

COMMUNITY DEVELOPMENT AGENCY

October 2, 2012

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SUBJECT: Local Coastal Program Amendments (LCPA)
First Board Public Hearing – **Agriculture and Biological Resources**

Dear Members of the Board,

RECOMMENDATION:

Consider the Local Coastal Program Amendments recommended by the Planning Commission and additional alternatives to Agriculture, Biological Resources and policies governing interpretation of the LCP as set forth in Attachments 1 through 5.

BACKGROUND:

On February 23, 2012, after a lengthy and thorough review process, the Planning Commission approved a large number of amendments to the Local Coastal Program (LCP), addressing a wide variety of issues, and recommended that your Board adopt them and submit them for final approval, or "certification," by the California Coastal Commission (CCC). The Local Coastal Program Amendments (LCPA) preserve large amounts of the existing LCP while reconciling differences between Unit 1 and Unit 2, (the two parts of the existing Land Use Plan (LUP)), improving policies, adding provisions for new issues, such as sea level rise, and reorganizing the Development Code (Article V) to conform to the format for the Code as a whole adopted by the Board of Supervisors in 2003. The process included more than 50 public meetings, including two rounds of community meetings throughout the Marin Coastal Zone, 18 public issue workshops before the Planning Commission (PC), a joint Board and PC workshop upon the release of the Public Review Draft of the LCPA, eight formal hearings by the PC, innumerable letters, contacts and comments from individuals, groups and agencies, and the maintenance and availability of all related documents, both in print and on the LCP website. Your Board has also conducted two public workshops on March 20 and March 27, 2012 to receive an introduction to the proposed amendments.

Your Board is not in the position to, nor does it need to duplicate the prodigious work the Planning Commission has already accomplished. However, important differences of opinion persist, whether with the staff of the Coastal Commission or among major stakeholders involved in the LCPA process. This report focuses on such issues relative to agriculture and biological resources, and is formatted to assure that key issues receive priority attention. Your Board will review recommendations on the remaining LCPA topics at the November 13, 2012 hearing. At the December 11,

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2012 hearing, staff will recommend that your Board adopt a Resolution approving the LCPA and directing staff to submit the approved amendments to the Coastal Commission.

SUMMARY:

The LCP Amendments adopted by the Planning Commission on February 23, 2012 are the baseline for your Board's review. In response to issues raised by the Coastal Commission staff and others, alternative language is offered in some cases for your Board's consideration. The enclosed attachments are organized to enable your Board to focus their attention on priority issues, while providing additional background and analysis for those seeking greater detail. The materials for the October 2, 2012 hearing address the issues related to Agriculture and Biological Resources and overall LCP interpretation policies.

- **Attachment 1** provides an executive summary of the staff's recommendations on the highest priority concerns.
- **Attachment 2** includes more detailed background and analysis on the topics covered in Attachment 1.
- **Attachments 3 and 4** are organized in the same way, but are recommended for approval on a "consent" agenda basis. That is to say 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 LCPAs are approved.
- **Attachment 5** presents more minor corrections and revisions, also to be treated on a "consent" agenda basis.
- **Attachment 6** presents all the Alternative language in the context of the Planning Commission's recommended LCPA (provided for the Board and on the Web)

Also on the Web: Prior to the October 2 hearing staff will post the following at www.MarinLCP.org:

- Comparison of LCPA to Unit 1 and Unit 2 existing Land Use policies.
- Road map relating existing Title 22I to proposed LCPA Development Code.

Specific staff recommendations are set out in Attachments 1-5.

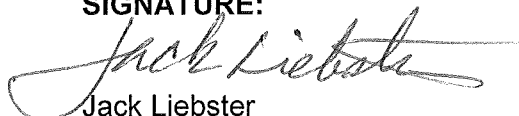
FISCAL/STAFFING IMPACT:

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 Department's Performance Plan.


REVIEWED BY: (These boxes must be checked)

<input type="checkbox"/> Department of Finance	<input type="checkbox"/> N/A
<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input type="checkbox"/> N/A

SIGNATURE:


 Jack Liebster
 Principal Planner

Reviewed by:


 Brian C. Crawford
 Director