Stream Conservation Area Ordinance for the San Geronimo Valley
Agenda

- Overview of FSEIR
  *Presented by Maia Singer, Ph.D., Stillwater Sciences*
- Overview of SCA Ordinance
- Review Issues from 11/8/21 workshop
SCA Ordinance Overview

The SCA Ordinance consists of:

• Amendments to Title 22 of the Development Code;
• Resource materials; and
• Urban Streams Coordinator Program

The Board directed the ordinance must remain consistent with the Countywide Plan and implement the legally mandated FSEIR mitigation measures.
Review Topics from 11/8/21 workshop
## Issue 2: SCA Parcel Analysis

<table>
<thead>
<tr>
<th></th>
<th>CWP Existing</th>
<th></th>
<th>CWP Buildout</th>
<th></th>
<th>Potential</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Parcels</td>
<td>Units</td>
<td>Parcels</td>
<td>Units</td>
<td>Parcels</td>
<td>Units</td>
</tr>
<tr>
<td>Completely w/in SCA</td>
<td>93</td>
<td>104</td>
<td>118</td>
<td>130</td>
<td>25 (27%)</td>
<td>26 (25%)</td>
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<tr>
<td>Partially w/in SCA</td>
<td>648</td>
<td>780</td>
<td>767</td>
<td>920</td>
<td>119 (18%)</td>
<td>140 (18%)</td>
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<tr>
<td>Outside SCA</td>
<td>674</td>
<td>714</td>
<td>847</td>
<td>906</td>
<td>173 (26%)</td>
<td>192 (27%)</td>
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<tr>
<td>Total</td>
<td>1,415</td>
<td>1,598</td>
<td>1,732</td>
<td>1,956</td>
<td>317</td>
<td>358</td>
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**Summary:**
- Potential 141 additional improved parcels completely & partially w/in SCA
- Few parcels are completely within SCA
- Majority of parcels are partially within SCA
Distribution of Unimproved Parcels with Potential Development (1 – 2 units)
Issue 3: Accessory Dwelling Units (ADUs)

Category 1 ADU allowed in SCA with ministerial approval where:

- Does not exceed 800 square feet of floor area
- Does not exceed a height of 16 feet above grade
- Maintains 4-foot minimum rear and side yard setbacks
- No discretionary review; no site assessment
- Only one ADU allowed on a lot restricted to single family zoning
- Generally, more than one ADU may be allowed on lots with multi-family development
Issue 3: Accessory Dwelling Units

What about a Category 1 ADU on a lot with a septic system?

- Planning does not review septic systems (Improvements not exceeding 18 inches above grade are exempt from land use permits)

- Proposed SCA Ordinance exempts the repair & replacement of septic systems that incorporate erosion & sediment BMPs from discretionary review
Issue 4: Exceptions to Full SCA Compliance

Section 22.30.045.E.2:

Exceptions to full compliance with all SCA criteria and standards may be allowed only if the following are true:

1. A lot falls entirely within the SCA; or

2. Development on a parcel entirely outside the SCA either is infeasible or would have greater impacts on water quality, wildlife habitat, sensitive biological resources, or other environmental constraints than development inside the SCA
Issue 5: Enforcement of SCA Regulations

Enforcement tools:

• Enforcement investigations are complaint based.
• Existing permitted and non-conforming structures would be allowed to be used, maintained, and even replaced in-kind under the proposed ordinance – no retroactive permits required.
• Point-of-sale inspection program is not under consideration
• Site Assessment subsidy incentive
Issue 6: Implications of Senate Bill 9 (SB-9)

SB-9 requires ministerial approval either or both of the following:

a) A development of no more than two units (duplex) in a single-family zone;

b) The subdivision of a residentially zoned parcel into two approximately equal parcels of at least 1,200 square feet.
Issue 7: Offsite Mitigation Program

• The SCA Ordinance sets the stage for creating an offsite mitigation program within the Valley.

• Until a formal program is established, mitigation would occur on-site.
Issue 8: Rezoning to the SGV Combining District

- Proposed amendments include rezoning of all lots in the San Geronimo Valley with the new SGV (San Geronimo Valley) Combining District, for example:
  
<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
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<tbody>
<tr>
<td>R1-B4</td>
<td>SGV-R1-B4</td>
</tr>
<tr>
<td>RSP-1</td>
<td>SGV-RSP-1</td>
</tr>
</tbody>
</table>

- Rezoning would not affect existing standards for FAR, maximum height & setbacks
- Ensures uniform standards for all properties in the SCA
- Ensures consistent, watershed-wide compliance with stormwater, erosion & sediment control, and Low Impact Development requirements
Issue 9: Performance Measures

County must:
- Complete SCA Ordinance within 5 years.
- Provide biannual reports to the Board of Supervisors.

Potential Metrics:
- Site Plan Review applications received, approved, conditionally approved, or denied;
- Appeals;
- Enforcement actions;
- Amt of new and replaced; and pre- and post-project Impervious surface area;
- Amount of riparian vegetation created or replaced, or remains intact;
- Salmonid counts; and
- Restoration projects
Issue 10: Pyrophytic Plants

Section 22.52.020 – Site Plan Review Exemptions:

• Exempt removal or trimming of pyrophytic, combustible live trees and/or vegetation consistent with Title 16 of the Fire Code, including tanoak, California bay laurel, and Douglas-fir tree species

Note: Tree Removal Permit required for removal of Protected or Heritage tree in the SCA FSEIR:

• “Pyrophytic” defined as “fire prone plants as listed on Fire Safe Marin website” (FireSafeMarin.org)
• Pyrophytic trees include Tanoak, California Bay Laurel, and Douglas-fir, as well as eucalyptus
• Flammable vegetation includes acacia, broom and pampas grass
Douglas-fir (*Pseudotsuga menziesii*)

- Considered “fire-hazardous” by Fire Safe Marin
- One of the predominant conifer species occurring in the Valley riparian corridor
- Defined as a Heritage, Protected Tree

**FSEIR mitigation measure:**

- Plant an appropriate distance from structures in compliance with Title 16 and Public Resources Code
- Reduce wildfire potential through appropriate trimming, thinning, and removal of branches and shoots to reduce density of woody plant material in the understory

Credit: FIRESAFEmarin.org
Tanoak (*Lithocarpus densiflorus*)

- Considered a protected, heritage tree.
- Considered “fire-hazardous” by Fire Safe Marin.
- FSEIR: While Tanoak is a native riparian and understory species to the Valley, it is highly vulnerable to SOD and can increase the amount of dead and dry plant material (fuel) and potential for wildfire.

Credit: George Hartwell  
Credit: Lynn Watson, Santa Barbara  
Credit: Kim Cabrera
California Bay Laurel (*Umbellularia californica*)

- One of the most common tree species occurring in the riparian corridor
- Considered “fire-hazardous” by Fire Safe Marin
- Considered a Protected, heritage tree
- FSEIR: Considered a vector for SOD and is not on the list of allowable woody riparian tree species for replanting in SCA

Credit: Keir Morse Credit: Keir Morse Credit: Keir Morse
Other pyrophytic plants not included in the list of allowable woody riparian:

- Monterey pine (Pinus radiata)
- Eucalyptus (Eucalyptus globulus)
- Ghost pine (Pinus sabiniana)
Issue 11: Additions up to 500 s.f.

Proposed modification to Section 22.30.0455.D.2:

Floor area Additions to existing permitted structures that do not increase the footprint within the Stream Conservation Area by more than a cumulative total of 500 square feet of building area and that does not increase the existing horizontal encroachment into the Stream Conservation Area. The 500 square feet of cumulative floor area shall be calculated following the effective date of the Development Code Amendments for the SCA Ordinance this section (__, 2022).

• An addition must comply with the development standards of the underlying zoning district;

• Cumulative floor area calculated per parcel, not per structure. Once used up it is no longer available.
Recommendation

- Conduct a public hearing
- Approve resolution