[76] LCP Unit II, p. 203.
[77] 1987 East Shore Community Plan, p. 17
[78] 1987 East Shore Community Plan, p. 31.
[79] 1987 East Shore Community Plan, p. 5.
[80] 1987 East Shore Community Plan, p. 2.

Most of the shoreline of Tomales Bay was subdivided many years ago into approximately 240 small lots which formed a narrow continuous string of building sites between the Bay and Highway 1 or Sir Francis Drake Boulevard.[81] Today there are approximately 225 total lots encompassed by the East Shore planning area. LCP Unit II reported 70 existing dwelling units within the Marshall/East Shore area, with 56 vacant lots remaining. These lots held a buildout potential for 60 additional dwelling units, bringing total buildout to 130 units for the area[82] in addition to some potential commercial expansion. Today there are 121 existing units, representing a 72 percent increase (51 units) since the LCP was originally certified. These existing units are built on 99 (44%) of the 225 total lots in the area. Presently there remain 120 vacant lots, with a buildout potential for 76 additional dwelling units. This provides a total buildout of 197 units for the East Shore area. In addition, there is approximately 35,833 square feet of existing nonresidential development. No additional nonresidential development is anticipated.

Records indicate that approximately 10 Coastal Permits for single-family residences have been issued in the East Shore area since 1980. In addition, Coastal Permits were issued for the following: 13 for residential additions; two for residential repairs or teardowns; 5 visitor-serving accommodation; 13 for agriculture or mariculture; 12 for a land division or lot line adjustment; 17 for water wells and park facility; 4 for shoreline protective device and slope stabilization, including repair; and 21 other types, including habitat restoration or otherwise unspecified.

The shoreline of Tomales Bay is perhaps the most sensitive area with development potential in the Unit II Coastal Zone. Many shoreline lots are less than 200 feet in width and are characterized by steep or sloping terrain and sandy or rocky beaches. Much of the legally defined lot area of these shoreline lots is under water all or part of the time. Buildout in this area could have many significant adverse environmental impacts, including impacts on the water quality and marine resources of Tomales Bay, blockage of public physical and visual access to the water, adverse impacts on mariculture operations in the Bay, and further loss of valuable coastal habitats such as mudflats and beaches.[83]

There continues to be major public service constraints on new shoreline development as well. Water is lacking and most lots cannot support on-site sewage disposal systems consistent with established standards from the County and the Regional Water Quality Control Board. Furthermore, the presence of public trust lands is still an issue for new shoreline development since the State of California holds a public trust easement over tidelands and submerged lands in Tomales Bay, which limits the purposes for which these lands can be developed. The State Lands Commission has not clearly defined the boundary of public trust lands in Tomales Bay or the specific uses which are or are not appropriate. Thus, the effect of the public trust on shoreline uses is still unclear.[84] The State Lands Commission currently reviews coastal development permits on a case-by-case basis to determine if additional permits are needed.

Water Supply

The West Marin branch of the North Marin Water District includes approximately 100 parcels of the East Shore of Tomales Bay, although the District does not provide water service to the area at this time.[85] The area relies on individual wells or springs. There are approximately 66 domestic and seven irrigation wells in the Marshall area. There are also four wells used for both

[81] LCP Unit II (amended), p. 203
[82] LCP Unit II (amended), p. 203
[83] LCP Unit II (amended), p. 203
[84] LCP Unit II (amended), p. 203
[85] Info provided 08/05/09 via email correspondence by Chris DeGabriele, General Manager of NMWD.

domestic and irrigation, and eight wells with an unknown use, for a total of 88 wells.[86] The table below shows the four small public water systems currently established in the Marshall area and the sources used to supply the water for each system. The systems used in the Marshall area are defined as "Transient, Non-Community Water System," which is a public water system that is not a community water system and does not regularly serve at least 25 of the same persons over six months of the year.

East Shore Area Small Public Water Systems[87]			
Name	**System Type**	**Source**	**Source Description**
Hog Island Oyster Company	Transient, Non-Community Water System	Groundwater	1 well
Marshall Boat Works	Transient, Non-Community Water System	Groundwater	1 active well, 2 inactive wells
Nick's Cove	Transient, Non-Community Water System	Groundwater	1 well, functionally active
Tony's Seafood	Transient, Non-Community Water System	Groundwater under the direct influence of surface water	1 collection gallery

Except for a few locations, such as the canyon behind Marconi Cove marina, most of the east side of Tomales Bay has little known potential for development of additional water supplies. The ability of surface sources to provide supply is limited by the fact that many east side streams are intermittent and thus cannot be used year-round. Some of these streams are already used for agriculture, a use which has priority over private residential development in the Coastal Act. The potential for obtaining water from groundwater supplies also appears quite limited. Studies of water supply undertaken in the late 1960's by the North Marin County Water District determined that there are no dependable supplies of groundwater in any quantity in the geologic formations on the east side of the Bay and that groundwater supplies along Walker Creek are severely limited. It is also unlikely that the small shoreline lots have adequate on-site water resources to support individual domestic wells or, if they do, that such wells could supply wholesome water supplies with septic systems installed on the same lots. Contamination by septic effluent would, in fact, be likely, given the high water tables on the east side of the Bay which have been found to exist through geologic and soil investigations. Importation of water from outside sources is unlikely due to the high cost involved.[88]

In summary, there appears to be very little potential for developing additional water supplies on the east side of Tomales Bay. Available information strongly suggests that there is not adequate water to serve buildout. In addition, the potential for contamination of on-site wells from septic effluent is high. Concerning fire protection, water supplies must be imported by truck, or, if the tide is in, can be drawn directly from Tomales Bay. On-site storage tanks may be required for new construction.[89]

Sewage Disposal

Developments along the shoreline of Tomales Bay rely exclusively upon septic systems, holding tanks, and other methods of on-site sewage disposal. In general, due to the age of existing

[86] 2007 CWP FEIR, p. 4.9-50
[87] 2007 CWP FEIR, Exhibit 4.9-20, p. 4.9-52
[88] LCP Unit II (amended), p. 165
[89] LCP Unit II (amended), p. 165

systems and the physical characteristics of shoreline lots, the condition of most existing systems is very marginal. Many are old, failing, and have lost a significant portion of their leachfields to erosion. In some instances, raw sewage may be discharged directly into Tomales Bay.[90]

Providing for adequate sewage disposal is a major constraint on new shoreline development, primarily due to the lack of adequate land area on which to fit a septic system. Most lots on the shoreline are less than 1 acre in size and of this area; often two-thirds or more is under water. The remaining land area is often barely large enough for a building, leaving little or no room for a septic tank and successfully functioning leachfield. In this situation, few lots can meet the 100 foot setback between a leachfield and the Bay, as required by County regulations.[91]

A project to develop a sanitary wastewater facility in the East Shore area has been proposed to address public health and water quality concerns. The facility is proposed to be located on the Goodman-Barinaga Ranch (Assessor's Parcel Number 106-210-75) on the east side of Highway One, on the hillslope just south of the Marshall Boatworks. The facility would serve up to 38 existing developed lots in Phase I with possible future service of an additional 20 developed lost to the south of the Phase I area.[92]

The estimated design wastewater flow for the proposed Phase 1 Service Area is approximately 9,120 gallons per day (gpd), based on an average unit flow of 240 gpd per residential connection for 38 parcels, with a total of bedroom count of 87 bedrooms. The Phase 1 Service Area improvements would also include County acquisition of a five-acre community leachfield site or approval of a friendly condemnation taking of that leachfield site on the Goodman-Barinaga Ranch. The project does not propose mandatory connection to the community system by all property owners in the Phase 1 Service Area. Only those property owners who voluntarily choose to connect to the community system, at the onset or with a standby option, would be provided connections and would participate in the financing (and grant funding benefits) of the project facilities. Future connections may be extended to any non-participating property owners in the Phase 1 Service Area, at additional cost. Non-participating property owners in the Phase 1 Service Area would automatically be grouped with the other properties in the project area outside of Phase 1, and would be included in the East Shore Area-Wide Wastewater Management Program discussed under Section C below.[93]

It has been determined through soil, percolation, and groundwater studies that the recommended community wastewater site for the Phase 1 Service Area has sufficient capacity for additional connections beyond the 38 identified parcels in the Phase 1 Service Area. It is estimated that capacity exists for approximately 20 additional residential connections (or the equivalent). This additional capacity is estimated to be sufficient to potentially serve the existing developed properties located to the south of the Phase 1 Service Area; this includes properties from Tony's to Marconi and South of Marconi. Since this is a reasonably likely future phase of work.[94]

The collection and disposal service under this project would be provided solely to existing developed properties. The project is specifically not intended to allow for building and connection of currently undeveloped properties, nor to allow new bedroom additions to existing

[90] LCP Unit II (amended), p. 175
[91] LCP Unit II (amended), p. 175
[92] East Shore Wastewater Improvement Project Final Environmental Impact Report, March 2007, p. 10
[93] East Shore Wastewater Improvement Project Final Environmental Impact Report, March 2007, p. 10
[94] IBID

residences. This is a self-mitigating feature of the project (as well as a condition of the grant used to fund the project) intended to avoid concerns about growth inducement.[95]

Village Limit Boundary

When the LCP was originally certified a village limit boundary was not proposed for the village of Marshall. The LCP noted that the village is "unable to expand without further polluting Tomales Bay or encroaching on grazing lands" and that "only very limited growth through infilling is recommended." The LCP further noted that the small clusters of development along the east side of Tomales Bay, such as Nick's Cove and Blake's Landing, should not be allowed to grow into villages or to merge.[96]

The LCP was amended in 1988 to incorporate the Dillon Beach Community Plan. When this was done the LCP established a new limit boundary so that, on the east side of Highway One, it included the dozen or so small already subdivided parcels abutting Highway One, located between the Marshall – Petaluma Road and the Marshall Boat Works, which are zoned C-VCR and C-ARP-2 . On the west side of Highway One, the limit boundary includes the Hog Island Oyster Company and south down to the Marshall Store and Post Office, including the area immediately south of the Marshall Boat Works. No changes are proposed to the existing Village Limit Boundary at this time.

[95] East Shore Wastewater Improvement Project Final Environmental Impact Report, March 2007, p. 11
[96] LCP Unit II (amended), p. 93


Marshall/East Shore
N
Legend
Coastal Zone Boundary
Village Limit Boundary - Existing
North Marin Water District
Modified 2/24/12

INVERNESS

Inverness Buildout Comparison				
Source:	Existing Units	Vacant Lots	Potential Units	Buildout Total
LCP Unit II, 1981[97]	740	320	420	1,160
CWP FEIR, 2007	960	328	357	1,317
Percent Change (1981 to 2007)	29.7%	2.5%	-15.0%	13.5%

The Inverness Ridge is bounded on the north by Tomales Bay State Park, on the west and south by the Point Reyes National Seashore, and on the east by Tomales Bay and Lagunitas Creek.[98] These features effectively serve as the permanent expansion boundary for growth of the community.[99] The two major centers within the community are Inverness and Inverness Park. According to the U.S. Census Bureau, the population of Inverness has declined from 1,392 in 1990 to 1,304 people in 2010, a decline of 88 people (-6.3%) over a twenty year period. Meanwhile, the Census Bureau reports that housing units increased 33.6% over the same period. Of the 1,130 existing housing units, 697 (61.7%) are occupied and 433 (38.3%) are vacant. Of these vacant units, 27 (2.4%) are for rent, 3 (0.3%) are rented but not occupied, 10 (0.9%) are for sale, 2 (0.2%) are sold but not occupied, and 369 (32.7%) are for seasonal, recreational, or occasional use. Of the occupied housing units, 451 (64.7%) are owner-occupied and 246 (35.3%) are renter-occupied. The homeowner vacancy rate is 2.2% and the rental vacancy rate is 9.8%. The median age of the population is 57.3 years and 92.9% are white.

Census Population and Housing in Inverness 1990 - 2010[100]		
Year	**Population**	**Housing Units**
1980	n/a	781[101]
1990	1,392	846
2000	1,421	999
2010	1,304	1,130
% Change (1990 – 2010)	-6.3%	33.6%

A review of permit records indicates that 71 Coastal Permits have been issued for single-family residential units between 1980 and 2009. During that same period, 21 subdivisions or lot line adjustments were processed, but available records do not indicate how many new lots might have resulted from these actions.

[97] LCP Unit II (amended), p. 200.
[98] 1983 Inverness Ridge Community Plan, p. 6
[99] LCP Unit II (amended), p. 93, and 1983 Inverness Ridge Community Plan, p. 29
[100] US Census Bureau
[101] 1983 Inverness Ridge Community Plan, p. 63

In terms of land use, a large portion of the Inverness community is within the Point Reyes National Seashore. Land uses in Inverness consist of single family residential, general commercial mixed use, recreational commercial, and open space. Single family residential densities range from 1 to 19 units per acre. All commercial activity is located on Sir Francis Drake Boulevard. The general commercial mixed use has a Floor Area Ratio range of 0.05 to 0.30, while recreational commercial has a range of 0.05 to 0.15. The community is primarily residential with limited commercial development in Inverness and Inverness Park.

The LCP continues to strictly limit the expansion of any commercial development and restricts new development to established village centers, based on two reasons: 1) Inverness is considered to be providing its fair share of visitor enterprises, and 2) Point Reyes Station is still recognized as the commercial hub of West Marin.

The LCP Unit II states that in 1981, at the time of its adoption, there were 740 existing units on the Inverness Ridge, spread over an area of approximately 2,200 acres for an overall density of 1 unit per 3 acres.[102] It reported a potential buildout of an additional 420 units for the 320 vacant lots that remained in the area. The buildout projection was based on the maximum potential for subdivision under existing zoning at the time. This provided for a total buildout projection of 1,160 dwelling units. The number of existing dwelling units has grown by 220 since 1981 to 959, a 29.7% increase, while the buildout units have increased 157 dwelling units to a total of 1,317. In addition, the number of vacant lots has gone up from 320 to 328 during this same period.

The LCP cited major coastal issues such as lack of adequate community water supplies, potential cumulative impacts of buildout utilizing septic systems, impacts from erosion and sedimentation on the water quality of Tomales Bay, and limited fire protection and road capacities, particularly in the Paradise Ranch Estates subdivision.[103] These impacts have been reduced through the reduction in zoning densities recommended in the Inverness Ridge Communities Plan and purchase of various parcels into the Point Reyes National Seashore, [104] despite that none of the recommended consolidations in the Paradise Ranch Estates Lot Consolidation Plan have been implemented.

Water Supply and Demand

Water and sewer service to Inverness Ridge is provided by two different water companies, in addition to lots served by private on-site water sources such as wells. The areas of Inverness served by NMWD-West Marin include Inverness Park and Paradise Ranch Estates, which use groundwater pumped from two wells adjacent to Lagunitas Creek. NMWD-West Marin provides water service through its Point Reyes Water System. This system also serves the communities of Point Reyes Station and Olema. The Point Reyes water system is one interconnected supply and distribution system and is completely separated from NWWD water facilities in the Novato service area. The Point Reyes water system also serves the Point Reyes National Seashore Headquarters at Bear Valley, Silver Hills, the U.S. Coast Guard Housing Facility in Point Reyes Station, and two West Marin dairies.[105]

[102] LCP Unit II (amended), p. 171
[103] LCP Unit II (amended), p. 202
[104] LCP Unit II (amended), p. 202
[105] 2007 CWP FEIR, 4.9-12

The Inverness Public Utility District (IPUD) provides water service and fire protection to the small community of Inverness. IPUD's service area encompasses some 1,600 acres, of which 500-600 acres are watershed. Approximately 373 of the watershed are in public ownership; IPUD owns 190 acres and Tomales Bay State Park owns 183 acres. IPUD effectively manages the entire publicly owned watershed, including the portion owned by the State Park.[106] The full time population living within the district's boundaries was estimated at 702 people during the 2000 Census. The community of Inverness is a popular vacation area with numerous weekend and vacation homes. The main challenge facing IPUD is to provide for the peak demand imposed during prime vacation periods in the summer months.

To meet the water demands of the community it serves, IPUD gathers surface water from IPUD and State owned watershed lands and then transfers that water to one of two main micro-filtration plants where it is treated and piped to storage tanks around Inverness. Water is then released from these storage tanks as necessary to satisfy the community's demand. This surface water supply is supplemented with groundwater from three groundwater wells. IPUD acquired its current water system in 1980 and since that time has expanded the storage system. Current storage capacity is 279,750 gallons (325,000 - 45,250 for fire resources). The highest observed single day demand was 170,000 gallons in 1996. The last expansion was in 1990 when a 20,000-gallon tank was replaced with a 70,000-gallon tank.[107]

IPUD and the NMWD-West Marin service area have an emergency water agreement that allows for the transfer of water between the two district's water systems through an intertie in the event of an emergency. During a water supply availability or distribution catastrophe, up to 40 gpm of water can be sent from either the NMWD West-Marin or the IPUD water systems to the other system on a temporary basis. This emergency agreement is not intended to provide either system with a sustainable supply of water during a significant drought or to provide for any portion of regular customer water demand. The agreement expires June 30, 2014.[108]

IPUD operates two water treatment plants: one main plant in First Valley and a second smaller plant in Third Valley. The main plant operates continuously year-round, while the second, smaller plant is used on a seasonal, as-needed basis from late spring through fall. Both plants provide micro-filtration and chlorination. The main plant's capacity is rated nominally at 100 gpm while the smaller plant is rated nominally at 15 gpm. In combination, the plants provide a theoretical finished-water capacity of 115 gpm or approximately 165,000 gpd. IPUD estimates that realistically its sustainable finished water capacity is 155,000 gpd. If operated at full sustainable daily capacity on a year round basis, these treatment plants would be able to produce approximately 174 AFY.[109]

Outside of IPUD's agreement for emergency water supply with NMWD, IPUD does not import, exchange, or transfer water supplies with any other water supplier. Similarly, IPUD does not utilize desalinated water or reclaimed water as a source of water supply. Records provided by Marin County Environmental Health Services indicate that there are a significant number of private domestic (103) and irrigation (eight) wells within the community of Inverness. The wells are not operated by IPUD and their yields are unknown. Most were drilled prior to 1980, but wells have been installed as recently as 2005. The private wells can be regarded as beneficially lessening the current demands placed on the IPUD system, and not as competing for water

[106] Inverness Area Sphere of Influence Update, May 2007, p. 3
[107] 2007 CWP FEIR, 4.9-34
[108] 2007 CWP FEIR, 4.9-34
[109] 2007 CWP FEIR, 4.9-34

supply. Most of these wells were in operation prior to IPUD acquisition of the water system, so the current IPUD assessment of water supply likely incorporates the effect of private wells. Private wells also may represent a future potential demand for IPUD if wells fail and owners seek connection to IPUD.[110]

Capital improvements planned by the IPUD include an expansion of water treatment capacity and replacement of aging finished-water storage tanks and increase in finished-water storage capacity to 345,000 gallons. Total storage capacity at this time for finished water is 325,000 gallons, of which 45,250 gallons are set aside as fire reserve. IPUD does not anticipate the expansion of its water supply as there is little potential for growth in the district's service area.[111] Water supply is anticipated to remain constant at approximately 145 AFY, of which 125 AFY is sourced from local surface water and 20 AFY from groundwater.[112]

Surface Water. The three streams from which IPUD diverts all of its surface water are known as First Valley Creek (a.k.a. Inverness Creek, Ness Creek, or Brook Ness Creek), Second Valley Creek (a.k.a. Alder Creek), and Third Valley Creek. Since there are no large reservoirs within the district, the district is largely dependent on the daily flows in these three streams and the limited temporary storage capacity provided by its holding tanks. Two major unnamed tributaries to First Valley Creek are spring-fed and maintain year-round creek flow though no springs have been observed along the main channel.[113]

The watersheds for each of these three creeks are surrounded by the protected public lands of the Point Reyes National Seashore, consequently development within these watersheds has been minimal and the watersheds are relatively pristine. The presence of Coho salmon was not recorded in either First Valley Creek or Second Valley Creek during surveys conducted by the National Marine Fisheries Service and the California Department of Fish and Game and neither stream is tributary to a known spawning stream. However, the fact that these surveys did not record the presence of Coho does not preclude the possibility of Coho salmon within these streams.[114]

IPUD diverts water from a pair of intakes in each steam. The so-called High Intakes are located higher in each streams' watershed, closer to the headwaters, and the Low Intakes are located nearer to each stream's outlet to Tomales Bay. Most of the water used by IPUD is diverted at the High Intakes. High Intake diversions are supplemented by up to 38,000 gpd of diversions at the Low Intakes. IPUD holds a pre-1914 prescriptive water right to divert water via the High Intakes. Water diverted through the Low Intakes is allowed through an agreement with the United States California Department of Fish and Game. Streamflow is gauged on a monthly basis at each of the High Intakes. Measurements taken since 2000 have recorded combined streamflows for all three streams ranging from as much as 2,000,000 gpd to as little as 69,000 gpd at the High Intakes.[115]

Groundwater. IPUD operates three groundwater wells to supplement its supply of surface water. The annual yield of these three wells is estimated to be approximately 20 AF. 131 Individually each well's yield is estimated at slightly less than five gpm. These wells are not located over any groundwater basin delineated by the California Department of Water

[110] 2007 CWP FEIR, p. 4.9-35
[111] 2007 CWP FEIR, p. 4.9-35
[112] 2007 CWP FEIR, p. 4.9-36
[113] 2007 CWP FEIR, p. 4.9-37
[114] 2007 CWP FEIR, p. 4.9-37
[115] 2007 CWP FEIR, p. 4.9-37

Resources (DWR). 132 Instead, these wells are likely screened in the granitic bedrock that underlies Inverness. The primary function of these wells is to supplement supply when surface water yields are low.[116]

The largest water supply challenge facing IPUD is the potential for large spikes in water demand during peak holiday and vacation periods. While sufficient water supply is available on an annual basis to satisfy the community's annual water demand, IPUD's lack of long term storage and reliance on the availability of streamflow leave the district vulnerable to supply shortfalls during dry periods when streamflow is low. Additionally, a potential bottleneck in the IPUD water system, which may restrict the district's ability to meet peak single day customer water demand spikes, is the rate at which surface water can be processed by the district's water treatment facilities.[117]

During late summer and fall, before the beginning of the rainy season, the amount of surface water available can be equal to or slightly less than the daily production demand. The largest measured single day demand for the IPUD water system was 170,000 gpd, while typical single day peak summer water demand ranges from 150,000 gpd to 155,000 gpd. As peak demands generally occur during the driest parts of the year, single day water demand can exceed available streamflow. During a drought period, High Intakes streamflow was measured at 69,000 gpd.[118]

To aid in meeting peak levels of single day water demand, IPUD utilizes a network of several storage tanks. The total storage capacity of IPUD's network of two steel and eight redwood water storage tanks is 325,000 gallons. Additional capacity exists within the network, but it is unusable due to the poor condition of the storage tanks. Streamflow diverted at the High Intakes can also be supplemented with up to 58,000 gpd of water obtained from the district's three groundwater wells and the Low Intakes, but this supplemental supply is also likely to be reduced in the event of drought conditions. The current capacity of the storage tanks is sufficient to provide water to satisfy the highest observed single day water demand in the absence of streamflow. However, should a multi-day period of peak demand coincide with a severe drought, this water storage capacity could be exhausted rapidly.[119]

To deal with the possibility of a supply shortfall, IPUD has implemented a peak demand conservation program that has reduced the weekly variation in customer demand from 48 percent to 12 percent, helping to smooth out demand spikes. This program allows for the IPUD Board of Directors to declare a water shortage emergency under the conditions cited in Sections 350 through 850 of the California Water Code. This declaration places restrictions on the delivery of water and the consumption of water supplied for public use. There are four stages in the implementation of the declared water shortage emergency: (1) general conservation and prohibition of nonessential uses of water; (2) prohibitions on outdoor uses of water and / or restrictions on when outdoor watering is permitted; (3) prohibition of outdoor watering at all times; and 4) water rationing. The IPUD Board of Directors has the option of applying penalties in the event of water usage that is in violation of the declared water shortage emergency.[120]

To remove the potential bottleneck of insufficient treatment capacity, IPUD acquired a new treatment unit in 2002. The unit adds an additional 15 gpm or 21,500 gpd, of finished-water

[116] 2007 CWP FEIR, p. 4.9-38
[117] 2007 CWP FEIR, p. 4.9-38
[118] 2007 CWP FEIR, p. 4.9-38
[119] 2007 CWP FEIR, p. 4.9-38
[120] 2007 CWP FEIR, p. 4.9-38

capacity. This third micro-filtration unit brings the total finished-water capacity of the IPUD's water treatment system to 176,500 gpd, which exceeds the district's largest observed single day water demand of 170,000 gpd. [121]

In 2005, the NMWD-West Marin service area reported a total of 785 connections for its entire service area, 691 of which were single-family residential. In addition, the district reported a count of 1,156 connections as its buildout estimate for 2030.[122] This would allow for 371 additional connections in West Marin. For Inverness specifically, there exists 157 active connections in Inverness Park and 156 in Paradise Ranch Estates, providing for a total of 313 active connections. 307 of these connections are reported as being residential, while five are for commercial development and one is for agriculture.[123] Individual buildout estimates for each of the coastal communities served by NMWD-West Marin are not available at this time according to district staff.[124] However, it is expected that at full estimated buildout by year 2030, NMWD-West Marin will experience a water supply deficit based on average water supplies.[125] This could significantly limit development potential for the communities serviced by the district.

The northern part of Inverness Ridge is serviced by IPUD. The IPUD serves approximately 540 residential unit equivalents (RUEs) through 501 individual service connections within its approximately 2.5 square mile area. RUE is a measurement that allows commercial and residential users to be grouped together. Of the 501 customer connections, 483 are residential services and 18 are non-residential. The 18 non-residential connections consist of a three-room school, a church, a library/museum, a yacht club, seven inns or motels, four retail establishments, two restaurants, and one utility (SBC).[126]

As in many of the coastal communities, residential occupancy levels within the IPUD district fluctuate on a seasonal basis. Approximately 207 of the dwelling units serviced by IPUD are vacation and weekend houses occupied only during the summer and other peak holiday periods. During these peak vacation times, the community's population can swell by several thousand people. This population fluctuation can create large short-term spikes in water demand and significant seasonal fluctuations in water demand.[127]

IPUD produces on average approximately 95 AFY of water. It is estimated that local users consume approximately 85 AF of water annually. An additional ten AFY are reserved for system overhead, non-metered uses, and system losses due to pipeline leakage. The district expects to meet future water demands with its current facilities, except for eventual replacement of water storage tanks. The community of Inverness itself is nearly built-out, as only a few potentially developable lots remain. Future growth expansion of the district is constrained by the surrounding Point Reyes National Seashore and Tomales Bay State Park. IPUD estimates that ultimate development will be 600 RUE's, slightly more than a ten percent increase over the current service demand. IPUD does not expect the total number of connections ever to exceed 525 (an increase of 24 over the current 501).[128]

[121] 2007 CWP FEIR, p. 4.9-39
[122] 2007 CWP EIR, Exhibit 4.9-22, p. 4.9-57
[123] Per 04/21/2011 via email correspondence by Chris DeGabriele, General Manager of NMWD.
[124] Per 08/12/09 email correspondence with Drew McIntyre, Chief Engineer of NMWD.
[125] 2007 CWP EIR, Exhibit 4.9-35, p. 4.9-83.
[126] 2007 CWP FEIR, p. 4.9-62
[127] 2007 CWP FEIR, p. 4.9-62
[128] 2007 CWP FEIR, p. 4.9-62

The following table summarizes the current and projected water supply available to IPUD through 2030. As no capital improvements are planned to expand the IPUD current water supply beyond current levels, water supply is anticipated to remain constant at approximately 145 AFY.

IPUD Current and Projected Water Supplies (AFY) – Normal Year[129]						
Water Supply Source	***2005***	***2010***	***2015***	***2020***	***2025***	***2030***
Local Surface Water	125	125	125	125	125	125
Groundwater	20	20	20	20	20	20
Imported	0	0	0	0	0	0
Wholesaler	0	0	0	0	0	0
Reclaimed	0	0	0	0	0	0
Transfer / Exchange	0	0	0	0	0	0
Desalination	0	0	0	0	0	0
Total	***145***	***145***	***145***	***145***	***145***	***145***

The following table provides a breakdown of the current and projected water demand predicted by the IPUD through 2030. These projections indicate only slight increases in annual water demand through 2030.

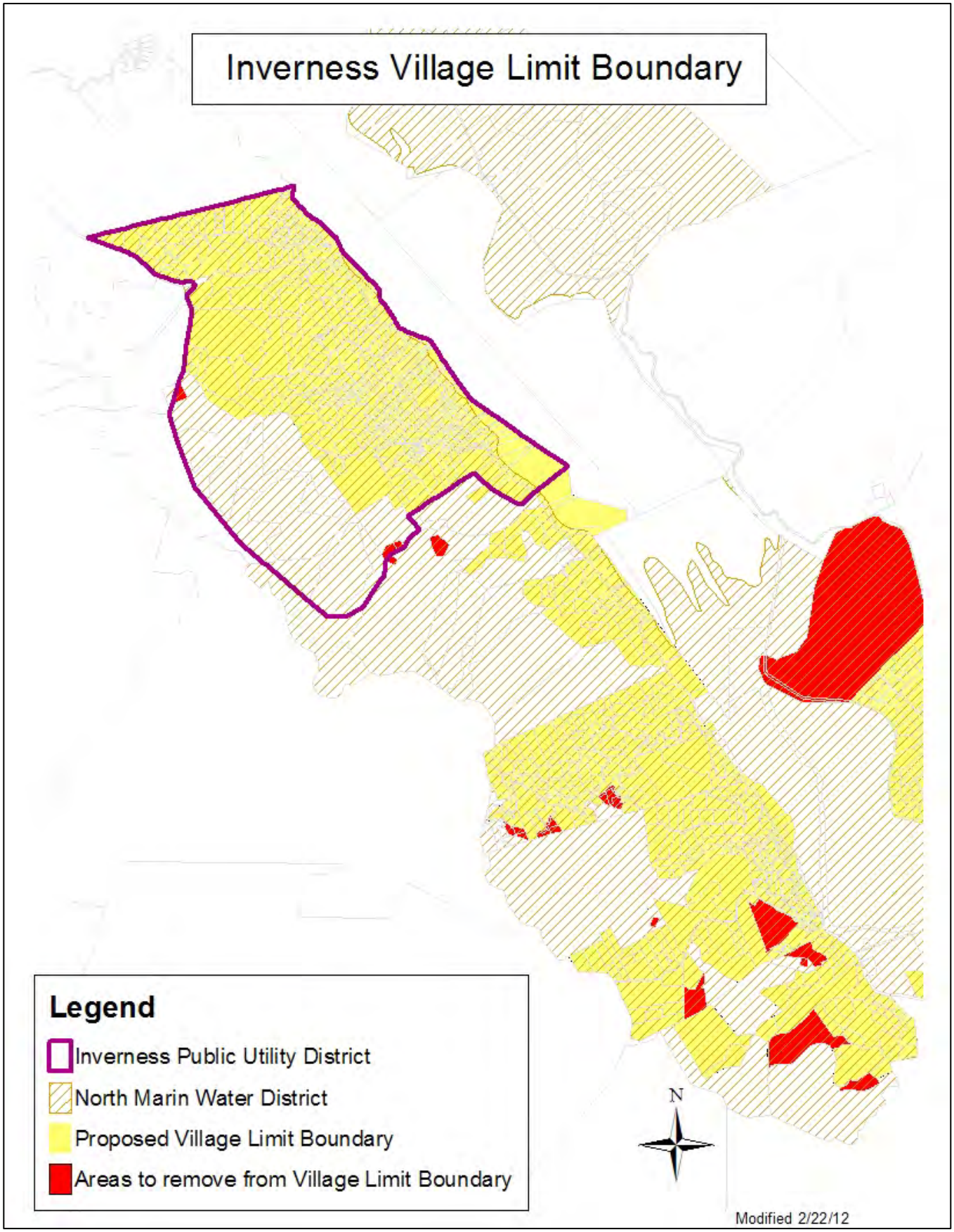
IPUD Current and Projected Water Demand[130]				
	2005		**2030**	
Water Use Sector	**No. of Accounts**	**Deliveries (AFY)**	**No. of Accounts**	**Deliveries (AFY)**
Single Family	483	82	506	86
Multi Family	0	0	0	0
Commercial	15	2	16	3
Industrial	0	0	0	0
Institutional/ Governmental	3	1	3	1
Landscape Irrigation	0	0	0	0
Agricultural	0	0	0	0
Losses	0	10	0	11
Total	***501***	***95***	***525***	***100***

[129] 2007 CWP FEIR, p. 4.9-36
[130] 2007 CWP FEIR, Exhibit 4.9-26, p. 4.9-64

Village Limit Boundary

The LCP notes that the Inverness Community Plan sets the village limit boundaries for the area. Growth is limited in the area since it is bounded by Tomales Bay to the east and National Park Service lands to the north, west, and south, creating a stable boundary within which growth can occur in accordance with Section 30214 of the Coastal Act.[131] The figure below shows the village limit boundary for Inverness. The existing village limit boundary is proposed for modification to remove parcels that have since been publicly acquired. However, in some cases privately owned parcels are removed to prevent small islands, such as with 109-330-06 along the northwestern ridge, and 114-040-72 and 73, a small cluster of parcels co-owned by the Nature Conservancy, and 114-040-30, which is privately owned adjacent to the Nature Conservancy parcels. Another cluster of privately owned parcels are 114-040-56 and 57. Both are zoned C-OS and were proposed for federal park acquisition, which did not occur. They remain unimproved. In addition, parcel 114-040-29, which is privately owned and developed with multiple residential units, is also removed from the boundary. It is zoned C-RSP-0.1 and was also proposed for federal park acquisition.

[131] LCP Unit II, p. 93


Inverness Village Limit Boundary
Legend
Inverness Public Utility District
North Marin Water District
Proposed Village Limit Boundary
Areas to remove from Village Limit Boundary
N
Modified 2/22/12

POINT REYES STATION

Point Reyes Station Buildout				
Source:	Existing Units	Vacant Lots	Potential Units	Buildout Total
LCP Unit II, 1981[132]	186	n/a	615	801
CWP EIR, 2007[133]	374	66	137	511
Percent Change (1981 – 2007)	101.1%	---	-77.7%	-36.2%

Census Population and Housing in Point Reyes Station 1990 - 2010[134]		
Year	**Population**	**Housing Units**
1976	n/a	147
1990	1018	441
2000	818	373
2010	848	490
% Change (1990 – 2010)	-16.7%	11.1%

Point Reyes Station is one of the oldest communities in the Coastal Zone, covering approximately 1,500 acres of land at the southern tip of the Tomales Bay Watershed. It has historically served as the commercial hub for rural West Marin.[135] According to US Census figures, the median age of the town's population is 51.1 years. The population has decreased from 1018 people in 1990 to 848 people in 2010, a 16.7 percent loss over this period. Whites make up 85.5% of the population, followed by Hispanic or Latino at 18%.

The Point Reyes Station Community Plan reports that there were 147 total units (excluding the Coast Guard housing) in 1976.[136] Census data indicates housing then increased to 441 units in 1990, but then decreased to 373 units in 2000, then increased to 490 units in 2010. This represents a total increase of 233% in housing units over the 34 year period, which averages out to approximately 114 units per decade (or about 10 units per year). Of the 490 total housing units, 412 (84.1%) are occupied and 78 (15.9%) are vacant. Of these vacant units, 15 (3.1%) are for rent, one (0.2%) has been sold but not occupied, and 43 (8.8%) are for seasonal, recreational, or occasional use, and 19 (3.9%) are other vacant. Of the occupied housing units, 451 (64.7%) are owner-occupied and 246 (35.3%) are renter-occupied. The homeowner vacancy rate is 0% while the rental vacancy rate is 6.8%. Of the occupied housing units, 207 (50.2%) are owner-occupied and 2.5 (49.8%) are renter-occupied.

The heart of the Point Reyes Station Planning Area is the historic downtown area, which is characterized by small lots and a variety of large and small, old and new commercial buildings, closely adjoined by vintage residences. The continued co-existence of residential uses next to commercial and public uses in the downtown area is a major goal of the 2001 Point Reyes

[132] LCP Unit II, p. 200
[133] Data extracted from available GIS land use tables attributed based on the 2007 CWP EIR analysis.
[134] US Census Bureau
[135] 2001 Point Reyes Station Community Plan, p. i
[136] 2001 Point Reyes Station Community Plan, p. 23

Station Community Plan.[137] Current zoning concentrates commercial activity and buildings in the Downtown Area of the community. Only less intensive businesses such as home offices, cottage industries, B&B's and small agriculture-related commercial activities are permitted in other parts of the planning area.[138]

The community is bounded by two large, agriculturally used lots, the Giacomini Ranch and the Martinelli Ranch. The GGNRA has acquired the Giacomini Ranch, which has been restored to tidal marshlands. The Martinelli Ranch was acquired by the GGNRA in 1987 but is leased back as grazing land for livestock. The remaining acreage in the community has been zoned for mixed agricultural-residential, multiple residential, or village commercial-residential uses in densities that limit agriculture to small-scale or secondary activities.[139]

Land uses in Point Reyes Station include mixed residential-commercial, single family residential, open space, agriculture, and some multi-family residential. Single family residential densities range from 1 to 4 units per acre. Multi- family residential densities range from 1 to 10 units per acre, while the mixed residential-commercial ranges from 1 to 20 units per acre and has a Floor Area Ratio of 0.30 to 0.50. Agricultural densities ranges from 1 unit per 1 to 60 acres.

The 1981 LCP Unit II reported an existing dwelling unit count of 186, with a buildout potential for 615 additional units, which provided a total buildout for Point Reyes Station of 801 units.[140] Today there are 374 existing dwelling units, which have more than doubled since 1982. These existing units are built on 311 (66%) of the total 469 lots within the community. The potential residential buildout for the area has decreased considerably from the 1981 figure to a present figure of 137 additional units, providing for a total buildout of 511 units. There remain a total of 66 vacant lots in the Point Reyes Community. There is presently a combined total of 181,267 ft^2 of nonresidential development on 37 lots in Point Reyes Station. There is approximately 1,620 ft^2 of additional nonresidential buildout potential.

A review of Coastal Permit data indicates that a total of 30 residential units were considered since 1980. Additional research is needed to review the data.

The lack of adequate parking in the downtown area and the resulting congestion impacts on Highway One was cited as a concern in the LCP, which could limit commercial development in the future.[141] The Community Plan reported that through traffic on Highway One in the downtown area seems to operate at acceptable levels.[142] However, the Community Plan also notes congestion issues with the intersection of Highway One and Mesa Road due to parking and double parking in front of businesses, and suggests evaluating two potential options. Other suggestions include extending the 25-mph zone of Highway One at the intersection of Sir Francis Drake Boulevard, and a comprehensive evaluation of the design of all parking spaces on Third Street, B Street and the south side of Fourth Street.

[137] 2001 Point Reyes Station Community Plan, p. 11
[138] 2001 Point Reyes Station Community Plan, p. 15
[139] 2001 Point Reyes Station Community Plan, p. 11
[140] LCP Unit II, p. 200.
[141] LCP Unit II (amended), p. 202
[142] 2001 Point Reyes Station Community Plan, p. 48

Water Supply

The community of Point Reyes Station is provided water service through the Point Reyes Water System by the West Marin branch of the NMWD. The Point Reyes water system is one interconnected supply and distribution system and is completely separated from NWWD water facilities in the Novato service area. The Point Reyes water system also serves the Point Reyes National Seashore Headquarters at Bear Valley, Silver Hills, the U.S. Coast Guard Housing Facility in Point Reyes Station, and two West Marin dairies. The Point Reyes Water System has been undergoing gradual expansion and improvements since the original system, serving Point Reyes Station and Inverness Park, was acquired by NMWD in 1971.[143]

The source of water for the Point Reyes system is primarily drawn from two wells adjacent to Lagunitas Creek in Lagunitas Valley. The two wells are located on U.S. Coast Guard property in Point Reyes Station and pump at a combined rate of 530 gpm. These so-called Coast Guard wells are in the tidal reach of Lagunitas Creek on an elevated gravel bench about 50 feet north of the creek and 15 feet above the streambed. Water supply to the wells is drawn from a gravel aquifer adjacent to Lagunitas Creek. Yields of these NMWD wells indicate that a viable groundwater supply is present and safe yields may be in excess of 300 AFY. The aquifer's water supply is dependent primarily on the amount of water flowing in the creek.[144]

The well supply is excellent in terms of providing ample flow with minimal drawdown. However, during times of low creek flow and/or high tides, seawater can be drawn into the wells and water supply. This happened during the 1976-77 drought, and in the winters of 1980-81 and 1986-87. A salinity intrusion avoidance-pumping plan has been developed to lessen water quality impacts.[145]

NMWD constructed a new water supply well adjacent to Lagunitas Creek on the Gallagher Ranch to address potential salinity intrusion. This well is over one mile upstream from the Coast Guard well site and has a capacity of 170 gpm. The well is not yet connected to the West Marin distribution system and salinity levels continue to be monitored to determine if the high capital costs of a pipeline would be worthwhile. [146]

A July 2000 storage capacity study for NMWD's West Marin service area indicated that the 550 gpm pumping capacity is adequate to meet existing needs. If standby redundancy were desired, an additional 250 gpm would be needed. At build out, an additional 300 gpm would be needed to meet demands adequately and, if standby redundancy were desired, an additional 550 gpm would be needed. Therefore, a total capacity of 850 gpm would be needed at build out with an additional 550 gpm for standby redundancy.[147]

Preliminary review of Marin County's database of private drinking and irrigation wells indicates that only 14 wells are in Point Reyes and four are in Olema. Three of the wells are used for irrigation while the remaining wells are domestic wells.[148]

The NMWD West Marin service area and the neighboring Inverness Public Utility District (IPUD) have an emergency water agreement that allows for the transfer of water between the two district's water systems through an intertie in the event of an emergency. During a water supply

[143] 2007 CWP FEIR, p. 4.9-12
[144] 2007 CWP FEIR, p. 4.9-13
[145] 2007 CWP FEIR, p. 4.9-14
[146] 2007 CWP FEIR, p. 4.9-15
[147] 2007 CWP FEIR, p. 4.9-15
[148] 2007 CWP FEIR, p. 4.9-15

availability or distribution catastrophe, up to 40 gpm of water can be sent from either the NMWD West Marin or the IPUD water systems to the other system on a temporary basis. A catastrophic event is considered an acute problem and may include pipeline or treatment plant failure, extraordinary fire, supply contamination, or interruption caused by natural and manmade disasters. This emergency agreement is not intended to provide either system with a sustainable supply of water during a significant drought or to provide for any portion of regular customer water demand. The agreement expires June 30, 2014.[149]

NMWD-West Marin reported 388 active connections to Point Reyes Station as of 2009. 329 of these connections are reported as residential, while the remaining 59 are utilized by commercial development.[150] Since the district is unable to provide buildout data for Point Reyes Station specifically, it remains difficult to estimate future development potential based on water availability.[151]

NMWD-West Marin is expected to experience a water supply deficit at full buildout with both normal and drought years, which might limit the potential for new development in Point Reyes Station.[152] In addition, NMWD-West Marin currently experiences summer peaking problems. However, there is a discrepancy between water supplier current and projected numbers and County estimates. This issue has not yet been resolved.

Sewage Disposal

Point Reyes Station relies on on-site sewage disposal in the form of septic systems, cesspools, mound systems and other methods, which discharge into the ground. Because of limited space in the commercial downtown area, a number of combined systems have been established with two or more buildings connected to one septic system. In several cases, including some of the older residences, adjacent contiguously owned lots are used for leachfields since the developed lot is too small to support a septic system itself.[153]

Outside of the downtown commercial area, development is served by individual septic systems. The only exception exists at the U.S. Coast Guard Housing Facility, housing approximately 150 people, where sewage disposal consists of a gravity-fed collection system feeding into three holding tanks with a total capacity of 13,000 gallons. Sewage is presently pumped out of the tanks several times a week and is hauled to the Coast Guard's treatment facility at Two Rock in Sonoma County. In the mid-70's, the Coast Guard attempted to terminate this situation through installation of a community sewer that would serve both the Coast Guard Housing Facility and the downtown area. A study and EIR for a joint sewer was undertaken by North Marin County Water District in 1976. When the community failed to approve funding for its share of the project, the proposal was abandoned.[154]

Mound systems, sand filters and other alternative self-contained waste disposal systems may be permitted by the County Environmental Health Division, subject to ongoing monitoring requirements. The Community Plan supports the use of these and other new disposal techniques, provided the necessary safeguards for natural resource protection and public health

[149] 2007 CWP FEIR, p. 4.9-16
[150] Data provided 08/05/09 via email correspondence by Chris DeGabriele, General Manager of NMWD.
[151] Per 08/12/09 email correspondence with Drew McIntyre, Chief Engineer of NMWD.
[152] 2007 CWP FEIR, Exhibit 4.9-72, p. 4.9-113.
[153] 2001 Point Reyes Station Community Plan, p. 56
[154] 2001 Point Reyes Station Community Plan, p. 56

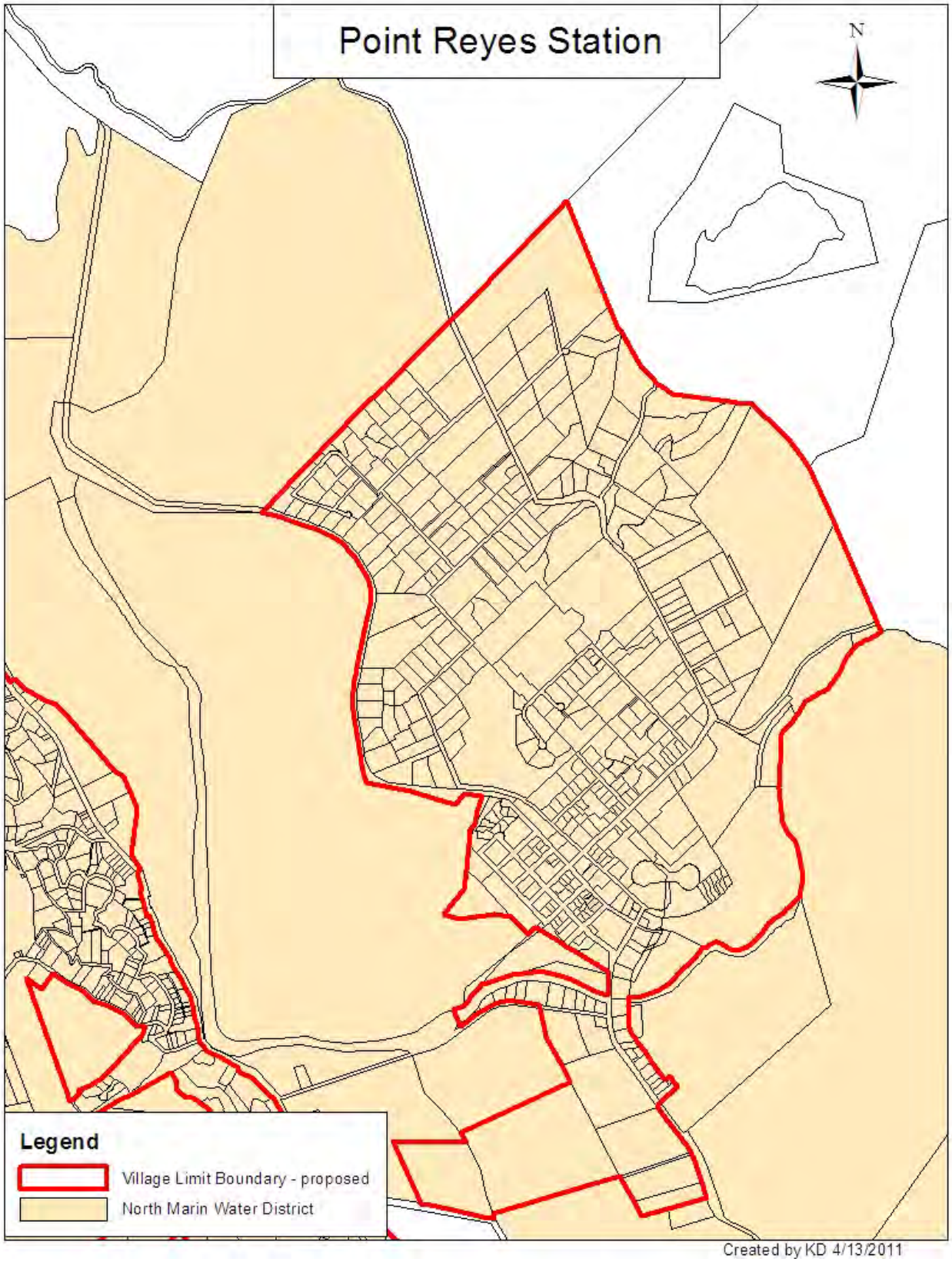
can be maintained. In addition, ways should be found to screen or otherwise mitigate the artificial appearance of mound systems.[155]

Village Limit Boundary

The existing Village Limit Boundary for Point Reyes Station remains unchanged except for the removal of the Martinelli Ranch property, parcel 119-040-04 located at the northern area of town, which was acquired by the Golden Gate National Recreation Area in 1987. This parcel is currently zoned C-RMPC (Residential Multiple Planned Commercial) and is leased as grazing land for livestock. The Community Plan recommends rezoning this site to C-OA.[156] This site was initially considered as a location for a waste treatment facility, although this is no longer a viable option due to the acquisition by the GGNRA. Excluding this parcel from the Village Limit Boundary would continue to preserve the agricultural use of the property, as intended by Section 30241 of the Coastal Act, and still provide adequate room for future community growth. The parcel also will continue to serve as a buffer between the community and the nearby Tomales Bay Ecological Reserve.

At the southern end of town, parcels 166-170-01, 08, 18, and 21 are proposed for removal since these are federally owned. These are zoned either C-ARP3 or C-ARP-5. Two privately owned parcels, 166-170-06 and 07, are privately owned and zoned C-ARP-5. These are suggested for removal since retaining them would create an island with the removal of the federally owned parcels.

[155] 2001 Point Reyes Station Community Plan, p. 56
[156] 2001 Point Reyes Station Community Plan, p. 12


Point Reyes Station
N
Legend
Village Limit Boundary - proposed
North Marin Water District
Created by KD 4/13/2011

OLEMA

The community of Olema consists of a small enclave of approximately 161 acres of privately-owned lands surrounded by federal parkland, located at the junction of two major coastal access roads of Highway One and Sir Francis Drake Boulevard.

Olema includes a mix of recreational commercial, neighborhood commercial, residential, and agricultural land uses with two small single-family areas. Dwelling unit densities range from 1-2 units per acre in the residential area and 1-20 units per acre in the commercial mixed use area. FAR ranges from .05 to .15 in the recreational commercial and .30 to .50 in the neighborhood commercial area. The agricultural land use has a density of 1 unit per 1-9 acres. These are shown on the Olema Land Use Policy Map 19d.

A review of Census block data indicates that the population of Olema was approximately 112 persons in 1990. The population increased 84.8% to 207 persons in 2000, and then declined 54.6% to 94. Overall, the population decreased 16.1% over the twenty year period. Meanwhile, housing units increased 24.4% over the same period, which averages out to less than one unit per year.

Census Population and Housing in Olema 1990 - 2010[157]		
Year	**Population**	**Housing Units**
1990	112	45
2000	207	50
2010	94	56
% Change (1990 – 2010)	-16.1%	24.4%

The LCP recommended additional rezoning to prevent extensive strip commercial development, provide for the expansion of visitor serving facilities, allow mixed commercial and residential uses in the village center, protect visual resources, and ensure adequate public services are available. The following parcels were rezoned as follows:

Policy Status: Unit II Policy 3.b (1) p. 44 (Recreation and Visitor-Serving Facilities)				
Assessor Parcel Number	**Old Zoning**	**Proposed Zoning**	**Existing Zoning**	**Ordinance No.**
166-030-15	RCR	APZ-60	C-OA	2704
166-010-27	RCR	APZ-60	C-APZ-60	2704

Policy Status: Unit II Policy 3.b (2) p. 44: (Recreation and Visitor-Serving Facilities)				
Assessor Parcel Number	**Old Zoning**	**Proposed Zoning**	**Existing Zoning**	**Ordinance No.**
166-181-01,03	RCR	VCR	C-VCR	2704

[157] US Census Bureau

166-181-04	A-2:B-2	VCR	C-VCR	2704
166-192-01	A-2:B-2	VCR	C-VCR	2704
166-192-02 (now 166-192-06)	RCR	VCR	C-VCR	2704
166-220-15 (now 166-220-18 & 19), 166-220-16	RCR	VCR	C-VCR	2704

Policy Status: Unit II Policy 3.b (3) p. 44: (Recreation and Visitor-Serving Facilities)				
Assessor Parcel Number	**Old Zoning**	**Proposed Zoning**	**Existing Zoning**	**Ordinance No.**
166-191-03,04	H-1	VCR	C-VCR	2704
166-201-06,09,10,13 (09 & 01 combined to 14)	H-1	VCR	C-VCR	2704
166-201-02,07,08	A-2:B-2	VCR	C-VCR	2704
166-203-02,03	H-1	VCR	C-VCR	2704
166-212-03,04	A-2:B-2	VCR	C-VCR	2704
166-213-01,02	A-2:B-2	VCR	C-VCR	2704

Policy Status: Unit II Policy 3.b (4) p. 45 (Recreation and Visitor-Serving Facilities)				
Assessor Parcel Number	**Old Zoning**	**Proposed Zoning**	**Existing Zoning**	**Ordinance No.**
166-202-01	H-1	H-1	C-VCR	2704
166-202-02,03,04 (166-202-02 combined to 166-340-07,08)	A-2:B-2	A-2:B-2	C-VCR	2704

Policy Status: Unit II Policy 3.b (5) p. 45 (Recreation and Visitor-Serving Facilities)				
Assessor Parcel Number	**Old Zoning**	**Proposed Zoning**	**Existing Zoning**	**Ordinance No.**
166-193-01,02 (now 166-340-06,07)	H-1,A-2:B-2	RCR	C-RCR	2704
166-230-05 (subdivided to 166-340-02, 03, 04, 08, 09)	H-1,A-2:B-2	RCR	All C-ARP-1.2 except 08, which is C-ARP-1.2/C-RCR	2704

Policy Status: Unit II Policy 8a.3 p. 209 (Location and Density of New Development)

Assessor Parcel Number	Old Zoning	Proposed Zoning	Existing Zoning	Ordinance No.
166-182-01	A-2:B-2	R-A:B-3	C-R-A:B-3	2704
166-183-01	A-2:B-2	R-A:B-3	C-R-A:B-3	2704
166-230-04	A-2:B-2	ARP-5	C-ARP-5	2704
166-230-08 – 10, 12 - 19	A-5	ARP-5	C-ARP-5	2704

All of the H-1 parcels have been rezoned as shown in the above tables, while the residential areas once zoned A-2:B-2 are now C-VCR. These zoning changes more accurately reflect the constraints on developments posed by septic system use.

LCP Unit II described the commercial development of Olema as including the Olema Store, Jerry's Farm House, Olema Inn, Olema Ranch Campground and the Post Office.[158] Approximately one third of the C-RCR land is developed, largely due to the Olema campground, while the remaining two-third are agricultural land abutting Highway One. Virtually all of the H-1 land, which has been rezoned to either C-RCR or C-VCR, are developed, half with commercial and half with residential uses. Much of the central part of the town is now zoned C-VCR, which provides for a mix of commercial and residential uses.

Today, 80 percent of the commercially zoned parcels have been developed. Specifically, of the 43 C-VCR and 8 C-RCR zoned parcels, four C-VCR and six C-RCR parcels remain undeveloped, respectively. The four undeveloped C-VCR parcels total 2.11 acres and include parcels 166-220-16, 166-212-04, 166-201-01 and 08. These have a buildout potential of 3 additional units. Meanwhile, six of the eight C-RCR parcels remain undeveloped. The two developed parcels are part of the Olema Campground. No additional residential or commercial buildout is anticipated on these parcels since those uses are prohibited.

The LCP Unit II reported 27 existing dwelling units in Olema (as of 1981) and that under existing zoning there was a buildout potential for an additional 103 dwelling units, providing a total buildout of 130 units.[159] The recommended rezonings would reduce this potential to an estimated total buildout of 60 units.

Olema Buildout							
Source:	Existing Units	Existing Nonresidential SQFT	Vacant Lots	Potential Units	Potential Nonresidential SQFT	Total Buildout Units	Total Nonresidential Buildout SQFT
LCP Unit II, 1981[160]	27	n/a	n/a	103	n/a	130	n/a
CWP FEIR 2007	37	25,593	21	17	19,398	54	44,991

[158] LCP Unit II p. 33
[159] LCP Unit II (amended), p. 200
[160] LCP Unit II (amended), p. 200

There are currently 37 existing dwelling units in Olema, an increase of 37 percent. These existing units are built on 31 (53%) of the total 58 lots in the community. There remain 16 vacant lots with a potential buildout of an additional 17 units for a total buildout of 54 units for the community. These lots are scattered throughout the small community area and range in size from 0.43 to 26.64 acres. However, six of these parcels are within the Golden Gate National Recreation Area and are zoned C-ARP-5. The County may want to consider a program to rezone these parcels to C-OA to be consistent with the Open Space (C-OS) land use designation. Of the remaining ten parcels, 3 are assigned a C-VCR zoning designation and fall under the C-NC land use category, 4 are zoned C-RCR and fall under the C-RC land use category, 1 is zoned C-ARP and falls under the C-AG3 category, and 1 is zoned C-RA:B3 and falls under the C-SF4 land use category.

There is presently 25,593 ft^2 of nonresidential development in Olema, with buildout potential for an additional 19,398 ft^2 of such development. This provides for a total buildout for commercial development in Olema of 44,991 ft^2.

Water Supply

Water service to Olema is provided by the North Marin Water District (West Marin Area). The NMWD service area also includes the areas of Point Reyes Station, Inverness Park, and Paradise Ranch Estates. The District experiences summer peaking problems. Water suppliers are actively looking into additional supplies such as additional storage and wells.

As of 2009, NMWD reported an existing 41 active connections in Olema, 25 of which are residential while the other 16 are commercial.[161] This represents a growth of 14 connections since the LCP was originally certified.[162] The District does not maintain individual data for Olema; instead information is aggregated as part of the overall service area.[163] The NMWD-West Marin District is expected to experience a water supply deficit of 81 AFY at buildout.[164] In addition, the District experiences summer peaking problems. The Districts is actively looking into additional supplies such as additional storage and wells.[165]

Sewage Disposal

All new development in Olema relies on on-site sewage disposal methods. Individual homes and shops rely upon septic systems while the Olema Ranch Campground has a small package treatment facility. Few problems have been experienced with sewage disposal in the area due to the very few number of residential units which have been built – 37 total.

Zoning densities were revised (as described above) in the Olema area to address the potential for cumulative impacts that exists from buildout on small lots utilizing septic systems (as recommended by Unit II Sewage Disposal Policy 3.b p. 190) in recognition of sewage disposal constraints. The LCP recommended rezoning to maintain minimum lot sizes of 20,000 square feet for areas east of Highway One, while maintaining 1 acre minimums for all lots bordering Olema Creek.[166] Parcels 166-182-01 and 166-183-01 were rezoned from A-2:B-2 to C-RA:B2, which has a 20,000 square foot minimum lot size. Of the 17 lots that border Olema Creek, there

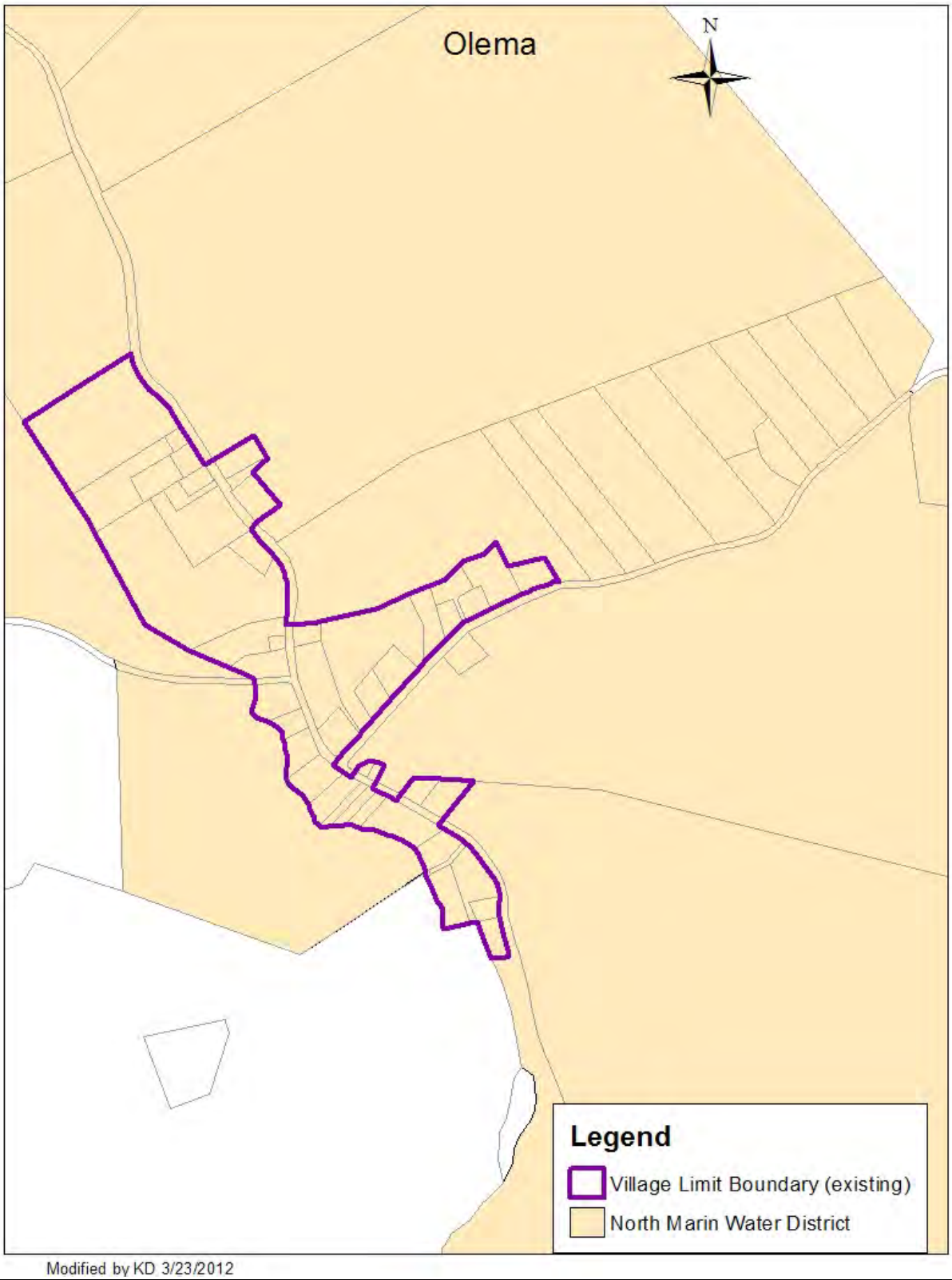
[161] Info provided 08/05/09 via email correspondence by Chris DeGabriele, General Manager of NMWD.
[162] LCP Unit II Table 16 Existing and Potential Residential Units in the Point Reyes Water Service Area, p. 142
[163] Per 08/12/09 email correspondence with Drew McIntyre, Chief Engineer of NMWD.
[164] 2007 CWP EIR, Exhibit 4.9-35, p. 4.9-83 and Exhibit 4.9-72, p. 4.9-113
[165] 2007 CWP FEIR, p. 4.9 - 82
[166] LCP Unit II Sewage Disposal Policy 3.b p. 190

are approximately five C-VCR zoned parcels that are less than one acre in size. The C-VCR zoning requires a 7,500 square foot minimum lot size. As described above, the total buildout for the community is 54 units, far below the 103 units originally anticipated in Unit II, which reduces the cumulative impacts on water quality and stream resources on Olema Creek.

Village Limit Boundary

The 1981 LCP Unit II states that the future expansion of Olema is strictly limited by federal parklands, which completely surround it, and recommended adopting the parkland boundary as the Village Limit Boundary. This action would fulfill the requirements of Section 30241 of the Coastal Act.[167] No modifications are proposed to the existing village limit boundary.

[167] LCP Unit II (amended), p. 93


Olema
N
Legend
Village Limit Boundary (existing)
North Marin Water District
Modified by KD 3/23/2012

BOLINAS

Bolinas Buildout				
Source:	Existing Units	Vacant Lots	Potential Units	Buildout Total
LCP Unit I, 1980[168]	602	n/a	815	1417
CWP EIR, 2007[169]	666	577	377	1043

Census Population and Housing in Bolinas 1990 - 2010[170]		
Year	**Population**	**Housing Units**
1977	2,700	634
1990	1,359	692
2000	1,246	629
2010	1,620	986
% Change (1990 – 2010)	19.2%	42.5%

Bolinas is small closely knit community located roughly 30 miles north of San Francisco at the southernmost tip of the Point Reyes National Seashore. The Bolinas Community Plan estimates the population of Bolinas was approximately 2,700 persons in 1977 with about 634 existing dwellings.[171] Since 1977, census data indicate that the population steadily declined to 1,246 residents in 2000, then rebounded to 1,620 residents in 2010. Overall the population has increased 20% between 1990 and 2010. Meanwhile, the number of housing units increased from 692 in 1990 to 986 by 2010, a 42.5% increase. Since 1977 the population has decreased by 40 percent while the number of housing units increased by 55 percent.

2010 Census data indicate that the population of Bolinas is predominately white (86.8%), while approximately 16% of the population is Hispanic or Latino. The median age is 49.3 years. There are 698 total households and the average household size is 2.05 residents per household. The average family size is 2.65. Of the 986 total housing units, 698 are occupied (70.8%) and 288 (29.2%) are vacant. Of the 288 vacant units, 243 units (24.6) are for seasonal, recreational, or occasional use, while eight (0.8%) are for rent, 0.7% are for sale, and 30 (3%) are "other" vacant. Of the occupied housing units, 401 (57.4%) are owner-occupied and 297 (42.6%) are renter-occupied. The homeowner vacancy rate is 1.7% while the rental vacancy rate is 2.6%.

The Bolinas community encompasses approximately 3,683 acres of land and is bound by the Point Reyes National Seashore (PRNS), the GGNRA and the Bolinas Lagoon. These natural features effectively serve as the permanent community expansion boundary for Bolinas.[172] Within this boundary are the subareas of Bolinas, known as downtown, the Little Mesa, Terrace Avenue, and the Gridded Mesa. The community's two biggest "neighborhoods" are the historic

[168] LCP Unit I, p. 78.
[169] Figures extracted from available GIS land use tables attributed based on the 2007 CWP EIR analysis.
[170] US Census Bureau
[171] 1975 Bolinas Community Plan, p. 50
[172] LCP Unit I p. 68

Downtown and the Gridded Mesa. Downtown Bolinas is a collection of commercial and residential buildings on Wharf Road and Brighton Avenue.

The Bolinas Gridded Mesa is an area of about 300 acres on a bluff overlooking Bolinas Bay and the Pacific Ocean. This area was subdivided in 1927 into more than 5,336 lots (20' x 100' in size) and sold for $69.50 each to subscribers to the San Francisco Bulletin.[173] Since the original subdivision, some lots have been consolidated into larger lots, while many remain their original size. In 1980, when Unit I was certified, it reported 384 existing dwelling units on the Mesa. Under the existing development standards of the time, approximately 600 additional dwellings could have been built on the Mesa.[174]

According to the 2007 CWP EIR analysis, there are presently 666 existing dwelling units built on 622 (43%) of the 1,457 total lots in the Bolinas community. There remain 577 vacant lots in Bolinas, the majority of which are located on the Bolinas Gridded Mesa. These dwelling units are primarily clustered in the downtown area and across the Gridded Mesa. Altogether there are a potential of 377 additional units in Bolinas, bringing total buildout for the area to 1,043 dwelling units.[175] Based on the table above, the number of housing units has increased from 602 in 1980 to 666 in 2007, an increase of 10 percent over the twenty-seven year period (compared to the 55 percent growth reported by the Census data in the first paragraph above). Total buildout is expected to decrease from 1,417 to 1,043 units, a 26 percent reduction.

The Bolinas Gridded Mesa Plan, an amendment to the Bolinas Community Plan, was developed after Unit I and dealt with improving the existing conditions and determining the development capacity of the Mesa. This Plan was certified as part of the LCP by the California Coastal Commission on March 27, 1985. The Mesa Plan stated that while the Mesa accounted for only about one-half of the total dwelling units in Bolinas, it accounted for over two-thirds of the residentially zoned portion of the Bolinas Planning Area.[176]

Comparison of Buildout Potential in Bolinas By Sub Area: Existing to Proposed LCP

Sub Area	Acres	(Existing LCP) Existing Units (July 1974, Unit I p. 78)	(Existing LCP) Buildout Units (July 1974)	Existing Units 2007	Potential Units	Buildout Total
Rural Area	2675	17	81	34	36	70
Dogtown	69	7	18	15	0	15
Horseshoe Flat	280	29	58	56	9	65
Gospel Flat	168	9	24	12	3	15
Downtown (Wharf & Brighton Roads)	30	68	83	83	12	95
Terrace Avenue	54	53	86	81	16	97
Little Mesa	32	35	83	39	26	65

[173] 1985 Bolinas Gridded Mesa Plan, p. 2.
[174] LCP Unit I, p. 77
[175] Data extracted from available GIS land use tables attributed based on the 2007 CWP EIR analysis
[176] 1985 Bolinas Gridded Mesa Plan, p. 3.

Gridded Mesa	326	384	984	346	275	621
TOTAL	**3,634**	**602**	**1417**	**666**	**377**	**1043**

Public Facilities and Services

The community of Bolinas is provided water and sewer service by the Bolinas Community Public Utilities District (BCPUD). BCPUD's jurisdiction encompasses approximately five square miles including the community's commercial center and mesa areas. The mesa area served includes some agricultural and publicly owned lands. The service area does not include residential properties north of Gasper's Lane and Mesa Road and on Horseshoe Hill Road, which relies on individual wells and septic systems. BCPUD handles domestic water collection, treatment and distribution, solid waste disposal, and sewage collection and treatment for the area. BCPUD presently provides water service to 591 accounts (or connections), 519 of which are single-family residential, 37 are multi-family, 29 are commercial and institutional, and 2 are agricultural. Four connections are inactive.[177] These inactive connections have been categorized for single family use. The full-time population within BCPUD's service area is approximately 1,500. However, recreational areas in and surrounding Bolinas are popular destinations on summer weekends and holidays, during which the local population increases substantially. To address chronic water shortages during the dry season, BCPUD since 1971 has maintained a moratorium on new service connections to the municipal water supply and has relied on voluntary rationing by customers.[178] The moratorium is still in effect and is governed by Resolution 173, adopted in 1977.[179]

Water Supply

BCPUD obtains its water supply from one local stream, Arroyo Hondo, and from two surface reservoirs, Woodrat Reservoirs 1 and 2. The catchment areas for Arroyo Hondo and the two surface reservoirs are situated within the Point Reyes National Seashore. Consequently, the surface water sources are well protected against potentially contaminating activities. Water licenses have been secured separately for each source, and there are no sensitive species associated with the Arroyo Hondo stream.[180]

Two dams on the Arroyo Hondo provide on average 135 AFY of water, while Woodrat Reservoirs 1 and 2 have a combined net safe yield of 40 AFY. All raw water is treated at BCPUD's advanced microfiltration water treatment plant, which was installed in 1996. Treated water is stored in two 430,000-gallon tanks prior to distribution.[181] There is one pump station and one water treatment plant treating an average of approximately 170,000 gallons per day with a maximum treatment capacity of treating 230,400 gallons per day. The District's water distribution system has approximately 20,000 linear feet of pipeline.[182]

In 2004, BCPUD produced 168 AF of water compared to 150 AF in 2000. Average annual water demand is between 140,000 and 150,000 gpd (157 to 168 AFY). Maximum water production capacity, when allowances are made for routine downtime, is 190,000 gpd. For six to seven months of the year, sufficient water supplies can be drawn from the stream. During the dry season, stream discharge decreases substantially, and the storage reservoirs must augment this source.[183] BCPUD does not import, exchange, or transfer water supplies and does not

[177] 2007 CWP FEIR, p. 4.9-25 and 4.9-58
[178] 2007 CWP FEIR, p. 4.9-25
[179] Bolinas Area Service Review & Sphere of Influence Update, August 2007, p. 12
[180] 2007 CWP FEIR, p. 4.9-25
[181] 2007 CWP FEIR, p. 4.9-25
[182] Bolinas Area Service Review & Sphere of Influence Update, August 2007, p. 6
[183] 2007 CWP FEIR, p. 4.9-25

perform desalinization. BCPUD's reliance on surface water alone for its water supply makes it susceptible to periods of low stream discharge during the dry season.[184]

BCPUD has plans to construct a water reclamation plant. The water from this plant will be used to irrigate adjacent soccer and baseball fields. In addition, BCPUD plans to replace older pipes in its distribution system in order to limit the amount of water lost due to leakage, which is estimated at about ten percent. BCPUD is actively characterizing the distribution system to prioritize point repairs. Neither the proposed water reclamation plant nor pipe repair plans have been finalized.[185]

Water Demand

The moratorium on new connections is expected to be maintained in the foreseeable future. The District expects to maintain service at existing levels. [186] In 2005 BCPUD reported that water supply was 175 AFY and demand was 165 AFY. These numbers are not expected to change at buildout.

However, while the District does not project changes in future water supply and demand, analysis of data from the CWP FEIR projects BCPUD will incur a water supply deficit at buildout. This is because the CWP FEIR assumes new development within the service area. While the moratorium is not expected to be lifted in the near future, it is unclear what the water supply situation will be in 2030. It is anticipated that technological advances will allow even greater conservation of water and make alternative water supply sources more feasible leading to the lifting of the connection moratorium.

The County numbers are about 6 percent higher on average than water supplier estimates. Most of the differences are due to the method of counting/reporting multifamily units. Many of the water supplier numbers reflect multifamily connections rather than multifamily units. For example, a ten unit apartment building may have only one meter and a water supplier would count it as one multifamily connection while the County counts ten units. The County numbers also include second units while the water suppliers probably do not unless there are two water meters. While the County and the water suppliers should strive to get accurate counts of housing units, this difference does not sway the results of this analysis.

Based on information from the CWP FEIR, BCPUD is projected to experience a water supply deficit of 64 AFY in a normal year at buildout.[187] BCPUD is also expected to experience a deficit during extreme drought years and will continue to have summer peaking problems. The LCP indicated that the lifting of the moratorium is dependent on the construction of a third reservoir. [188] BCPUD does not plan on constructing this reservoir.

Wastewater Treatment

In 1990, BCPUD completed an infiltration / inflow correction project to eliminate unwanted stormwater runoff and seawater intrusion. While the project reduced infiltration / inflow by 70 percent, the District still experiences capacity problems in years of above average rainfall and has continued the moratorium on new service connections enacted in 1990 as a requirement for Clean Water Grant Program funding. BCPUD's treatment plant was designed to treat 0.065 MGD and had an average flow of 0.035 MGD in 2005. The difference between the system's

[184] 2007 CWP FEIR, p. 4.9-26
[185] 2007 CWP FEIR, p. 4.9-26
[186] 2007 CWP FEIR, p. 4.9-58
[187] 2007 CWP FEIR, Exhibit 4.9-31 p. 4.9-83
[188] LCP Unit I, p. 45

average dry weather flow of 0.065 MGD and average wet weather flow of 0.090 MGD is less than 40% and within the District's peak permitted wet weather flow of 0.20 MGD.[189] Therefore, the BCPUD would be unable to treat additional wastewater flows generated by new land uses.[190]

Approximately one-third of the community is linked to the sewerage system. The remaining units use septic systems. Septic tanks in the District are periodically pumped and the effluent is hauled to the treatment plant. The District accepts up to three 1,200-gallon loads per day from District residents only.[191]

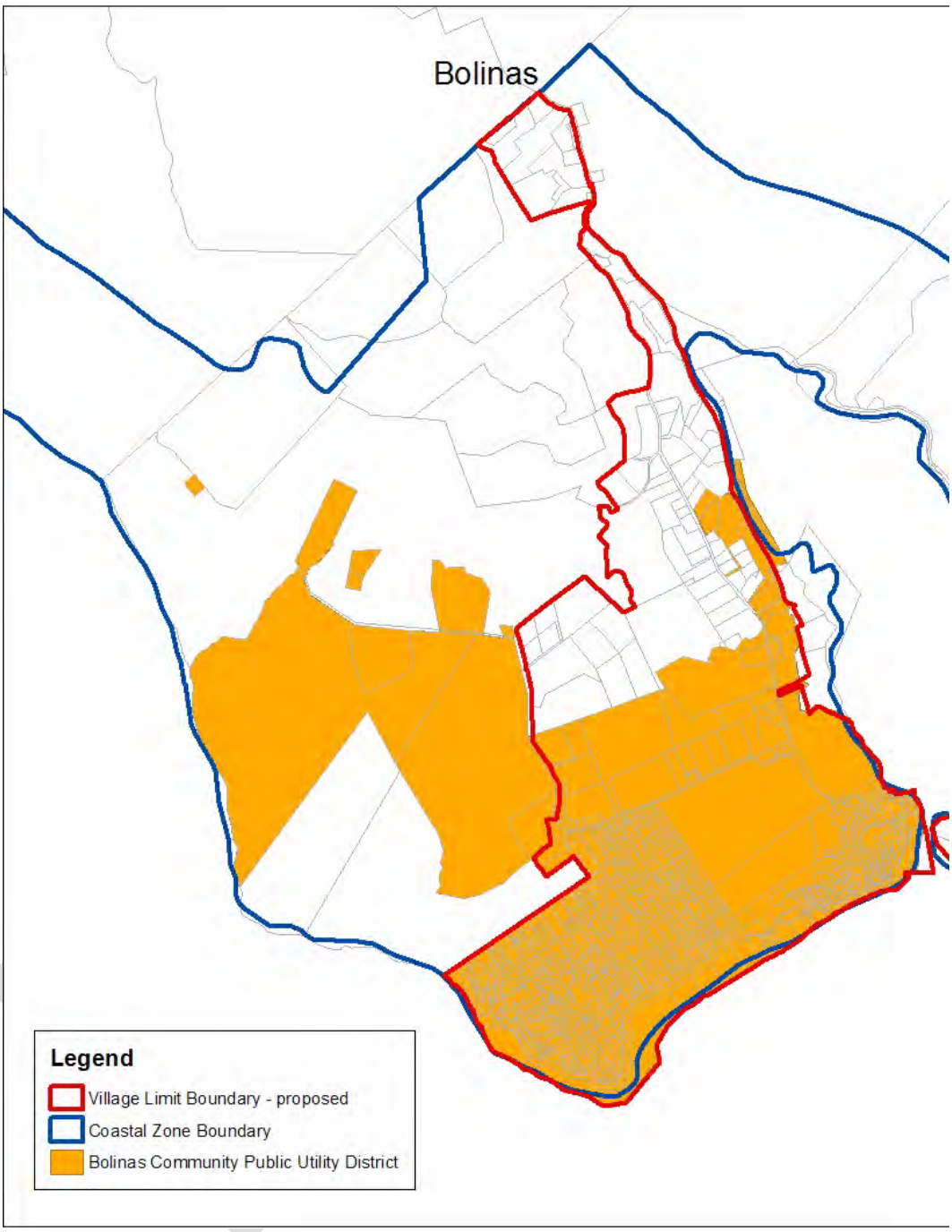
BCPUD would have insufficient capacity to accommodate projected growth without renovation, expansion or construction of new facilities. While the BCPUD's moratorium would ensure that existing land uses and development have adequate wastewater service, except during prolonged rainfall, projected development would still exceed the treatment capacity of BCPUD's facility. While the District's moratorium on new land uses and development would ensure that existing land uses and development have adequate wastewater service, except during prolonged rainfall, projected development would still exceed the treatment capacity of this facility. In order to minimize this impact, the CWP FEIR recommends BCPUD maintain the existing moratorium on new development and deny discretionary projects until such time the District is able to construct new or expanded facilities with sufficient capacity to accommodate such growth.[192] In addition, new or expanded facilities may be required to meet future water quality standards and treatment requirements.[193]

Village Limit Boundary

Because the community of Bolinas is surrounded by the Point Reyes National Seashore (PRNS), the Golden Gate National Recreation Area (GGNRA), Bolinas Lagoon, and the Pacific Ocean, the original certified LCP did not define a village limit boundary for the area as these natural features effectively serve as a permanent community expansion boundary. However, consistent with the other Coastal Zone villages, a new village limit boundary is proposed for Bolinas.

The proposed village limit boundary includes the Gridded Mesa, Terrace and Brighton Avenues, Wharf Road, Gospel Flat, and most of the Horseshoe Flat area. Publicly owned land within the GGNRA and PRNS are excluded, as are all lands zoned C-APZ-60 and C-ARP-60.

[189] Bolinas Area Service Review & Sphere of Influence Update, August 2007, p. 7.
[190] 2007 CWP FEIR, p. 4.10-26
[191] 2007 CWP FEIR p. 1.10-19
[192] 2007 CWP FEIR, p. 4.10-27
[193] 2007 CWP FEIR, p. 4.10-27


Bolinas
Legend
Village Limit Boundary - proposed
Coastal Zone Boundary
Bolinas Community Public Utility District

STINSON BEACH

Located along the Pacific Ocean coastline, the community of Stinson Beach is a small, primarily residential village surrounded by federal and State parklands. It is home to approximately 751 individuals[194] and covers approximately 384 acres of land roughly 19 miles north of San Francisco (by car). The community is bounded by the Bolinas Lagoon, Mount Tamalpais State Park, Golden Gate National Recreation Area and the Pacific Ocean.[195] These natural features effectively serve as a permanent community expansion boundary for Stinson Beach and limit future expansion opportunities.[196]

The population of Stinson Beach in 1970 was estimated at 792, representing 0.38 percent of the total Marin County population, which decreased to 715 by 1980.[197] The population slightly increased to 754 in 1990 and stayed steady through 2000, but then decreased to 632 in 2010. The town's population has decreased 20% since 1970. The Stinson Beach County Water District (SBCWD) estimates will grow to 835 residents by the year 2030.[198] According to US Census figures, the median age of the town's population is 54.4 years. Whites make up 92.1% of the population, followed by Hispanic or Latino at 5.2%.

Census Population and Housing in Stinson Beach 1970 - 2010[199]

Year	Population	Housing Units
1970	792	n/a
1980	715	n/a
1990	754	660
2000	751	693
2010	632	773
% Change (1970 – 2010)	**-20.2%**	**n/a**
% Change (1990 – 2010)	**-16.2%**	**17.1%**

Housing unit figures are not readily available prior to 1990. Census figures report that the number of units increased from 660 in 1990 up to 693 in 2000, a 5% increase. By 2010 the number of units increased to 773, an 11% increase over the decade. The number of units increased 17.1% between 1990 and 2010.

Of the 773 total housing units, 339 (43.9%) are occupied and 434 (56.1%) are vacant. Of these vacant units, 14 (1.8%) are for rent, one (0.1%) has been rented but not occupied, 5 (0.6%) are for sale, one (0.1%) has been old but is not occupied, 398 (51.5%) are for seasonal, recreational, or occasional use, and 15 (1.9%) are "other" vacant. Of the occupied housing units, 209 (61.7%) are owner-occupied and 130 (38.8%) are renter-occupied. The homeowner vacancy rate is 2.3% while the rental vacancy rate is 9.7%.

Stinson Beach land uses include single-family from 1 unit per 1 – 5 acres to 4 – 7 units per acre, and multi-family from 1 – 4 units per acre. Stinson Beach also includes general

[194] http://demographics.marin.org/2000comdevcensus/ComDev_Docs/StinsonBeach.pdf
[195] 1985 Stinson Beach Community Plan, p. 58.
[196] LCP Unit I (p. 68) states: "*The extensive public lands surrounding the three villages of Unit I significantly diminish the issue of the location of new residential development. These parklands effectively establish community expansion areas for the Unit I areas.*"
[197] 1985 Stinson Beach Community Plan, p. 59-60
[198] 2005 SBCWD UWMP, p. 5.
[199] US Census Bureau

commercial/mixed use land uses at 0.05 – 0.25 FAR and Neighborhood Commercial with a FAR of .30 to .50. Agricultural densities are 1 unit per 1 acre to 1 unit per 9 acres.

Stinson Beach Buildout				
Source:	**Existing Units**	**Vacant Lots**	**Potential Units**	**Buildout Total**
LCP Unit I, 1980	540	n/a	360	900
CWP EIR, 2007	751	135	214	965
Percent Change (1980 – 2007)	39.1%		-40.5%	7.2%

For the Stinson Beach community as a whole, the 1980 LCP Unit I reported approximately 540 existing dwelling units, with a potential buildout of an additional 364 units, providing a total buildout of 900 units for the area. Of the 360 potential units, 243 could occur in Seadrift, 24 in the Highlands area, 39 in the Patios area, 30 in the Calles, and 28 along Panoramic Highway.[200]

Today there are presently 751 existing dwelling units in Stinson Beach (including Seadrift), built on 673 (73%) of the 936 total lots in the community. There remain 135 vacant lots with a buildout potential for an additional 214 units, bringing the total buildout potential to 965 units.

Seadrift Buildout

Approximately half of the land area encompassed by the Stinson Beach community is part of the Seadrift subarea. Seadrift is a large privately-owned subdivision comprising the northern portion of the Stinson Beach community. 374 of the 936 lots within Stinson Beach are part of the subdivision. The 1980 LCP Unit I reported an existing 346 subdivided lots at Seadrift, 164 of which were either residentially developed or had permits authorizing such development. The plan stated that 182 vacant lots remained and were scattered along the ocean, the Bolinas Lagoon and the two sides of the Seadrift Lagoon.[201] There are presently 277 existing single-family dwelling units in Seadrift, built on 277 (74%) of the 374 total lots in the subdivision. There remain 53 vacant lots with a buildout potential for 55 additional dwelling units, providing for a total of 332 units in Seadrift.

Unit I outlined land use and zoning proposals for Stinson Beach. Pursuant to the Location and Density of New Development Policy 29 (p. 79), existing R-2 designations were retained in order to protect and maintain the existing character of the community. In addition, the policy required no development other than single-family residences on any parcel of less than 7,500 square feet in area in order to minimize septic tank problems and the cumulative impacts of such development on public access along Calle del Arroyo. The Calles are presently zoned C-R-2.

Unit I, Policy 30 recommended certain properties along Shoreline Highway that were previously zoned R-3 to be rezoned to R-2 in order to minimize flood hazards and the adverse impacts on Easkoot Creek and to be consistent with existing character of the community. These were rezoned by Ordinance 2259. Policy 31 recommended designating the R-1 properties on the east side of Calle del Arroyo to a "Resource Conservation Area" in order to assure protection of the adjacent marsh areas of Bolinas Lagoon. These parcels have not been rezoned and are

[200] LCP Unit I, p. 69
[201] LCP Unit I, p. 70.

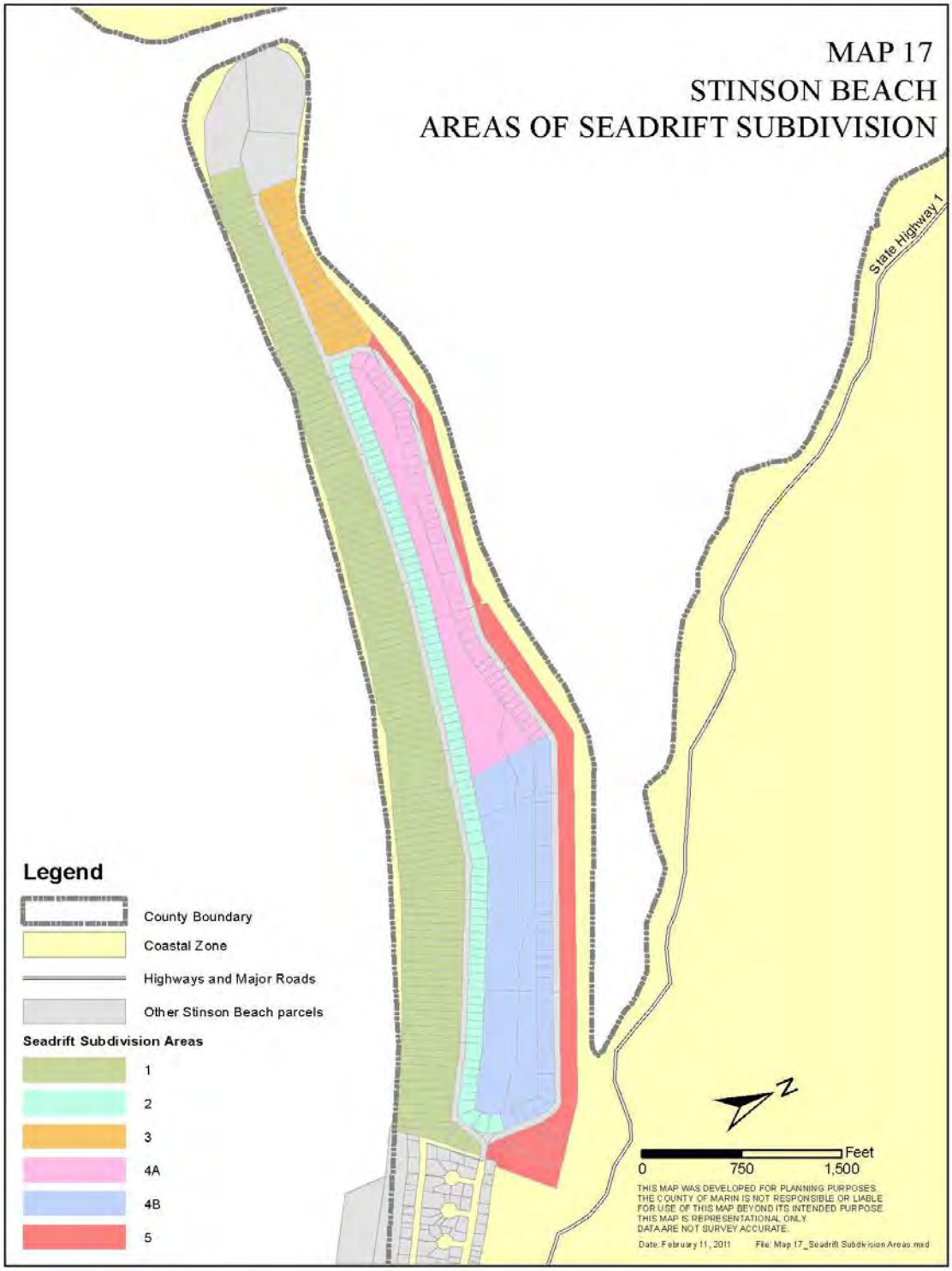
part of the Area of Deferred Compensation, which was created on June 3, 1981 and includes 24 parcels totaling 3 ½ acres. The principal issues are the question of buildout on ten vacant parcels and their inadequacy in size for individual septic systems while maintaining a 100' protective setback from the Bolinas Lagoon edge. Finally, Policy 32 requested that properties presently zoned R-1 on the seaward side of the paper street Mira Vista should be redesignated to RSP-2.0 in order to assure preservation of the natural sand dunes and sandy beach areas located seaward of Mira Vista. The properties were subsequently rezoned pursuant to Ordinance 2638 to C-RSP-2.0.[202]

Unit I analyzes the location and density of new development at Seadrift Subdivision separately from the rest of Stinson Beach. For purposes of land use policy, the Subdivision is divided into five sub-areas. Ordinance 2638 rezoned Seadrift lots in each sub-area pursuant to the LCP recommendations in Policy 36 (p. 81). The five areas are described as follows:

- Area 1. Area 1 includes those lots fronting on the Pacific Ocean and generally south of Seadrift Road. These properties present the least potential for adverse impacts by new development activities because of their size, location relative to lagoon waters, and buildout potential. Ordinance 2638 rezoned these lots from R-1 to C-RSPS-2.9 (minimum lot size of 15,000ft²). All lots except for APN 195-310-68 (lot 142) have been developed.
- Area 2. Area 2 includes those lots generally between Seadrift Lagoon and Seadrift Road. These properties are smaller lots with a large amount of buildout potential adjacent to the interior Seadrift Lagoon. Approximately 33 of the 96 lots remain undeveloped. Ordinance 2638 rezoned these lots C-RSPS-1.4 (Coastal Residential, Single-Family Planned, 1.4 units per acre) to ensure a minimum lot size of 30,000ft².
- Area 3. Area 3 includes those lots fronting on Bolinas Lagoon and generally west of Dipsea Road. Ordinance 2638 rezoned these lots to C-RSPS-1.4 (Coastal Residential, Single-Family Planned, 1.4 units per acre) to establish a 30,000ft² minimum lot size.
- Area 4. Area 4 includes those lots fronting on Dipsea Road and the Seadrift Lagoon area. This area is further divided into Areas 4A and 4B. All lots in Area 4a are zoned C-RSPS-0.387 (Coastal Residential, Single-Family Planned, 1 unit per 2.89 acres) with the exception of 7 lots that are zoned C-RSPS-4.5 (Coastal Residential, Single-Family Planned, 4.5 units per acre). These seven lots were rezoned according to Ordinance 2822 per Policy 36.d.3. In Area 4b most of lots were rezoned to C-RSPS-4.39 per Policy 36.d.3 via Ordinance 2822. The remaining lots are zoned C-RSPS-0.387. Only four of the approximately 93 lots in Area 4 remain undeveloped.
- Area 5. Area 5 includes 26 acres consisting of approximately 28 lots adjacent to the Bolinas Lagoon and the entrance gate of Seadrift. This area previously consisted of 26 acres consisting of 2 lots of 6 and 20 acres, respectively. At the time of certification the land was unsubsidized; however, a portion of the property was improved with underground utility services and has since been subdivided. Although Area 5 was not an explicit part of the Seadrift Subdivision, it was included in the analysis because of the physical relationship and ownership of the land. Because of its location and general configuration, a number of development standards were included in Policy 36.d.e to address potential conflicts with the objectives identified in the Seadrift Section above.

[202] See Status of LCPs, Part 2, North Central Coast District Actions through June 30 ,2008/ http://www.coastal.ca.gov/la/docs/lcp/lcpstatus-2008.pdf

Policy 36.d.e recommended additional development in Area 5 shall be limited to no more than seven additional single-family, detached dwellings limited to a single 6 acre parcel. The original 8.7 acre parcel was subdivided into 9 lots, of which seven have been developed. These seven developed lots are 195-090-45, 46, 47, 50, 51, 53, and 55.


MAP 17
STINSON BEACH
AREAS OF SEADRIFT SUBDIVISION
State Highway 1
Legend
County Boundary
Coastal Zone
Highways and Major Roads
Other Stinson Beach parcels
Seadrift Subdivision Areas
1
2
3
4A
4B
5
N
Feet
0
750
1,500
THIS MAP WAS DEVELOPED FOR PLANNING PURPOSES.
THE COUNTY OF MARIN IS NOT RESPONSIBLE OR LIABLE
FOR USE OF THIS MAP BEYOND ITS INTENDED PURPOSE.
THIS MAP IS REPRESENTATIONAL ONLY.
DATA ARE NOT SURVEY ACCURATE.
Date: February 11, 2011
File: Map 17_Seadrift Subdivision Areas.mxd

Public Facilities and Services

The Stinson Beach County Water District (SBCWD) provides water service and manages sewer and garbage disposal services for the community. There is no centralized sewage treatment and disposal facility in Stinson Beach, and as a result, existing and future development in the area relies on the use of individual on-site wastewater disposal systems.[203] SBCWD provides state-of-the-art management of on-site wastewater treatment and disposal systems, but does not provide reclaimed water.[204]

SBCWD presently serves water to 718 metered connections including residential, commercial and federal and State park recreation uses. Stinson Beach is zoned primarily as single family residential land use, and 95 percent of the water connections are for single family homes. Over 40 percent of these are vacation homes that are not occupied full-time. However, summertime and weekend visitors can easily exceeded 10,000 persons on any given weekend from July through October.[205]

Only minor growth in water demand is anticipated in the foreseeable future. Growth potential is limited in Stinson Beach by the publicly owned lands surrounding the community, and SBCWD estimates that there may be potential for 60 additional lots to be developed before the community is built out. Additional increase in water demand may occur as vacation homes are used increasingly as year-round primary residences.[206] However, the SBCWD will experience a water supply deficit of 15 AFY during a single dry or drought year at buildout.[207]

Over the next 20 years it is estimated that demand on the District's water supply will increase according to the number of new meter connections, and proportional to the projected rate of growth. Between 1991 and 2000, only 25 new meter connections were installed (from 682 to 718 connections- a rate of 2.8 connections per year). However, the year-round population of the community increased by 121 persons between the years 1990 and 2000 (approximately 12 persons per year, based on actual census data).[208] This may be an indicator that growth within the community of Stinson Beach is increasing as more vacation homeowners sell or rent their property to year-round residents. The 2005 SBCWD UWMP predicts that the population of Stinson Beach will grow from 755 residents in 2005 to 835 residents by the year 2030.[209]

The SBCWD monitors 700 on-site septic systems, as required by the San Francisco Bay Region of the California State Regional Water Quality Control Board. The current agreement requires reports of monitoring and program management on an annual basis. According to the annual report covering the period from June 30, 2007 to July 1, 2008, 96 percent of the on-site septic systems monitored received a "passing" rating. Those systems with received a "failed" rating have had their discharge permits revoked. These permits will be reissued following completion of the repair(s) listed by the District.[210]

Village Limit Boundary

A Village Limit Boundary (formerly Community Expansion Boundary) was not established for Stinson Beach in the existing LCP since the community is both bounded by both public lands

[203] 2005 SBCWD Urban Water Management Plan
[204] 2007 CWP EIR, p. 4.9-28
[205] CWP EIR, p. 4.9-48
[206] 2007 CWP EIR, p. 4.9-62
[207] 2007 CWP EIR, Exhibit 4.9-55 p. 4.9-100
[208] 2005 SBCWD UWMP, pp. 27 & 30.
[209] 2005 SBCWD UWMP, p. 5.
[210] 2005 SBCWD UWMP, p. 1

and the Pacific Ocean. However, consistent with other coastal communities, a village limit boundary is now proposed, as shown on the following figure. The proposed boundary is based on existing public open space areas and the existing Community Plan boundary, and falls within the Stinson Beach County Water District service area.

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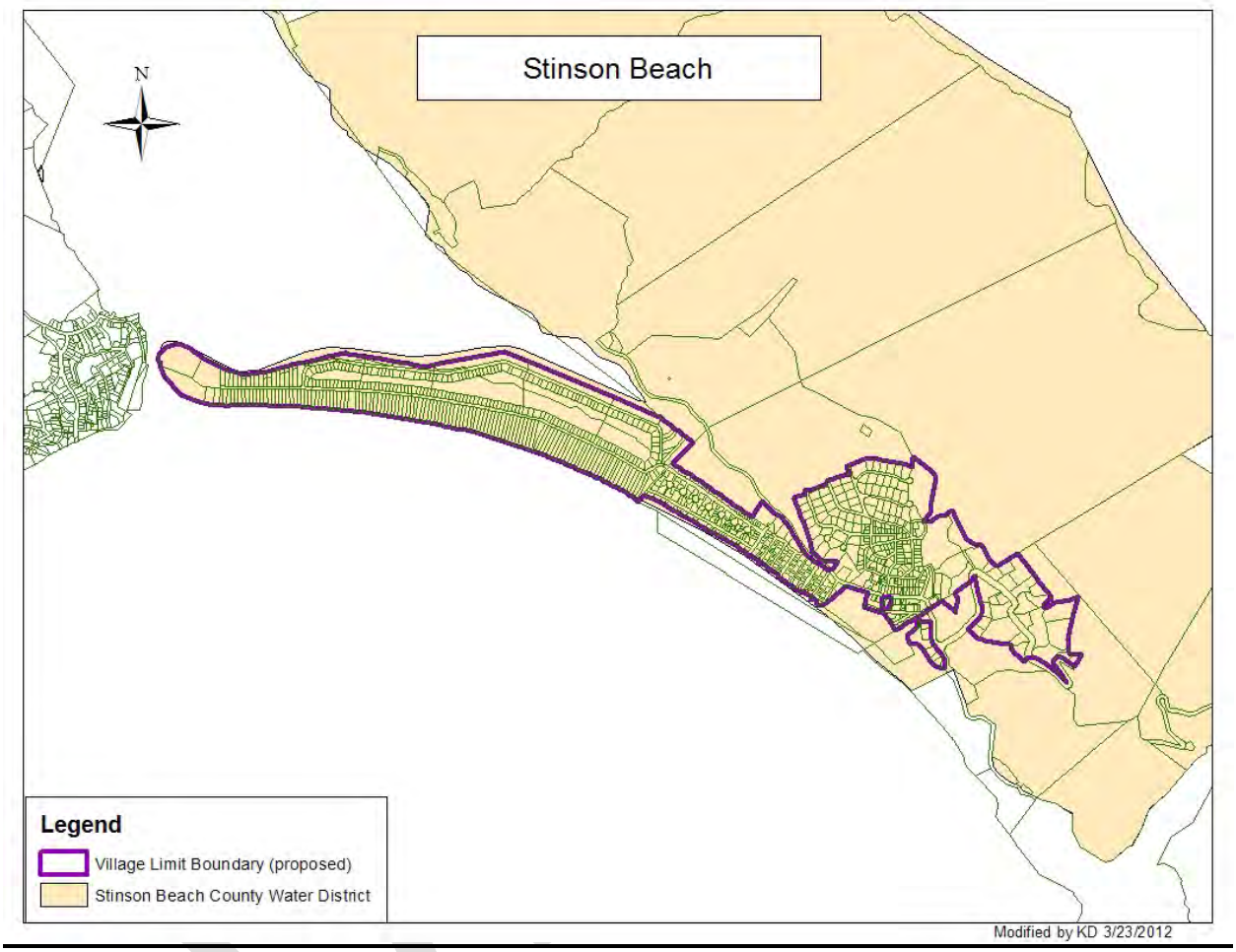


MUIR BEACH

Muir Beach is a small coastal community situated along the lower portions of Redwood Creek (Frank Valley) and Green Gulch and along the ridge overlooking Big Lagoon and the Pacific Ocean. The primarily residential community is surrounded by Federal and State park lands, which limits the amount of available land for expansion and serves as a development boundary. Residential densities range from 1 unit per 1 – 5 acres to 2 – 4 units per acre. Muir Beach also contains low density agricultural land uses at 1 unit per 31 – 60 acres. Muir Beach has one neighborhood commercial /mixed use parcel, occupied by the Pelican Inn, with a FAR 0.86. Primary access to the area is provided by Highway One.

The population of Muir Beach has remained steady at about 300 persons since 1979. Between 1979 and 2010, the population decreased from 314 to 310, a 1.3% decline. However, the 2007 Marin Countywide Plan Final Environmental Impact Report states that Muir Beach is characterized by full-time residency with a permanent population of about 350 residents.[211] The Muir Beach Community Plan reports 129 units in 1979. According to Census data, this increased to 151 units in 1990, and then fluctuated down to 144 in 2000 and back up to 162 units in 2010. Overall, the number of units increased 25.6% over 31 years. Much of this growth (17%) occurred between 1979 and 1990.

Census Population and Housing in Muir Beach 1990 - 2010[212]		
Year	**Population**	**Housing Units**
1979[213]	314	129
1990	331	151
2000	295	144
2010	310	162
% Change (1979 – 2010)	-1.3%	25.6%
% Change (1990 – 2010)	-6.3%	7.3%

Muir Beach Buildout							
	Existing Units	Existing Non-residential SQFT	Vacant Lots	Potential Units	Potential Non-residential buildout SQFT	Total Buildout Units	Total Non-Residential Buildout SQFT
Muir Beach Community Plan, 1979[214]	129	n/a	44	44	0	173	5,779
2007 CWP FEIR	146	5,779	18	33	0	179	5,779

[211] 2007 Marin Countywide Plan Final Environmental Impact Report, p. 4.9 - 39
[212] US Census Bureau
[213] 1979 Muir Beach Community Plan, p.12
[214] 1979 Muir Beach Community Plan, p. 12

LCP Unit I defers to the 1979 Muir Beach Community Plan as a reference for policy background material, which reports an existing dwelling unit count of 129 units and a total population of 314 individuals, as of 1979. The Community Plan states that 44 vacant lots remain in the area and a projected buildout of 173 units. The only commercial use in the area is the Pelican Inn, located at Highway 1 and Pacific Way, which is zoned Coastal, Village Commercial Recreational (C-VCR). No additional commercial zoning or development is planned for the area.

According to the 2007 CWP EIR analysis, there are currently 146 existing dwelling units. This means 17 units have been constructed since 1979. Of the 187 lots in the community, there remain 18 undeveloped lots with a buildout potential for 33 additional dwelling units, providing for a total buildout of 179 units. The 18 vacant lots are zoned C-RA-B zoning designation.

Water Demand and Supply

The Muir Beach Community Service District (MBCSD) was formed in 1958 and serves the community of Muir Beach. The District is responsible for water distribution, supply and treatment; road and access easement maintenance; recreation and assists the Muir Beach Volunteer Fire Department in the provision of supplemental fire protections service. The MBCSD service area is approximately 820 acres and primarily includes the Muir Beach residential area, Green Gulch Zen Center agricultural lands, the Pelican Inn, and public lands of the GGNRA (including Muir Beach), but also extends up the coastline west of Shoreline Highway and inland along the south side of Shoreline Highway. [215]

The District maintains two wells (drilled in 1996 and 2002) located at Santos Meadow between California State Parks and GGNRA on MBCSD property adjacent to Frank Valley Road. The wells draw from an aquifer that flows parallel to Redwood Creek, flowing from Muir Woods to the ocean. A 150,000 gallon redwood storage tank serves the High Zone area of the Seacape Subdivision while a 100,000 gallon redwood storage tank serves the Low Zone properties of the Bello Beach subdivision. A second well in the Low Zone area failed in 1986 and has not been replaced.[216]

The MBCSD relies solely on groundwater pumped from a well field located along Redwood Creek. These water diversions are subject to a water rights permit from the California State Water Resources Control Board, which permits a maximum diversion of 45,000 gpd (0.07 cfs) with a mandatory reduction in daily pumping to no more than 35,000 gpd during severe drought conditions. On an annualized basis, the maximum diversion of 45,000 gpd is equivalent to 50 AFY.[217]

Water Supply Source	***2005***	***2010***	***2015***	***2020***	***2025***	***2030***
Local Surface Water	0	0	0	0	0	0
Groundwater	29	50	50	50	50	50
Imported	0	0	0	0	0	0
Wholesaler	0	0	0	0	0	0

[215] Muir Beach Area Service review and Sphere of Influence Update, October 2007, p. 3
[216] Muir Beach Area Service review and Sphere of Influence Update, October 2007, p. 8
[217] Marin Countywide Plan Final Environmental Impact Report, p. 4.9 - 41

Reclaimed	0	0	0	0	0	0
Transfer / Exchange	0	0	0	0	0	0
Desalination	0	0	0	0	0	0
Total	***29***	***50***	***50***	***50***	***50***	***50***

The MBCSD provides water service to 152 active connections, 147 of which are residential and five for service to a commercial establishment (the Pelican Inn), a horse barn/equestrian facility, the Muir Beach Community Center, Muir Beach Park, and to the State park land. Of the non-residential connections, only the commercial connection for the Pelican Inn represents a significant demand. While the water supply for the MBCSD is constrained by limitations on groundwater pumping defined by the water rights permit for maximum diversions and diversions under severe drought conditions, potential impacts to streams and associated habitats, and low well yields due to the Franciscan Formation bedrock,[218] the District has indicated this is adequate to serve future demand and potential maximum buildout. Per capita demand is less than 50 gallons per capita per day (gpcd).[219]

Because there is no potential for additional visitor-serving uses in Muir Beach, additional water use will be limited to the buildout of the residential lots and increased demand from the beach park.[220]

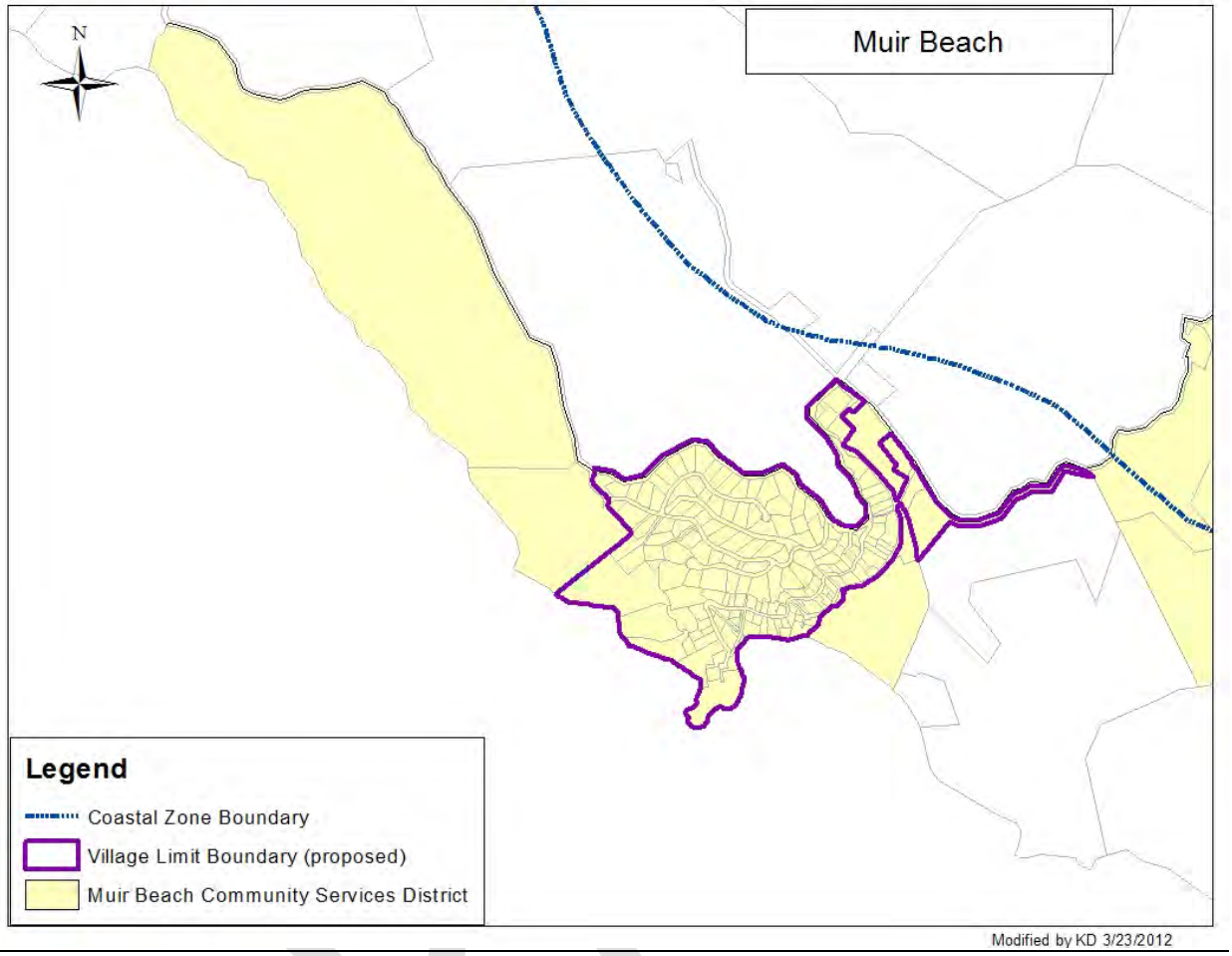
Village Limit Boundary

Similar to Stinson Beach and Bolinas, the existing Unit I LCP did not provide a Village Limit Boundary (formerly community expansion boundary) for the Muir Beach community because the area is bounded by the Pacific Ocean and State and Federal parklands, which serve as natural development boundaries. However, a Village Limit Boundary is now proposed to provide guidance on where reasonable growth and infill should occur. The proposed Village Limit Boundary (VLB) includes all the residentially zoned areas in the upper Seacape subdivision and the lower Bello Beach subdivision, as well as the Pelican Inn property. Parcel 199-191-13, located adjacent to the Pelican Inn and within the Golden Gate National Recreation area, is excluded even though it is within the MBCSD service area. In addition to State and Federal park lands, the properties owned by the San Francisco Zen Center, which are zoned C-ARP-60, are not included. The remaining properties in the VLB are residentially zoned except for the Pelican Inn, which is zoned C-VCR. Furthermore, the VLB does not extend outside of the MBCSD service area.

[218] Marin Countywide Plan Final Environmental Impact Report, p. 4.9 - 42

[219] Letter to Michele Rodriguez of the Marin County Community Development Agency from Donovan Macfarlane, General Manager, Muir Beach Community Services District, June 1, 2004

[220] Unit I p. 44


N
Muir Beach
Legend
Coastal Zone Boundary
Village Limit Boundary (proposed)
Muir Beach Community Services District
Modified by KD 3/23/2012