November 13, 2012

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

SUBJECT: Marin Countywide Plan Amendment

Dear Board Members,

RECOMMENDATION:
On behalf of the Planning Commission, staff recommends your Board take the following actions:

1. Review the administrative record;
2. Conduct a public hearing; and
3. Adopt the Resolution Approving the 2012 Amendment to the 2007 Marin Countywide Plan.

SUMMARY:
On September 11, 2012, your Board adopted Resolution No. 2012-77 that approved the 2012 amendment to the 2007 Marin Countywide Plan (CWP). The amendment included grammatical changes, updates to flooding and land use maps, revised text to further explain the role of community plans, language clarifying the meaning of density ranges assigned to land use designations, and other changes to provide additional clarification. On October 2, 2012, your Board considered proposed technical changes to three CWP policies related to affordable housing. At that hearing, your Board requested to modify language contained in one policy and two programs to clarify that density for affordable housing may be allowed to exceed the lowest end of the CWP density range on a case-by-case basis, as long as such development complies with all other applicable policies in the CWP including, but not limited to, those governing environmental protection. This item was further continued by your Board from October 23, 2012 at staff’s request.

DISCUSSION:
The 2007 CWP is based on the overarching theme of planning sustainable communities through policies that balance the Three E’s (Economy, Equity, and the Environment). The CWP utilizes the environmental corridors concept, which divides the County into four regional units based on specific geographical and environmental characteristics, to balance environmental protection with the needs of present and future residents for housing, jobs, and recreation. One strategy in the CWP for creating this type of parity is to reduce the overall development potential for a number of parcels with obvious development constraints in the Coastal, Inland, and Baylands Corridors and reallocate those units through the Housing Bank and Housing Overlay to the City-Centered Corridor at locations closest to jobs and transit that are better suited to accommodate the development. Policy CD-1.3 and Programs CD-1.c and
CD-5.e lowered the development potential of lots in constrained areas (e.g. areas with sensitive habitat, within the Ridge and Upland Greenbelt or the Baylands Corridor, or on sites lacking public water or sewer systems).

Consistent with the CWP's focus on aligning the built environment and socioeconomic activities with the natural systems that support life, the Plan supports providing a mix of housing types, densities, and affordability to maintain diversity and create opportunities for workforce housing. One way to achieve this is to allow affordable housing projects to be evaluated within the existing CWP land use designation. As requested by the Board, staff has modified Policy CD-1.3 and Programs CD-1.c and CD-5.e to clarify this intent. This is reflected by the following proposed language (please refer to Attachment 2):

"Densities higher than the lowest end of the applicable density range may be considered on a case-by-case basis for new housing units affordable to very low and low income households, as long as the development complies with the California Environmental Quality Act (CEQA) and all other applicable policies in the Countywide Plan including, but not limited to, those governing environmental protection."

Adopting the proposed amendment would clarify how affordable housing projects would be evaluated relative to the CWP density, consistent with other programs such as Program TR-1.e which allows consideration for affordable housing projects above the lowest end of the density where traffic standards will be exceeded and Program CD-6.a, which provides for a similar treatment of affordable housing within the cities' urban service areas. These policies and programs do not confer any additional entitlement to affordable housing projects, but simply give those projects the opportunity to be evaluated on their merits without having to apply for a CWP amendment requesting to exceed the low end of the density range.

PLAN CONSISTENCY AND ENVIRONMENTAL REVIEW:
The proposed amendment is consistent with both State Law and the overall objectives of the CWP. The amendment would retain the CWP's intent to balance competing public interests while upholding its commitment to environmental protection. The potential impacts of implementing this amendment have been adequately addressed in the certified CWP Update FEIR. A subsequent or supplemental EIR is not required pursuant to CEQA Guidelines Section 15162 - "Subsequent EIRs" because the proposed project (i.e., proposed amendment) does not include substantial changes involving new or more severe environmental effects that would result from the adoption of this amendment, nor does the proposal involve new information that was not known at the time the EIR for the CWP was certified.

PUBLIC NOTICE:
The Community Development Agency has published a notice in the Marin Independent Journal which includes a general description of the proposed amendment to the Marin Countywide Plan. A copy of the public notice has been mailed to interested public agencies, organizations, community groups, and individuals, as well as posted to the Marin Countywide Plan Update website (www.future-marin.org) and sent to the Countrywide Plan Update email distribution list.
FISCAL/STAFFING IMPACT:
The proposed amendment would not affect the Community Development Agency budget.

REVIEWED BY:
[ ] Department of Finance [ x ] N/A
[ ] County Counsel [ x ] N/A
[ ] Human Resources [ x ] N/A

SIGNATURE:

Kristin Drumm
Senior Planner

Brian Crawford
Director

Cc: Neil Sorenson, Attorney
    Riley Hurd, Seminary Neighborhood Association
    Brian Swartz, Hart West
    Lorraine Silveira, Silveira Ranches
    Thomas and Susan Monahan, Lucas Valley Ranch Capital Partners LLC
    Sharon Rushton, Sustainable TamAlmonte
    LeeLee Thomas, Principal Planner
    Stacey Laumann, Planner
    David Zaltsman, County Counsel

Attachments:
1. Board of Supervisors Resolution Adopting an Amendment to the 2007 Marin Countywide Plan, including Exhibit "A"
2. Exhibit "A"
3. Planning Commission Resolution No. PC12-007 Recommending that the Board of Supervisors Adopt an Amendment to the 2007 Marin Countywide Plan, including Exhibit "A"
4. Countywide Plan Policies and Programs Related to Density/FAR
5. Letter dated October 2, 2012 from Lucas Valley Ranch Capital Partners LLC
6. Letter dated November 1, 2012 from Sustainable TamAlmonte
MARIN COUNTY BOARD OF SUPERVISORS

RESOLUTION NO.2012-

A RESOLUTION APPROVING AN AMENDMENT TO THE 2007 MARIN COUNTYWIDE PLAN

* * * * * * * * * * * * * * * * * * * * * * *

SECTION I: FINDINGS

WHEREAS, the Marin County Board of Supervisors hereby finds and declares the following:

I. WHEREAS, the Marin County Board of Supervisors adopted the Marin Countywide Plan on November 6, 2007. The overarching theme presented in the Plan is planning sustainable communities.

II. WHEREAS, the Marin Countywide Plan is a comprehensive, long term general plan for the physical development of Marin County and establishes an overall framework and set of goals for countywide development in the unincorporated area of the County.

III. WHEREAS, on January 27, 2009, the Marin County Board of Supervisors adopted an amendment to the 2007 Marin Countywide Plan to address a number of technical corrections, which ranged from out of sequence program numbering and grammatical mistakes to minor text revisions to provide additional clarification and consistent use of terminology. The amendment also called for incorporating the Marin County Operational Area Hazard Mitigation Plan by reference into the Plan’s Environmental Hazards section and making minor changes to the location of the Baylands Corridor boundary at the San Rafael Rock Quarry and San Quentin State Prison sites to more accurately reflect existing physical conditions.

IV. WHEREAS, the Marin County Community Development Agency initiated the proposed amendment to the 2007 Marin Countywide Plan. The 2007 Marin Countywide Plan includes policies to protect and to preserve and enhance the natural environment of the County, and to strive for a high quality built environment. The project includes proposed technical and clerical corrections to certain Plan policies and maps to correct and improve their readability and clarity. The technical corrections include minor grammatical changes, updates to the flooding and land use maps, new language to further expand the role of community plans, and other minor changes to provide additional clarification.

V. WHEREAS, the Marin County Board of Supervisors certified a Final Environmental Impact Report (EIR) for the Marin Countywide prior to the adoption of the Marin Countywide Plan.

VI. WHEREAS, the certified EIR evaluated the potential environmental effects that could result from implementation of the 2007 Marin Countywide Plan. The proposed amendment to the Marin Countywide Plan will not result in substantial changes in the Plan or in substantial changes to the circumstances under which the Countywide Plan will be undertaken or significant new information of substantial importance and will not result in new or more severe impacts or require new mitigation measures.

VII. WHEREAS, the Marin County Planning Commission conducted a public hearing on August 27, 2012 and recommends that the proposed amendment to the 2007 Marin Countywide Plan be approved.
VIII. WHEREAS, the Marin County Board of Supervisors conducted public hearings on September 11, 2012, October 2, 2012, October 23, 2012, and November 13, 2012 to consider the proposed Amendment to the 2007 Marin Countywide Plan.

SECTION II: AMENDMENTS TO THE MARIN COUNTYWIDE PLAN

NOW, THEREFORE, BE IT RESOLVED that the Marin County Board of Supervisors adopts the amendment to the 2007 Marin Countywide Plan contained in Exhibit “A” of this Resolution.

SECTION III: VOTE

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, on the 13th day of November, 2012 by the following vote to wit:

AYES:

NOES:

ABSENT:

______________________________
STEVE KINSEY, PRESIDENT
MARIN COUNTY BOARD OF SUPERVISORS

Attest:

______________________________
MATTHEW H. HYMEL
Clerk of the Board
1. **Policy CD-1.3 Reduce Potential Impacts** (p. 3-12)
   Modify Policy CD-1.3 as follows to clarify that affordable housing to very low or low income residents are not required to be calculated at the lowest end of the density range. This standard is clearer than existing language, which simply says: "multi family parcels identified in certified Housing Elements."

   **Policy CD-1.3 Reduce Potential Impacts**. Calculate potential residential densities and commercial floor area ratio (FAR) at the lowest end of the applicable range on sites with sensitive habitat, or on sites within the Ridge and Upland Greenbelt, or the Baylands Corridor, or on sites properties lacking public water or sewer systems except for multi-family parcels identified in certified Housing Elements. Densities higher than the lowest end of the applicable density range may be considered on a case-by-case basis for new housing units affordable to very low and low income households, as long as the development complies with the California Environmental Quality Act (CEQA) and all other applicable policies in the Countywide Plan including, but not limited to, those governing environmental protection.

2. **Program CD-1.c Reduce Potential Impacts** (p. 3-13)
   Modify Program CD-1.c to be consistent with modifications made to Policy CD-1.3 and to existing Programs CD-5.e and CD-6.a, which refer to housing affordable to very low or low income residents.

   **PROGRAM CD-1.c Reduce Potential Impacts**. Amend the Development Code to calculate potential residential density and commercial floor area ratio (FAR) at the lowest end of the applicable range on sites with sensitive habitat, or on sites within the Ridge and Upland Greenbelt, or the Baylands Corridor, or on sites properties lacking public water or sewer systems except for multi-family parcels identified in certified Housing Elements. Densities higher than the lowest end of the applicable density range may be considered on a case-by-case basis for new housing units affordable to very low and low income households, as long as the development complies with CEQA and all other applicable policies in the Countywide Plan including, but not limited to, those governing environmental protection.

3. **Program CD-5.e Limit Density for Areas Without Water and Sewer Connections** (p. 3-28)
   Modify Program CD-5.e to be consistent with Policy CD-1.3 and Program CD-1.c as follows.

   **PROGRAM CD-5.e Limit Density for Areas Without Water and Sewer Connections**. Calculate density at the lowest end of the Countywide Plan designation density range for subdivisions new development proposed in areas without public water and/or sewer service. Densities for housing units, affordable to
very-low and low income residents, that are capable of providing adequate water and/or sewer services may be considered on a case-by-case basis. Densities higher than the lowest end of the applicable density range may be considered for new housing units affordable to very low and low income households, as long as the development complies with CEQA and all other applicable policies in the Countywide Plan including, but not limited to, those governing environmental protection.
MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. PC12-007

A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT
AN AMENDMENT TO THE 2007 MARIN COUNTYWIDE PLAN

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

SECTION I: FINDINGS

WHEREAS, the Marin County Planning Commission hereby finds and declares the following:

I. WHEREAS, the Marin County Board of Supervisors adopted the Marin Countywide Plan on November 6, 2007. The overarching theme presented in the Plan is planning sustainable communities.

II. WHEREAS, the Marin Countywide Plan is a comprehensive, long term general plan for the physical development of Marin County and establishes an overall framework and set of goals for countywide development in the unincorporated area of the County.

III. WHEREAS, on January 27, 2009, the Marin County Board of Supervisors adopted an amendment to the 2007 Marin Countywide Plan to address a number of technical corrections, which ranged from out of sequence program numbering and grammatical mistakes to minor text revisions to provide additional clarification and consistent use of terminology. The amendment also called for incorporating the Marin County Operational Area Hazard Mitigation Plan by reference into the CWP’s Environmental Hazards section and making minor changes to the location of the Baylands Corridor boundary at the San Rafael Rock Quarry and San Quentin State Prison sites to more accurately reflect existing physical conditions.

IV. WHEREAS, the Marin County Community Development Agency initiated the proposed amendment to the 2007 Marin Countywide Plan. The 2007 Marin Countywide Plan includes policies to protect and to preserve and enhance the natural environment of the County, and to strive for a high quality built environment. The project includes proposed technical and clerical corrections to certain CWP policies and maps to correct and improve their readability and clarity. The technical corrections includes minor grammatical changes, updates to flooding and land use maps, new language to further expand the role of community plans, and other minor changes to provide additional clarification.

V. WHEREAS, the Marin County Board of Supervisors certified a Final Environmental Impact Report (EIR) for the Marin Countywide Plan prior to the adoption of the 2007 Marin Countywide Plan.

VI. WHEREAS, the certified EIR evaluated the potential environmental effects that could result from implementation of the 2007 Marin Countywide Plan. The proposed amendment to the Marin Countywide Plan will not result in substantial changes in the Plan or in substantial changes to the circumstances under which the Countywide Plan will be undertaken or significant new information of substantial importance and will not result in new or more severe impacts or require new mitigation measures.

VII. WHEREAS, the Marin County Planning Commission conducted a public hearing on August 27, 2012 to consider the proposed amendment to the Marin Countywide Plan.

BOS ATTACHMENT #3

Resolution PC12-007
August 27, 2012
Page 1 of 2
SECTION II: AMENDMENT TO THE MARIN COUNTYWIDE PLAN

NOW, THEREFORE, BE IT RESOLVED that the Marin County Planning Commission reports and recommends that the Marin County Board of Supervisors adopt an amendment to the 2007 Marin Countywide Plan contained in Exhibit “A” of this Resolution.

SECTION III: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin, State of California, on the 27th day of August, 2012 by the following vote to wit:

AYES: Katherine Crecelius, Don Dickenson, Wade Holland, Joan Lubamersky, Peter Theran

NOES: Randy Greenberg

ABSENT: Mark Giwalski

[Signature]

JOAN LUBAMERSKY, CHAIR
MARIN COUNTY PLANNING COMMISSION

[Signature]

Debra Stratton
Planning Commission Secretary
1. **BIO-3.e Establish Clear Mitigation Criteria** *(p. 2-26)*  
Modify Program BIO-3.e for a technical correction as follows:

BIO-3.e *Establish Clear Mitigation Criteria.* Amend the Development Code to incorporate wetland impact mitigation measures that accomplish the following objectives: ........   

(Remainder of policy remains unchanged and is not shown.)

2. **Map 2-12 Flooding**  
Assembly Bill 162 (AB 162) was signed in October 2007, which strengthens flood protections in California by requiring jurisdictions to update their respective land use elements to identify and annually review those areas covered by the general plan that are subject to flooding as identified by the Federal Emergency Management Agency (FEMA) or the Department of *Water Resources* (Government Code Section 65300.2(a)). The bill also requires, upon the next revision of the housing element, on or after January 1, 2009, that the conservation element identify waterways and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

In May 2009 the Federal Emergency Management Agency (FEMA) revised its Flood Insurance Rate Maps (FIRM’s) for Marin County, which were last updated in 1982. Countywide Plan Map 2-12, Flooding, shows the 100-year (1-percent annual chance flood) and 500-year (0.2-percent annual chance flood) flood zones. This map has been modified to reflect the revised flood zones to comply with AB 162. The Department of Public Works has reviewed the Countywide Plan with respect to AB 162 and has indicated it is in compliance with the bill, as documented in a memorandum dated June 5, 2012 (Attachment 3).

See Attachment 4 for Proposed Map 2-12 Flooding.

*Map 2-12, as well any map in the Countywide Plan, is available for review through the County’s Geographic Information System (GIS). The paper maps displayed in the Plan are representational only and show features from a point in time, while the GIS data is updated as new information becomes available. The scale and size of the Plan’s paper maps may prevent clear or accurate visibility of some features or details. The GIS allows users to zoom in and out and pan around the map in more detail. Most of the data is also available for viewing on the web through MarinMap at [http://www.marinmap.org/dnv](http://www.marinmap.org/dnv).*

3. **AG-1.6 Limit Non-Agricultural Development** *(p. 2-158)*  
The following technical correction to Policy AG-1.6 is proposed to clarify the intent as follows:

**AG-1.6 Limit Non-Agricultural Development**  
Limit non-agricultural development in the Agricultural Production Zone to residential and accessory uses that are ancillary to and compatible with agricultural production. Require dwellings and other non-agricultural development to be limited in size and
grouped together in building envelopes covering no more than 5% of the property or as determined through a site-specific analysis of agricultural and environmental constraints and resources, with the remainder preserved for agricultural production. Residential and non-agricultural development on very large parcels may be limited to less than 5% of the land area.

4. **Relationship to Community Plans (p. 3-9)**
Marin County is characterized by a diverse group of individual communities ranging from small coastal villages to more urbanized residential neighborhoods along the Highway 101 corridor. Over the years, development within 16 of these communities has been guided in part by community plans containing policies related to land use, design, transportation and environmental quality in that particular community. Community plans provide an important function in the planning process; however, their role is not clearly defined in the Countywide Plan. To clarify this role and relationship with the Countywide Plan, modify the Background section of the Community Development section as follows:

Implementation tools such as the County Development Code are used to carry out the goals of the Countywide Plan. Some of the policies and programs in the Countywide Plan will require rezoning of individual properties for them to be consistent with the land use designations and the policies in the Plan. Many unincorporated communities are guided by community plans that provide specific direction regarding land use, transportation, community facilities, building design, and environmental quality, as well as issues unique to a particular community. Such issues may include, but are not limited to: customized building and site design standards to protect key resources; protection of important ridgeline and view corridors; evaluation and refinement of the Ridge and Upland Greenbelt and Baylands Corridor; regulations concerning home size; affordable housing sites; hazards; evacuation routes; flooding; and bicycle and pedestrian circulation. A Community plan is considered part of the Marin Countywide Plan and sets forth goals, objectives, policies, and programs to address specific issues relevant to that particular community. Where there are differences in the level of specificity between a policy in the Community Plan and a policy in the Countywide Plan, the document with the more specific provision shall prevail.

5. **Add Definition of “Community Plan” to Glossary**
The community plan is an important planning document which is referenced extensively throughout the Countywide Plan; however, it is not defined. Consistent with the existing definition of “Community Plan” found in Section 22.130.030 of the Marin County Code, add the following definition to the CWP Glossary as follows:

Community Plan. A planning document that sets forth goals, objectives, policies and programs to address specific issues related to a particular unincorporated community. Community plans are considered part of the Marin Countywide Plan.

6. **CD-8.8 Establish Planned Designation Land Use Categories (p. 3-44)**
Two new land use designations were added when the Countywide Plan was adopted in 2007 for the St. Vincent’s/Silveira and the San Rafael Rock Quarry areas. A new designation was also initially proposed for the approximately 200-acre San Quentin site as
a Planned Designation Transit Village Area (PD – Transit Village Area) in recognition of the site’s potential as a proposed mixed use, multi-modal transit hub, which was described in the San Quentin Vision Plan. However, the State of California Department of Corrections does not have plans to discontinue using San Quentin as a prison in the foreseeable future. Policy CD-8.8 inadvertently includes this land use designation and should be deleted. The suggested modification to policy CD-8.8 is as follows:

CD-8.8 Establish Planned Designation Land Use Categories. The Planned Designation-Agricultural and Environmental Resource Area (PD-Agricultural and Environmental Resource Area) and Planned Designation-Reclamation Area (PD-Reclamation Area) land use categories are established. The Planned Designation categories are intended to enable the planning of reuse projects at major opportunity sites in a manner that honors the site’s location and unique natural, historic, aesthetic, and other characteristics, while promoting Countywide Plan policies regarding resource protection, affordable housing, and innovative transit-oriented and energy efficient design. In order to provide a forum for comprehensive, community-based planning, development in a Planned Designation category shall require approval of a specific plan pursuant to Government Code Section 65480 or a master plan pursuant to the County Development Code.

PD-Agricultural and Environmental Resource Area

Land Uses. The PD-Agricultural and Environmental Resource Area land use category is intended for reuse and development of the St. Vincent’s and Silveira area. Potential uses include agriculture and related uses, residential development, education and tourism, places of worship, institutional, and small-scale hospitality uses, as described more fully in SV-2.3.

Standards of Building Intensity. Building-intensity standards for the PD-Agricultural and Environmental Resource Area are up to 221 dwelling units in addition to existing development, or equivalent amounts of nonresidential development based on impacts on peak-hour traffic.

PD-Reclamation Area

The PD-Reclamation Area land use category is intended for the ultimate reclamation of the San Rafael Rock Quarry and McNear’s Brickyard site at the time the quarrying operations cease. As part of an updated reclamation plan, the ultimate reuse of the site will be identified, as will a time horizon as to when such reclamation would occur. While the Countywide Plan assumes that at such time as reclamation of the site occurs, it would be annexed to the City of San Rafael, if annexation should not take place, the Plan contemplates development under the County’s jurisdiction through a Specific or Master Plan to determine residential densities, commercial floor area, and habitat protection areas. In general, uses would be primarily residential, a marina, and limited supporting commercial, as reflected in the updated quarry reclamation plan.

Standards of Building Intensity. Building-intensity standards for the site reflect previous reclamation plans. Development of the site under the County’s PD-Reclamation Area designation would be subject to an updated reclamation plan with a maximum residential density of 75 dwelling units unless otherwise determined by
7. **Policy CD-1.3 Reduce Potential Impacts** (p. 3-12)
   Modify Policy CD-1.3 as follows to clarify that affordable housing to very low or low income residents are not required to be calculated at the lowest end of the density range. This standard is clearer than existing language, which simply says: "multi family parcels identified in certified Housing Elements." Furthermore, the modification is consistent with existing language in the Development Code as well as other policies in the CWP. For example, policies CD-1.c and CD-5.e (see Items 8 and 9 below), CD-6.a, and TR-1.e exclude affordable housing to very low and low income residents from the lowest end of the density range. Finally, this modification would not apply to inclusionary housing.

   **Policy CD-1.3 Reduce Potential Impacts.** Calculate potential residential densities and commercial floor area ratio (FAR) at the lowest end of the applicable range on sites with sensitive habitat, on sites within the Ridge and Upland Greenbelt or the Baylands Corridor, or on sites lacking public water or sewer systems. This requirement shall not apply to development of housing exclusively affordable to very low or low income residents.

8. **Program CD-1.c Reduce Potential Impacts** (p. 3-13)
   Modify Program CD-1.c to be consistent with the modifications made to Policy CD-1.3 and to existing Programs CD-5.e and CD-6.a, which refer to housing affordable to very low or low income residents. The modification is also consistent with existing CWP policies as discussed in Item 7 above.

   **PROGRAM CD-1.c Reduce Potential Impacts.** Amend the Development Code to calculate potential residential density and commercial floor area ratio (FAR) at the lowest end of the applicable range on sites with sensitive habitat, on sites within the Ridge and Upland Greenbelt or the Baylands Corridor, or on sites lacking public water or sewer systems. This requirement shall not apply to development of housing exclusively affordable to very low or low income residents.

9. **Program CD-5.e Limit Density for Areas Without Water and Sewer Connections** (p. 3-28)
   Modify Program CD-5.e to be consistent with Policy CD-1.3 and Program CD-1.c as follows. See also the discussion for Item 7 above.

   **PROGRAM CD-5.e Limit Density for Areas Without Water or Sewer Connections.** Calculate density at the lowest end of the Countywide Plan density range for new development proposed in areas without public water or sewer.
10. **Policy CD-8.6 Establish Residential Land Use Categories and Densities** (p. 3-35)
Modify all references to footnote (1) in Policy CD-8.6 to clarify that the low end may be the minimum allowed subject to site specific environmental constraints that may result in a lower density or FAR, as follows:

> Low end is minimum allowed except when the property is subject to site specific environmental constraints or other policies that result in a lower density or FAR being more appropriate.

11. **Policy HAR-1.1 Preserve Historical Resources** (p. 4-130)
Goal HAR 1 calls for the identification and protection of archaeological and historical resources, with policies HAR-1.1 through 1.5 providing policy direction. However, the policy titles only refer to historical resources. The policies should be modified to standardize the policy titles to include references to both archaeological and historical resources, consistent with Goal HAR 1, as follows:

> HAR-1.1 Preserve Historical and Archaeological Resources. Identify archaeological and historical resource sites.

12. **HAR 1.3 Avoid Impacts to Historical and Archaeological Resources** (p. 4-130)
Goal HAR 1 calls for the identification and protection of archaeological and historical resources, with policies HAR-1.1 through 1.5 providing policy direction. However, in some cases the policy titles only refer to historical resources and do not include archaeological resources. The policy titles should be standardized to include references to both archaeological and historical resources, consistent with Goal HAR 1. In addition, consider adding "where feasible" to indicate that while it is not always possible to avoid damaging cultural resources, those impacts can be minimized.

> HAR-1.3 Avoid Impacts to Historical and Archaeological Resources. Ensure that human activity avoids damaging cultural resource, where feasible.

13. **HAR 1.d Require Archaeological Surveys for New Development** (p. 4-131)
The Countywide Plan contains a number of policies and programs to reduce adverse changes to the significance of an archeological or paleontological resource. Program HAR-1.d requires an archaeological survey by a State-qualified and Federal Indians of Graton Rancheria (FIGR) recommended archaeologist for new development proposed in areas identified as potential resource locations on County sensitivity map. At the time of the CWP Update, the program was modified to include "and FIGR recommended" in part to be consistent with Senate Bill 18, the Tribal Consultation Requirements by the Governor’s Office of Planning and Research. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to cultural places. The purpose of involving tribes in the early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-
level land use decisions are made by a local government.

While the County consults with FIGR when there may be an impact on archaeological resources, the County is not required to confer with them for archaeologist recommendations. In light of recent efforts to simplify and streamline the regulatory process, the following modification is proposed:

HAR-1.d **Require Archaeological Surveys for New Development.** Require archaeological surveys conducted on site by a State-qualified archaeologist for new development proposed in areas identified as potential resource locations on the County sensitivity map (see Program HAR-1.a).

14. **HAR 1.f Involve Appropriate Authorities** (p. 4-131)
The following modification is proposed to replace the term development “proposals” with development “applications”, as well as clarify that potential impacts, rather than proximity, should trigger the referral of a development application to the appropriate representatives.

HAR-1.f **Involve Appropriate Authorities.** Refer development applications that could potentially affect cultural resources to the California Archaeological Inventory, the Northwest Regional Office of the California Historical Resources Information System, and/or Native American representatives, as appropriate.

15. **Program Implementation Tables**

Modify footnote 1 to define the term “Ongoing” for each of the following Program Implementation Figures as follows:

Time Frames include: Immediate (0-1 years); Short term (1-4 years); Med. Term (4-7 years); Long term (over 7 years); and Ongoing (existing programs already in progress whose implementation is expected to continue into the foreseeable future).

Program Implementation Figures:
Figure 2-4 Biological Resources Program Implementation, p. 2-48
Figure 2-6 Water Resources Program Implementation, p. 2-66
Figure 2-8 Environmental Hazards Program Implementation, p. 2-86
Figure 2-16 Atmosphere and Climate Program Implementation, p. 2-111
Figure 2-19 Open Space Program Implementation, p. 2-130
Figure 2-22 Trails Program Implementation, p. 2-144
Figure 2-22 Agriculture and Food Program Implementation, p. 2-173
Figure 3-6 Community Development Program Implementation, p. 3-50
Figure 3-10 Community Design Program Implementation, p. 3-73
Figure 3-19 Energy and Green Building Program Implementation, p. 3-94
Figure 3-21 Mineral Resource Program Implementation, p. 3-104
Figure 3-28 Housing Program Implementation, p. 3-135
Figure 3-38 Transportation Program Implementation, p. 3-170
Figure 3-45 Noise Program Implementation, p. 3-191
Figure 3-50 Public Facilities and Services Program Implementation, p. 3-213
16. Indicators and Benchmarks: Energy and Green Building (p. 3-93)
Modify the benchmark for energy use per capita countywide in the Energy and Green Building section (p. 3-93) from 11,072 kWh to 4,852 kWh per employee in 2000. Calculations supporting the original 11,072 kWh figure cannot be documented. Existing data shows County-operated buildings used 11,024,015 kWh in 2000 where there were 2,272 FTE employees, resulting in 4,852 kWh per employee. This revised figure also corresponds with the County’s per employee usage for the following years: 4,760 kWh/employee in 2005; 5,038 kWh/employee in 2007; and 5,299 kWh/employee in 2008.

<table>
<thead>
<tr>
<th>Indicators</th>
<th>Benchmarks</th>
<th>Targets</th>
</tr>
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<tbody>
<tr>
<td>Energy use per employee in County-operated buildings.</td>
<td>4,852 kWh per employee in 2000.</td>
<td>Lower energy consumption per employee by 2020.</td>
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</tbody>
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17. Marinwood Land Use Policy Map 2.3
Revise Map 2.3 Marinwood Land Use Policy Map to update the land use designation for the following parcels from HOD to PF-SF6, as shown in the table below. These parcels were incorrectly assigned the HOD designation, which is not a recognized land use designation. The HOD is the Housing Overlay Designation, which is an overlay to encourage workforce housing, and is described on Maps 3-2a and 3-2b in the Community Development section. This site is the location of the existing Dixie Elementary School/Marin Waldorf School and is zoned PF-RSP-5.8 (Public Facilities, Residential Single Family Planned District, 5.8 units per acre). The consistent land use designation is PF-SF6. See Attachment 5.

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<tr>
<th>Parcel</th>
<th>Zoning</th>
<th>Existing Land Use Designation</th>
<th>Proposed Land Use Designation</th>
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18. North Novato Land Use Policy Map 1.1b
Revised the North Novato Land Use Policy Map 1.1b to update the land use designations for the following parcels as shown in the table below. Parcel 125-190-70 is located immediately north of the existing runway at the Gnoss Field Airport and is proposed to include part or most of the 1,100 foot runway and taxiway extension for the airport. The parcel is zoned RCR, M3 with an existing land use designation of AG1. Parcel 125-190-76 is located south of the airport and Black John Slough on the bank of Rush Creek. It is owned by Marin County Flood Control and is zoned M3 with a land use designation of AGC1. The proposed land use designation is OS. Parcel 125-190-79 is located northwest of the Gnoss Field Airport and adjacent to the proposed runway extension and the Northwest Pacific Railroad corridor. This parcel, publicly owned by the California Department of Fish and Game, is characterized by reclaimed saltwater tidal marshlands and is zoned RCR, M2 with a combined land use designation of OS, AG1, and RC. See Attachment 6.

<table>
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<th>Parcel</th>
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<th>Proposed Land Use Designation</th>
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<td>AG1</td>
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<tr>
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<td>RCR, M3</td>
<td>OS, AG1, RC</td>
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</tr>
</tbody>
</table>

19. Land Use Maps
Modify all maps within the Land Use Map set to include a reference to the community planning areas or the community plan as follows:

Note: Please also reference the respective Planning Area policies and Community Plan for additional policy guidance.

In addition, modify the following maps to update the legend to refer to “Community Plan Boundary” in place of “Community Boundary”:
- Map 1.3 Indian Valley Land Use Policy Map
- Map 1.5 Black Point Land Use Policy Map
- Map 5.1.1 Kentfield Land Use Policy Map (Map 1 of 2)
- Map 5.1.2 Kentfield Land Use Policy Map (Map 2 of 2)
- Map 6.1.0 Tamalpais Area Land Use Policy Map Index
- Map 6.1.1 Tamalpais Area Land Use Policy Map, Muir Woods Park (Map 1 of 5)
- Map 6.1.2 Tamalpais Area Land Use Policy Map, Homestead Valley (Map 2 of 5)
- Map 6.1.3a Tamalpais Area Land Use Policy Map (Map 3 of 5)
- Map 6.1.3b Tamalpais Area Land Use Policy Map (Map 4 of 5)
- Map 6.1.4 Tamalpais Area Land Use Policy Map (Map 5 of 5)
- Map 6.2 Marin City Land Use Policy Map
- Map 6.3.0 Strawberry Lane Use Map Index
- Map 6.3.1 North Strawberry & Alto Land Use Policy Map (Map 1 of 2)
- Map 6.3.2 South Strawberry Lane Use Policy Map (Map 2 of 2)
- Map 7.1 Dillon Beach Land Use Policy Map
- Map 7.2 Tomales Land Use Policy Map
• Map 7.3.0 East Shore Land Use Policy Map Key
• Map 7.3.1 East Shore Land Use Policy Map (Map 1 of 2)
• Map 7.3.2 East Shore Land Use Policy Map (Map 2 of 2)
• Map 7.5 Point Reyes Station Land Use Policy Map
• Map 7.6 Inverness Land Use Policy Map
• Map 7.9 Nicasio Land Use Policy Map
• Map 7.10.0 San Geronimo Land Use Policy Map (Map 1 of 5)
• Map 7.10.1 Woodacre Land Use Policy Map (Map 2 of 5)
• Map 7.10.2 San Geronimo Land Use Policy Map (Map 3 of 5)
• Map 7.10.3 Forest Knolls Land Use Policy Map (Map 4 of 5)
• Map 7.10.4 Lagunitas Land Use Policy Map (Map 5 of 5)
• Map 7.11 Bolinas Land Use Policy Map
• Map 7.12 Stinson Beach Land Use Policy Map
• Map 7.13 Muir Beach Land Use Policy Map

Modify the following laps to update the legend to refer to “Community/Community Plan Boundary” in place of “Community Boundary:
• Map 1.0 Planning Area 1.0 (Novato) Land Use Map Index
• Map 6.0 Planning Area 6.0 (Richardson Bay) Land Use Map Index
• Map 7.0 Planning Area 7.0 (West Marin) Land Use Policy Map Index
• Map 7.4.1 Northwest Marin County Land Use Policy Map (Map 1 of 2)
• Map 7.4.2 Northwest Marin County Land Use Policy Map (Map 2 of 2)
• Map 7.8 Southwest Marin County Land Use Policy Map

20. Introduction (p. 1-21)
Amend the Land Use Categories section in the Introduction to include a reference to the community plans as follows:

The Countywide Plan establishes and maps land uses according to the following categories. Additional policy guidance can be obtained from the various local community plans.