

BOARD OF SUPERVISORS OF THE COUNTY OF MARIN

RESOLUTION NO. 84-501

A RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
CONDITIONALLY APPROVING ADOPTION OF THE NORTHGATE
ACTIVITY CENTER PLAN FOR APPLICATION WITHIN THE
UNINCORPORATED AREA OF MARIN COUNTY

WHEREAS, the City of San Rafael has adopted their Northgate Activity Center Plan to guide the orderly growth and development of property located within the north San Rafael area, and

WHEREAS, to provide for a balance between expected physical development and increases in traffic resulting from such development, a scheme for the collection of traffic mitigation fees was created in association with the Northgate Activity Center Plan to assure that there would be no degradation of traffic Level of Service "D" within their Planning Area, and

WHEREAS, to totally secure a balance between physical development and traffic generation resulting from such development, the City of San Rafael has formally requested that the County consider adoption of the Northgate Activity Center Plan for application within the unincorporated area of north San Rafael and to contribute through the collection of traffic mitigation fees for the financing of capital improvements to assure the success of the Plan, and

WHEREAS, in response to the City's request, the Marin County Planning Commission conducted duly noticed public hearings to consider County adoption of the Northgate Activity Center Plan on March 26, 1984, July 9, 1984, August 24, 1984 and September 10, 1984, with full and adequate public notice having been given prior to the conduct of such hearings, and

WHEREAS, the Marin County Planning Commission has found and determined that no significant adverse impacts would be caused by County adoption of the Northgate Activity Center Plan and has approved and recommended adoption of a Negative Declaration of Environmental Impact, and

WHEREAS, the Marin County Planning Commission has, upon unanimous vote, recommended conditional and modified adoption of the Northgate Activity Center Plan to the Marin County Board of Supervisors, and

WHEREAS, the Marin County Board of Supervisors conducted a duly noticed public hearing on October 16, 1984 to consider the recommendations of its Planning Commission and to receive and consider written and verbal comments from the-public-at-large who have interest in County adoption of the Northgate Activity Center Plan, and

WHEREAS, the Marin County Board of Supervisors finds and declares that adoption of a revised and modified Northgate Activity Center Plan will not generate nor cause any significant adverse environmental impact, and

WHEREAS, the Marin County Board of Supervisors finds and declares that County adoption of a revised and modified Northgate Activity Center Plan is essential to the maintenance of public, health, safety and welfare,

SO, THEREFORE, BE IT RESOLVED BY THE MARIN COUNTY BOARD OF SUPERVISORS THAT IT APPROVES AND RECOMMENDS ADOPTION OF THE NORTHGATE ACTIVITY CENTER PLAN, SUBJECT TO THE FOLLOWING LIMITATIONS, RESTRICTIONS AND CONDITIONS WHICH THE PLANNING COMMISSION STATE ARE ESSENTIAL FOR CLARITY AND EQUITY IN COUNTY APPLICATION OF THE NORTHGATE ACTIVITY CENTER PLAN:

1. DEFINITION OF THE PLANNING AREA

For County purposes, the Northgate Activity Center Planning Area shall be defined as follows: Southern boundary: Puerto Suelo Hill; Eastern boundary: San Francisco Bay, including all unincorporated properties located within the Santa Venetia neighborhood; Northern boundary: Southerly limits of the Silveira Ranch property; Western boundary: Countywide Plan map setting limits of City Centered Corridor and Inland Rural Corridor.

2. RE-USE CREDITS

For the purpose of determining traffic mitigation fees by the County for improved properties which are proposed for private redevelopment, the County shall first calculate existing PM peak traffic counts for the use prior to redevelopment. In the event that proposed re-use and redevelopment generate a higher number of PM peak traffic trips, the developer of such properties shall be required to recompense the difference between existing and projected PM peak trips.

3. TSM BONUSES

Although Transportation System Managements programs (TSM's) can be effective in reducing peak period traffic loadings, local experience reveals that enforcement of such programs is difficult to attain and that such programs cannot be guaranteed in perpetuity. Therefore, no projects approved by the County within the Northgate Activity Center Planning Area shall be granted nor entitled to any developmental bonuses should such programs be advanced as part of a development proposal. The County will, however, continue to urge and support the establishment of creative and enforceable TSM programs within the Northgate Activity Center Planning Area.

4. AREA-WIDE IMPROVEMENT CREDITS

In those instances where sponsors of projects subject to County review and approval are required to undertake roadway improvements which are determined by the County Planning Commission to represent area-wide improvements which are of benefit to a constituency larger than the adjoining or nearby development from which such area-wide improvements are required, the County shall grant a traffic mitigation fee credit of fifty- five percent (55%) of the total cost of such area-wide improvements. It is the expectation of the County that the only area which would benefit from this credit is Lucas Valley Road which is defined as a major arterial in the Marin Countywide Plan and which roadway not only provides access to developments within the Northgate Activity Center Planning Area but also serves as an essential link to West Marin for residents and recreationalists alike. In the event as a result of necessary improvements to Lucas Valley Road there is a shortfall of funds necessary to improve the Lucas Valley/Smith Ranch Road interchange, the County will work dilligently with the city to obtain funds for the necessary improvements.

5. CIVIC CENTER PROJECTS

Although the Marin County Civic Center generates both AM and PM peak traffic trips, the level and extent of use of this public service facility has generally stabilized in recent years. Moreover, the employees accommodated at Civic Center contribute substantially to the financial health of commercial and institutional uses located within the Northgate Activity Center Planning Area. Therefore, the Marin County Civic Center including the relocation and establishment of a County Garage expansion and relocation of the County Jail on the Civic Center ground shall be exempt from any traffic mitigation fees otherwise required by the Northgate Activity Center Plan. The County will bear in mind and try to keep the Level of Service "D" on local streets, intersections and interchanges.

6. McINNIS PARK

The staffs of the Marin County Parks and Recreation Department and Traffic Division of the Marin County Department of Public Works shall continue to meet and confer with the Staff of the City of San Rafael to reach a conclusion on the forecasted PM peak traffic generation figure resultant from the existing McInnis Park Master Plan. Under no circumstances, however, will the County approve or authorize any use of the McInnis Park property which would allow a degradation of Level of Service "D" on local streets, intersections and interchanges.

7. COUNTY LAND USE AND ENVIRONMENTAL REVIEW

In adopting the Northgate Activity Center Plan, the County does not contemplate nor plan any substantive changes in its policy plans for the area nor any specific land use regulations except as may result from the forthcoming Santa Venetia Community Plan. Moreover, the County will continue to review each project proposed for establishment within the Northgate Activity Center Planning Area subject to the specific terms and conditions of the California Environmental Quality Act (CEQA). Marin County in its role as a "Lead Agency" does not construe nor interpret the Environmental Impact Report prepared and certified by the City of San Rafael in conjunction with the Northgate Activity Center Plan as a "Master EIR" as defined by State CEQA Guidelines.

8. ADDITIONAL CAPITAL IMPROVEMENTS

The County has tentatively identified a number of capital improvements projects in the vicinity of the Marin County Civic Center which may be essential for the orderly and safe daily use of the Civic Center property. As these projects are better defined and refined, the City of San Rafael shall be requested to include such capital improvements projects in their comprehensive list of such programs for eventual funding and construction.

9. JOINT PARTICIPATION

Recognizing that County adoption of the Northgate Activity Center Plan will create a short-fall towards the funding of capital improvements projects envisioned in the Northgate Activity Center Plan, and further recognizing that additional capital improvements projects may be required as a result of continuing County review, the County shall join with and assist and encourage the City of San Rafael in securing funding for Northgate Activity Center capital improvement projects from local, State and Federal revenue sources.

10. CONTINUING REVIEW AND UPDATE

Because of the fine balance contained within the Northgate Activity Center Plan, it is imperative that both the City of San Rafael and the County of Marin continue to review and update the Northgate Activity Center Plan. The County agrees and concurs that any degradation of traffic Level of Service "D" within the Northgate Activity Center Planning Area is to be avoided and that both the County and the City will work together to assure that such a degradation, if even for a short time, does not occur.

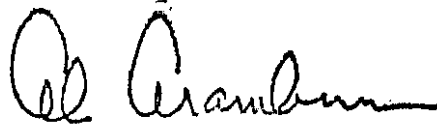
During potential project review of any project in the Northgate Activity Center Plan the contribution of traffic to solely residential areas under the County's jurisdiction, every effort should be made to avoid decreasing the level of service and/or safety concerns below Level "D". Suggested mitigation could include reduction in traffic intensive causing uses, phasing until traffic improvements are completed, alternate access away from residential areas or other and innovative approaches. To comply with the spirit and intent of the Northgate Activity Center Plan, and in order to fulfill a major mitigation measure set forth in the City certified Northgate Activity Center Plan Environmental Impact Report, the City shall, within six months of County adoption of the Northgate Activity Center Plan, submit to the County for appropriate review and approval a traffic monitoring report and shall thereafter submit comparable reports to the County on an annual basis.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, on the 16th day of October, 1984, by the following vote to-wit:

AYES: Supervisors: Bob Stockwell, Gary Giacomini, Harold Brown,
Bob Roumiguere, Al Aramburu

NOES: Supervisors: -

ABSTENT: Supervisors: -



CHAIRMAN OF THE BOARD OF SUPERVISORS
COUNTY OF MARIN

ATTEST:



Van Gillespie
Clerk of the Board