

DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR HOUSING AND SAFETY ELEMENTS UPDATE PROJECT

PUBLIC HEARING

November 16, 2022



Introductions

- Marin County Community Development Agency
 - Rachel Reid, Environmental Coordinator
 - Leelee Thomas, Deputy Director of Housing and Federal Grants Division
 - Leslie Lacko, Senior Planner
- MIG (CEQA Consultant)
 - Scott Davidson, Principal
 - Barbara Beard, CEQA Project Manager
 - Phil Gleason, Senior Analyst
 - Zack Matley (W-Trans)



Agenda

Purpose of Meeting/Meeting Procedure



EIR Purpose / Program EIR



Project Overview



Draft EIR Findings



Public/BOS/PC Comments



Adjournment



Meeting Purpose

- To present the findings of the Draft EIR to the Planning Commission, Board, and public
- To receive public comment on the adequacy of the Draft EIR



Purpose of the EIR

CEQA goals and purpose:

- Analyze and disclose the potential range of physical environmental effects of the project (Housing and Safety Elements Update)
- Present cumulative, significant and unavoidable impacts, and alternatives to the proposed project
- Recommend measures to mitigate significant adverse impacts



Intended Uses of EIR

- EIR provides the environmental review required for the County to approve the Project
- To approve the Project, the Board of Supervisors will need to:

Certify that the Final EIR complies with CEQA

Make Findings

Adopt a Mitigation Monitoring and Reporting Program

Adopt a Statement of Overriding Considerations



Program EIR

County has prepared a Program EIR (CEQA Guidelines Section 15168):

- A program EIR is a type of EIR for use in documenting the environmental impacts of community general plans, specific plans, precise plans, and other planning "programs."
- The action or series of actions addressed in a program EIR can be characterized as one large project and can be related:
 - (1) geographically;
 - (2) as logical parts in the chain of contemplated actions;
 - (3) in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or
 - (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways.



Program EIR Advantages

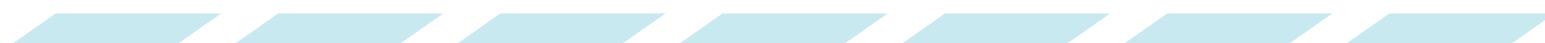
Consideration of effects and alternatives that cannot practically be reviewed at the level of an individual development project



Consideration of cumulative impacts that may not be apparent on a project-by-project basis; the ability to enact countywide mitigation measures



Possible reduction in need for future CEQA work



Program EIR Analysis

- The EIR evaluates the potential environmental impacts of the collective, overall development potential of the proposed Project.
- The EIR presents analysis consistent with the programmatic level of detail of the proposed Project and discusses impacts and mitigations at the level of detail sufficient to allow a reasoned decision about the Project.
- The EIR does not evaluate future site-specific impacts of any individual development project because the details are not known at this time.



Future Projects

- Examine future development projects for consistency with this program EIR to determine the appropriate level of environmental review required under CEQA.
- This EIR's program-level information and data about the housing sites, and the identified impacts and mitigation measures, will allow for streamlining future CEQA compliance.
 - For example, the EIR includes mitigation measures that contain specific actions and performance standards that must be implemented for site-specific, individual development projects and public improvements.
 - In some instances, mitigation measures may be codified, so would apply even to future ministerial projects.



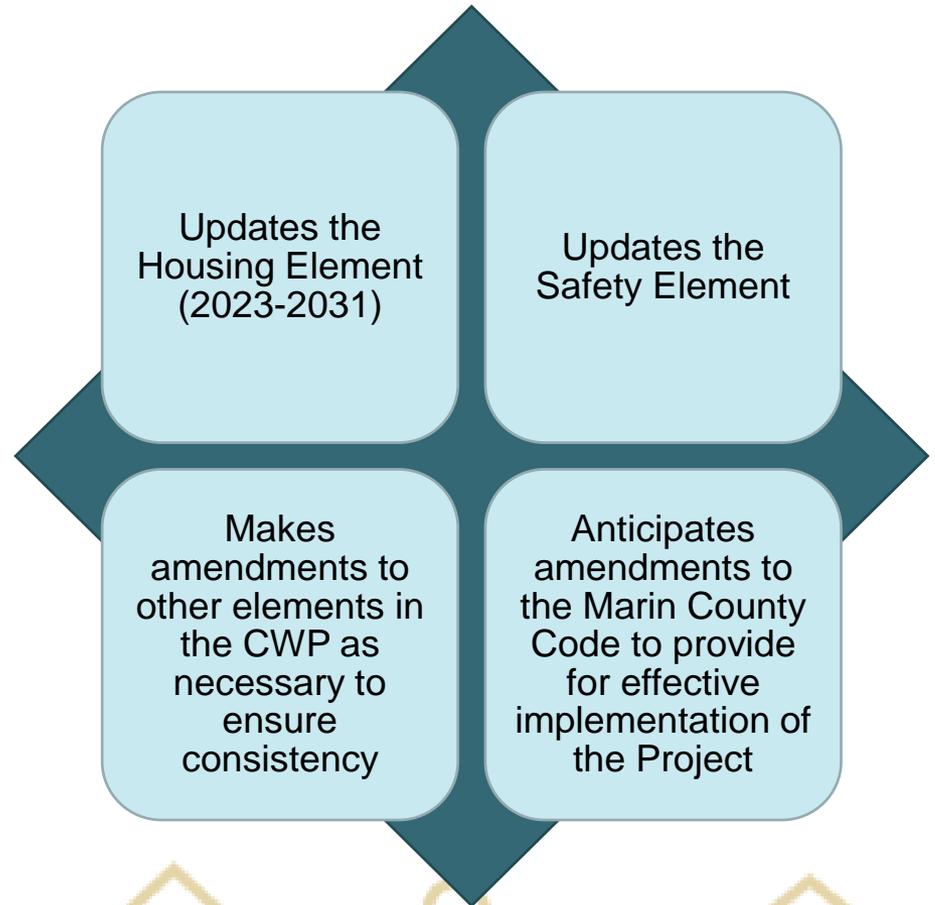
Future Projects

- **Discretionary projects** would require site-specific applications subject to County's development review/approval process, including CEQA compliance where applicable, and other environmental requirements (County, State, Federal);
- **Non-discretionary (ministerial) projects** must be consistent with State, County and Federal requirements.
- **Public projects** must be consistent with CWP policies and comply with CEQA.



Project Description - Overview

Proposed Project updates to two elements of the Countywide Plan (CWP) in compliance with State Planning and Zoning Law for General Plans



Project Description – Housing Element

Housing Element Update addresses planning period from 2023 to 2031.

Housing Element is required to identify an adequate number of sites to meet the number of housing units assigned to the County by the Regional Housing Need Allocation (RHNA) (3,569 units).

The County considered site locations throughout unincorporated county areas to meet its goal of affirmatively furthering fair housing.

The Housing Element provides the policy framework and identifies actions the County will take to remove housing constraints and promote housing that addresses community needs.



Project Description – Housing Element

- The Project Site Inventory presents the proposed "Candidate Sites" that meet the RHNA as well as a reasonably foreseeable number of density bonus units and a buffer number of additional units recommended by HCD. This is the Proposed Project.
- The proposed "Candidate Sites" were selected from the list of Universal List of Sites by the Planning Commission and Board of Supervisors based on input at a series of public hearings and in compliance with State Housing Element legislation.



Project Description – Housing Element

- In addition to the Proposed Project, the EIR also includes analysis of additional sites - Candidate Housing Sites.
- The information from this analysis will allow decision-makers to consider alternate approaches to satisfying the RHNA in the event any of the “Project Sites” prove infeasible or undesirable due to potential environmental impacts or changed circumstances.



Components of Housing Element

Housing Plan

Needs Assessment

- Demographic Trends
- Housing Market Trends
- Special Needs Groups

Previous Accomplishments

Progress toward Implementing Previous Housing Element

Constraints to Housing Development

- Governmental
- Market
- Environmental
- Infrastructure

Resources and Sites Inventory

- Sites for all Income Levels
- Public / Private Partnerships
- Financial Resources

Affirmatively Furthering Fair Housing

- Five Categories of Analysis
- Existing Condition and Distribution of RHNA Sites
- Meaningful Actions

Project Description – Housing Element

The Housing Element Update Content

1. Introduction
2. Housing Needs Analysis
3. Housing Constraints
4. Resources
5. Goals, Policies, and Programs

Appendices

- Appendix A: Community Outreach
- Appendix B: Review of 2015 Housing Element
- Appendix C: Sites Inventory
- Appendix D: County's Commitment to Specific Meaningful Actions to Affirmatively Furthering Fair Housing

Project Description – Housing Element

**Table 3-1:
Regional Housing Needs Allocation (RHNA) for Marin County
Unincorporated Areas, 2023-2031**

Income Category¹	Number of Housing Units
Very Low Income	1,100
Low Income	634
Moderate Income	512
Above Moderate Income	1,323
Total:	3,569

Source: ABAG, Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023-2031 (viewed at https://abag.ca.gov/sites/default/files/documents/2022-04/Final_RHNA_Methodology_Report_2023-2031_March2022_Update.pdf), adopted December 2021, Updated March 2022, p. 26.



Project Description – Housing Element

**Table 3-2:
2023-2031 Housing Element Proposed Project Sites and
Associated Development Potential**

	Potential Unit Development			
	Lower Income	Moderate Income	Above Moderate Income	Total
(A) Proposed Project Sites	1,849	517	1,306	3,672
(B) Development Units (ADUs)	154	77	25	256
Total Proposed Project Sites [(A)+(B)]	2,003	594	1,332	3,928
Density Bonus (35% of A)				1,286
Project Site Inventory				5,214



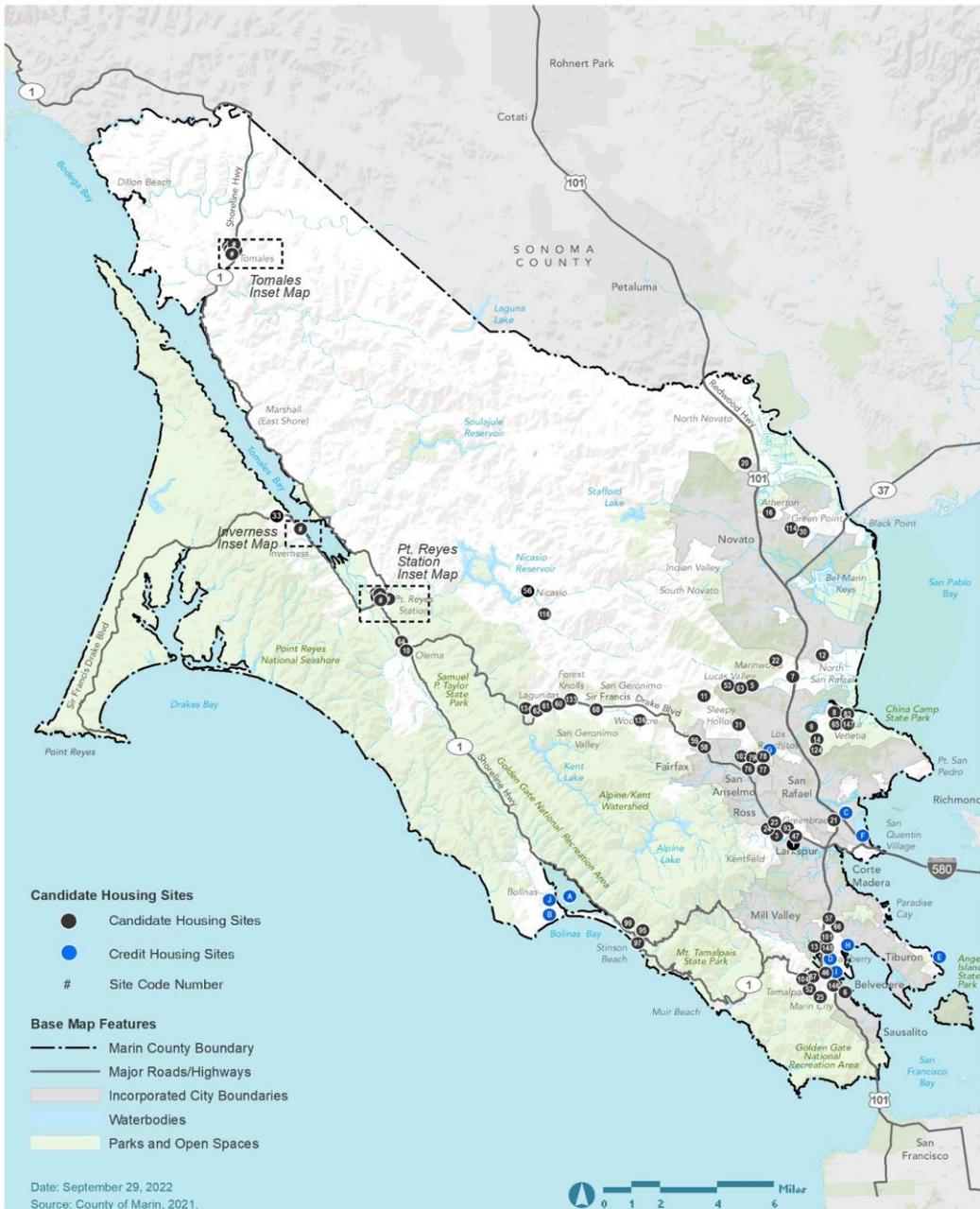
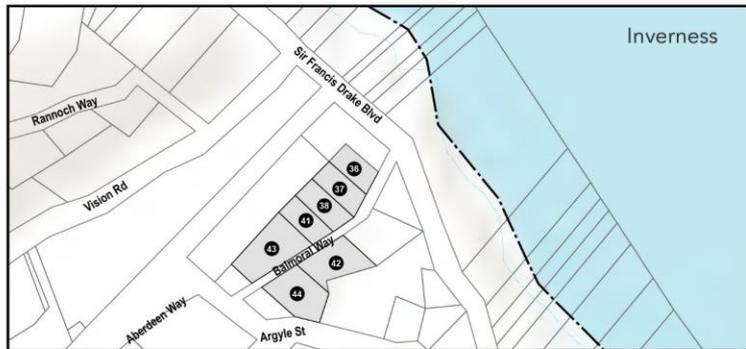


Figure 3.5A Project Sites



- Candidate Housing Sites**
- Candidate Housing Sites
 - # Site Code Number
- Base Map Features**
- Marin County Boundary
 - Major Roads/Highways
 - Incorporated City Boundaries
 - Waterbodies
 - Parks and Open Spaces



Date: September 29, 2022
 Source: County of Marin, 2021.

Figure 3.5B Project Sites (Cont.)

Project Description – Safety Element

- The Safety Element is section 2.6 – Environmental Hazards of the Natural Systems and Agricultural Element of the CWP.
- Currently, the 2007 Safety Element addresses geologic seismicity, flooding, and wildfire hazards.
- Safety Element Update addresses climate change adaptation and resilience according to SB 379 and Government Code §65304(g).



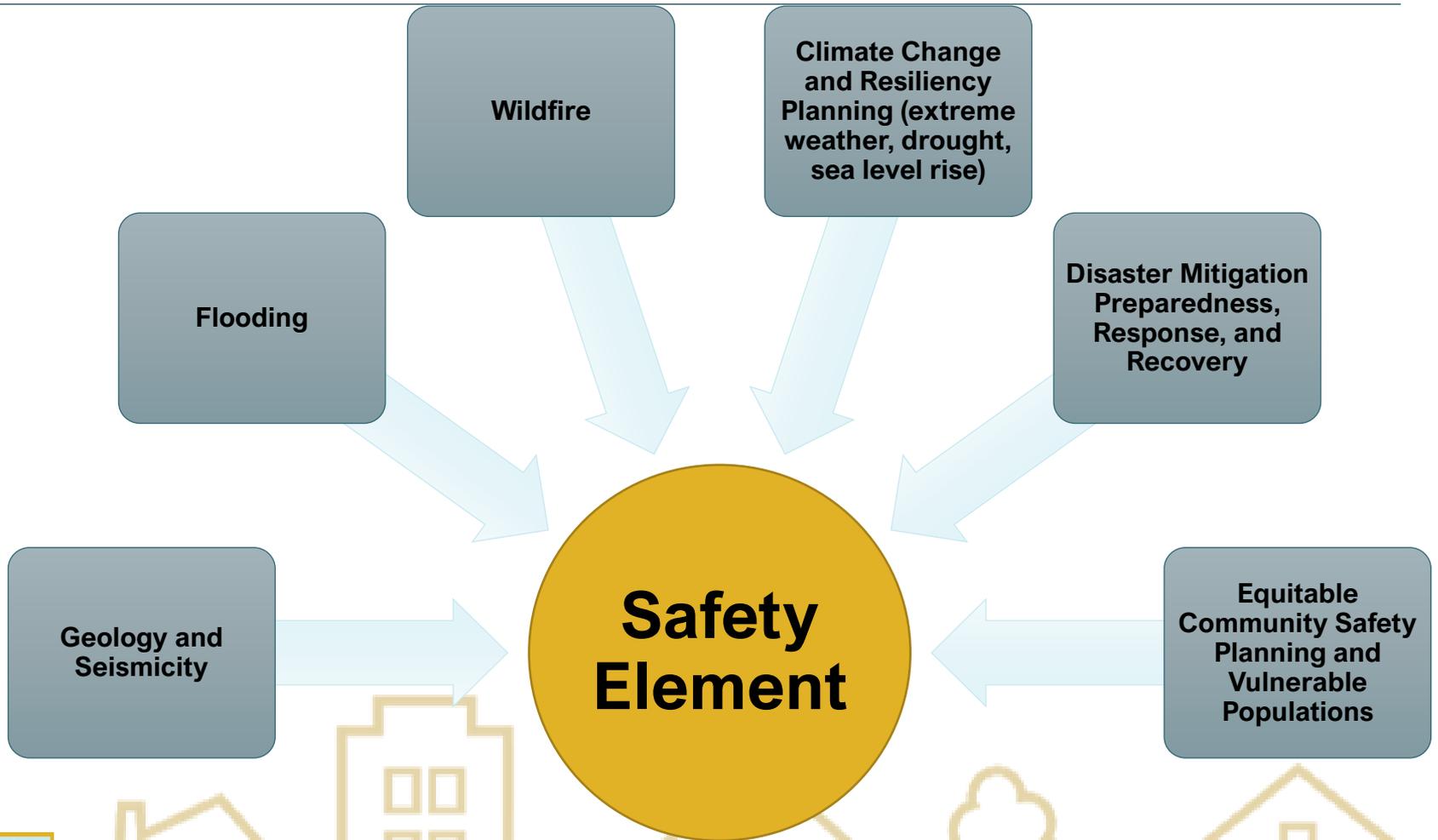
Project Description – Safety Element

The update consists of the following three parts:

1. A vulnerability assessment that identifies the risks climate change poses to unincorporated Marin County;
2. Identification of adaptation and resiliency goals, policies, and feasible implementation programs; and
3. Addresses other legislative mandates to reduce fire and flood risk and plan for emergency evacuation



Project Description – Safety Element



Project Description – Additional Actions

The EIR also contemplates changes to the CWP and Zoning Code as necessary to Implement “Programs” identified in the Housing and Safety Elements, including:

Changes to land use and zoning map designations to accommodate the development intensity needed to satisfy the RHNA

Changes to policies and programs to remove barriers to residential development

Zoning text amendments to ensure procedures and standards are in place to support development needed to satisfy the RHNA

Amend the Development Code consistent with the goals, policies, and programs of the Project

Amend the Development Code to ensure new development is built to the highest safety standards consistent with the Safety Element



EIR Notice of Preparation

- The Public had an opportunity to inform the content of the EIR during the 45-day Notice of Preparation comment period ending on January 24, 2022
- Public scoping meeting held on January 11, 2022
- Interested parties were invited to submit their comments on issues that should be included in the scope of the EIR analysis.
- A compilation of comments received during the 45-day scoping period are included in Chapter 2, Summary, of the Draft EIR.



EIR Impact Topics

Aesthetics	Agricultural and Forestry Resources	Air Quality	Biological Resources	Cultural, Tribal Cultural, and Historical Resources
Geology and Soils	Greenhouse Gas Emissions and Energy	Hazards and Hazardous Materials	Hydrology and Water Quality	Land Use and Planning
Mineral Resources	Noise	Population and Housing	Public Services	Transportation

Utilities and Service Systems

Wildfire



Draft EIR Findings

- Identified 18 project impacts as significant or potentially significant, including 14 project impacts that were also determined to be cumulative impacts.
- Many impacts found less than significant because future projects would be developed and permitted according to Federal and State regulations, Countywide Plan, Marin Development Code, and all adopted policies and regulations.
- Significant Impacts Reduced to Less Than Significant by Mitigation: Biological Resources & Historic Resources.



Draft EIR Findings

Project and Cumulative Impacts: Significant unavoidable impacts and “*cumulatively considerable contributions to significant cumulative impacts*” in the following areas (even with mitigation):

Aesthetics: Scenic vistas and visual character

Air Quality: Conflict with the local air quality plan and increase in criteria pollutants

GHG: Conflicts with applicable plan and increase in emissions

Historic Resources:
Destruction/degradation of historic resources

Noise: Traffic noise levels

Transportation: VMT above regional per capita thresholds

Utilities: Water and Wastewater

Draft EIR Findings

Cumulative Impacts: Three impacts related to water supply were found to be significant and unavoidable on both a project and cumulative level. No feasible mitigation was available for these impacts during the planning time period for the Project:

1. Impact 19-2a: Project and Cumulative Water Supply Impacts: West Marin Community Service Districts and North Marin Water District - West Marin.
2. Impact 19-2b: Project and Cumulative Water Supply Impacts: North Marin Water District and Marin Municipal Water District.
3. Impact 19-2c: Project and Cumulative Water Supply Impacts: Individual Water Supply Systems

Draft EIR – Project Alternatives

- CEQA requires an EIR to “...describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.”



Draft EIR – Project Alternatives

Draft EIR evaluates three alternatives:

Alternative 1

No Project – Existing Countywide Plan & HE (required by CEQA)

Alternative 2

Reduced VMT Alternative

Alternative 3

Reduced Utility Impact Alternative
(Water & Wastewater)

Alternative 2 Reduced VMT

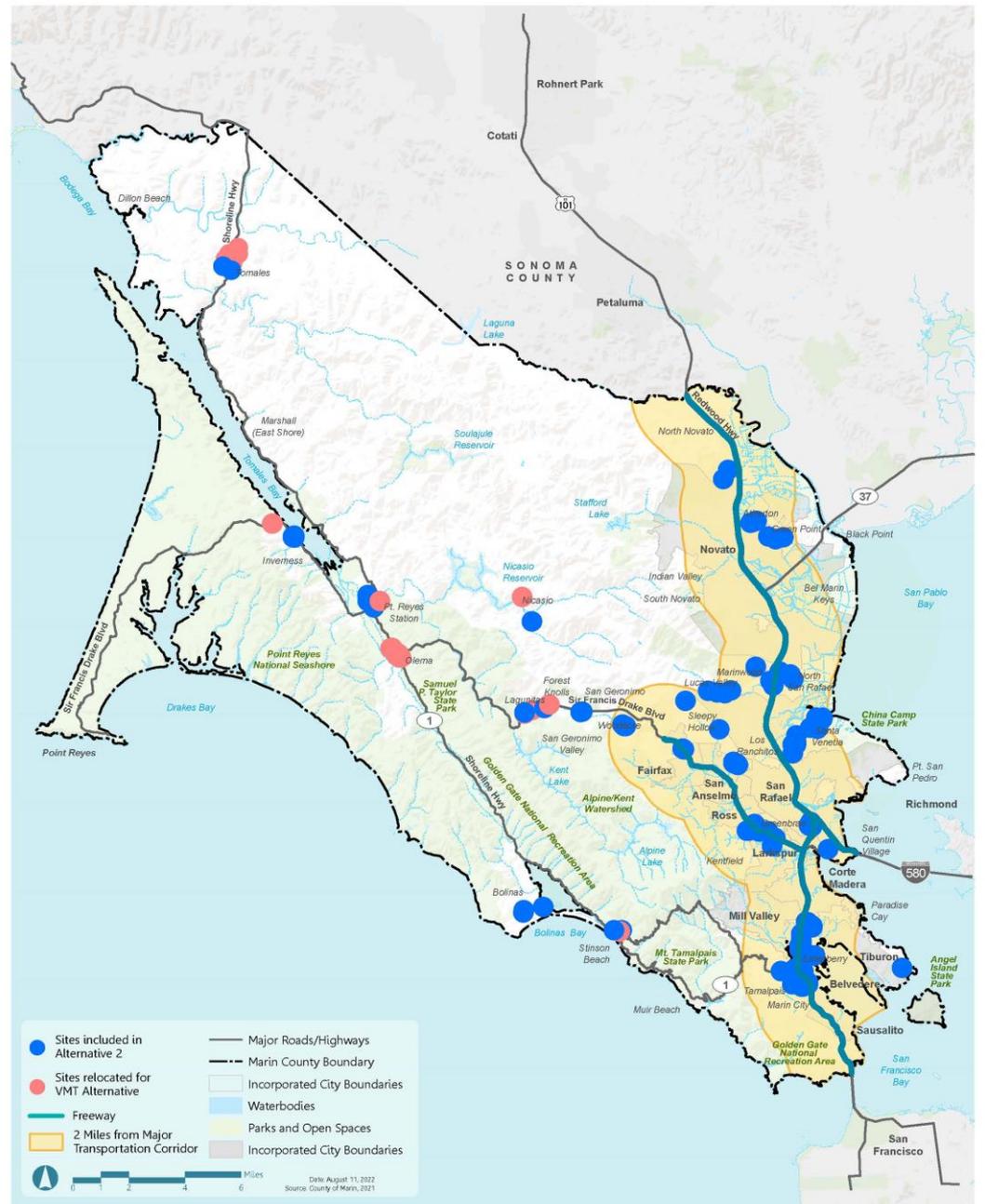


Figure 22.1 - Reduced VMT Alternative

Alternative 3

Reduced Utility Impact (Water Service)

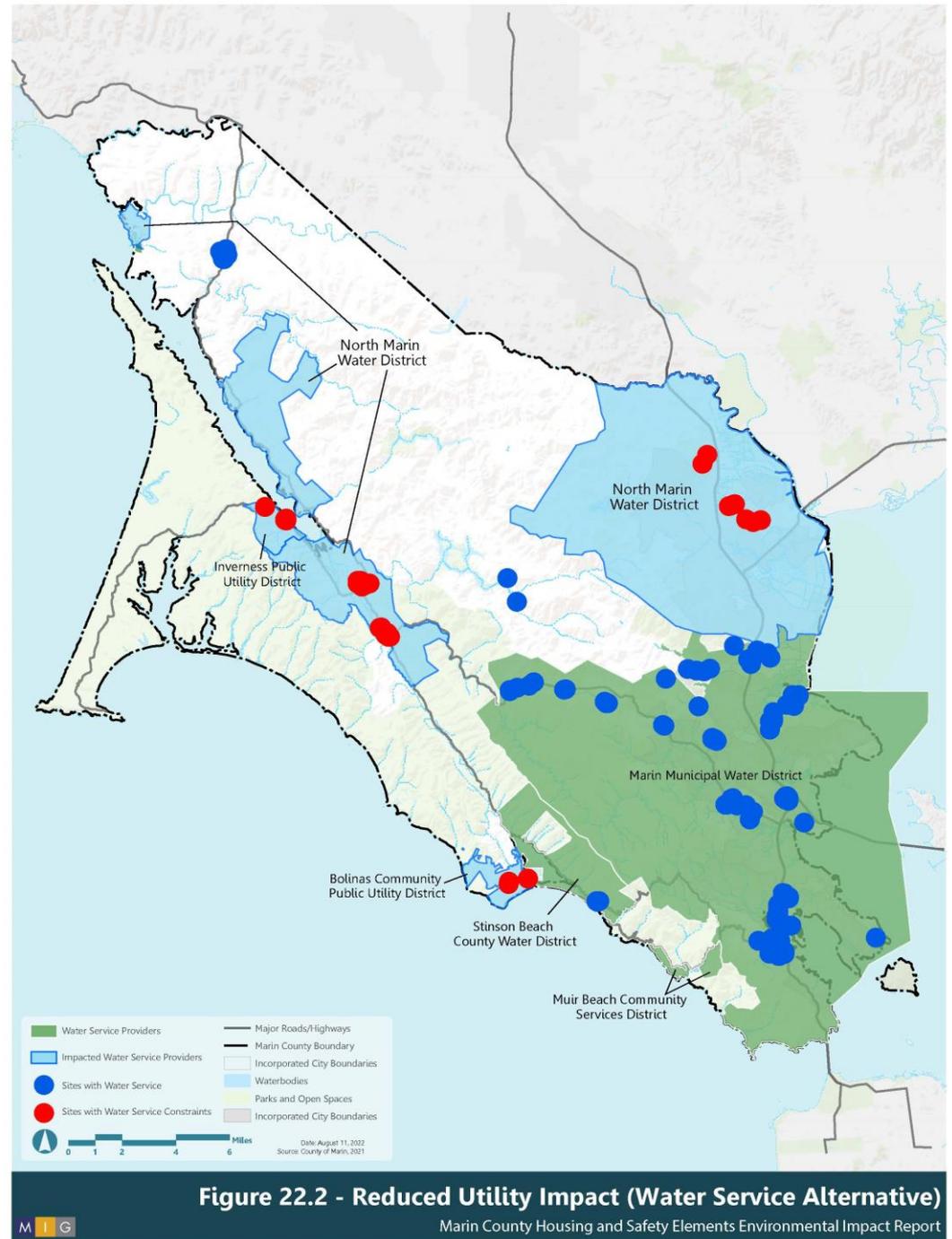


Figure 22.2 - Reduced Utility Impact (Water Service Alternative)

Alternative 3

Reduced Utility Impact (Wastewater Service)

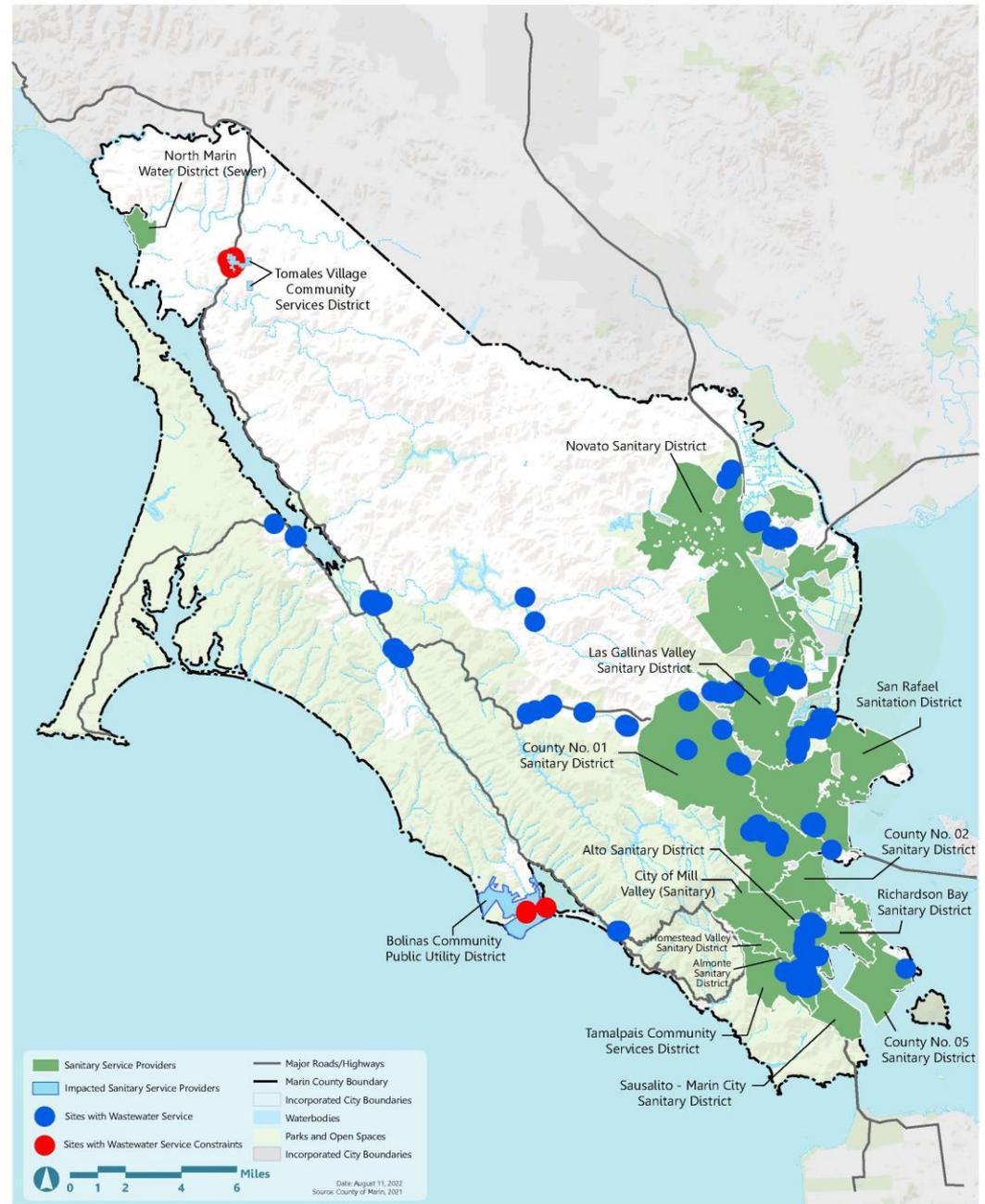


Figure 22.3 - Reduced Utility Impact (Wastewater Service Alternative)

Alternative 3

Reduced Utility Impact (Infrastructure)

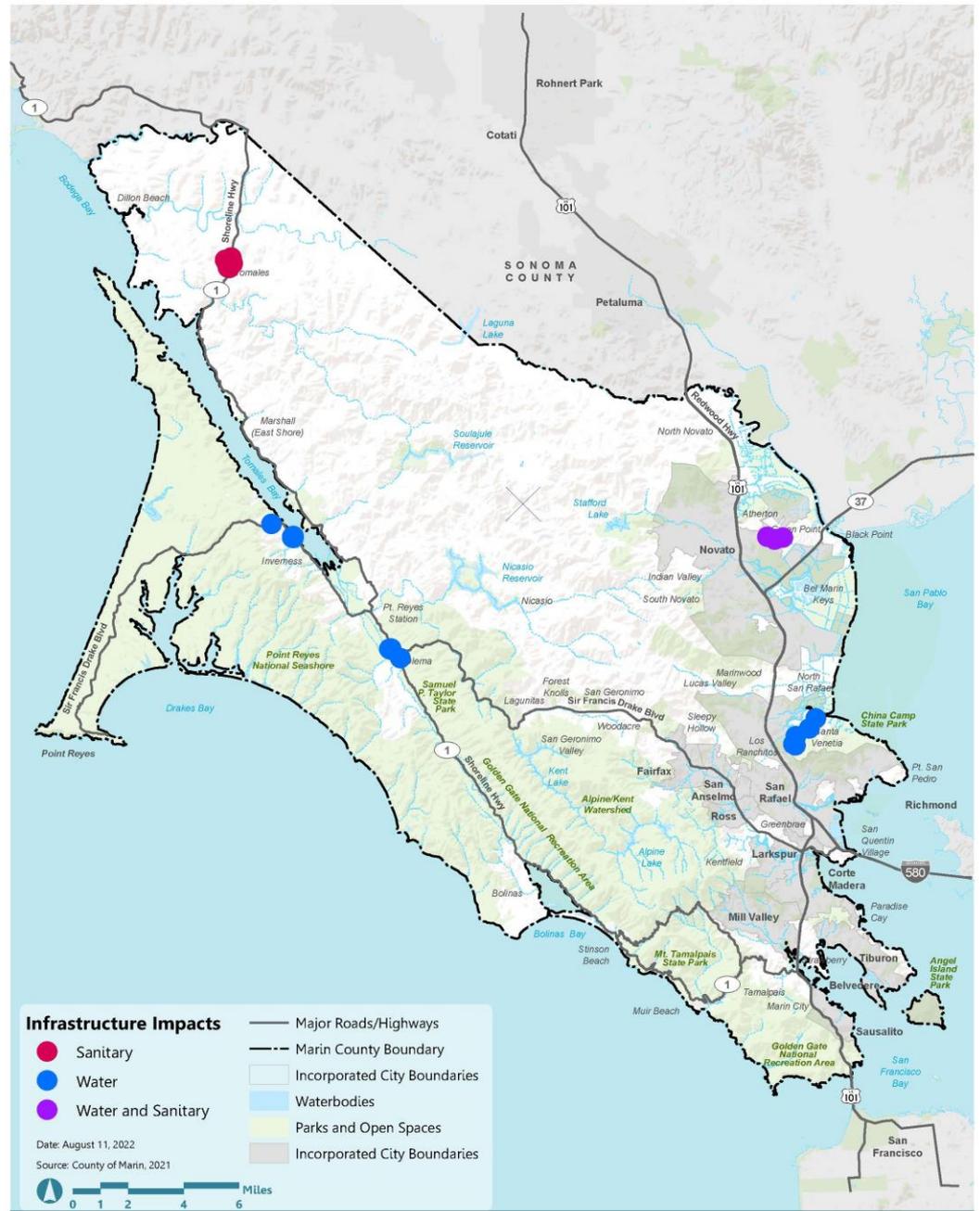


Figure 22.4 - Sites with Infrastructure Impacts

Marin County Housing and Safety Elements Environmental Impact Report

Draft EIR – Project Alternatives

Environmentally Superior Alternative:

- Alternative 2: Reduced VMT
 - Would allow County to obtain most of the Housing Element Update objectives and all Safety Element Update objectives
 - Reduces the most impacts by reducing the per capita VMT (VMT, Air Quality, and GHG)

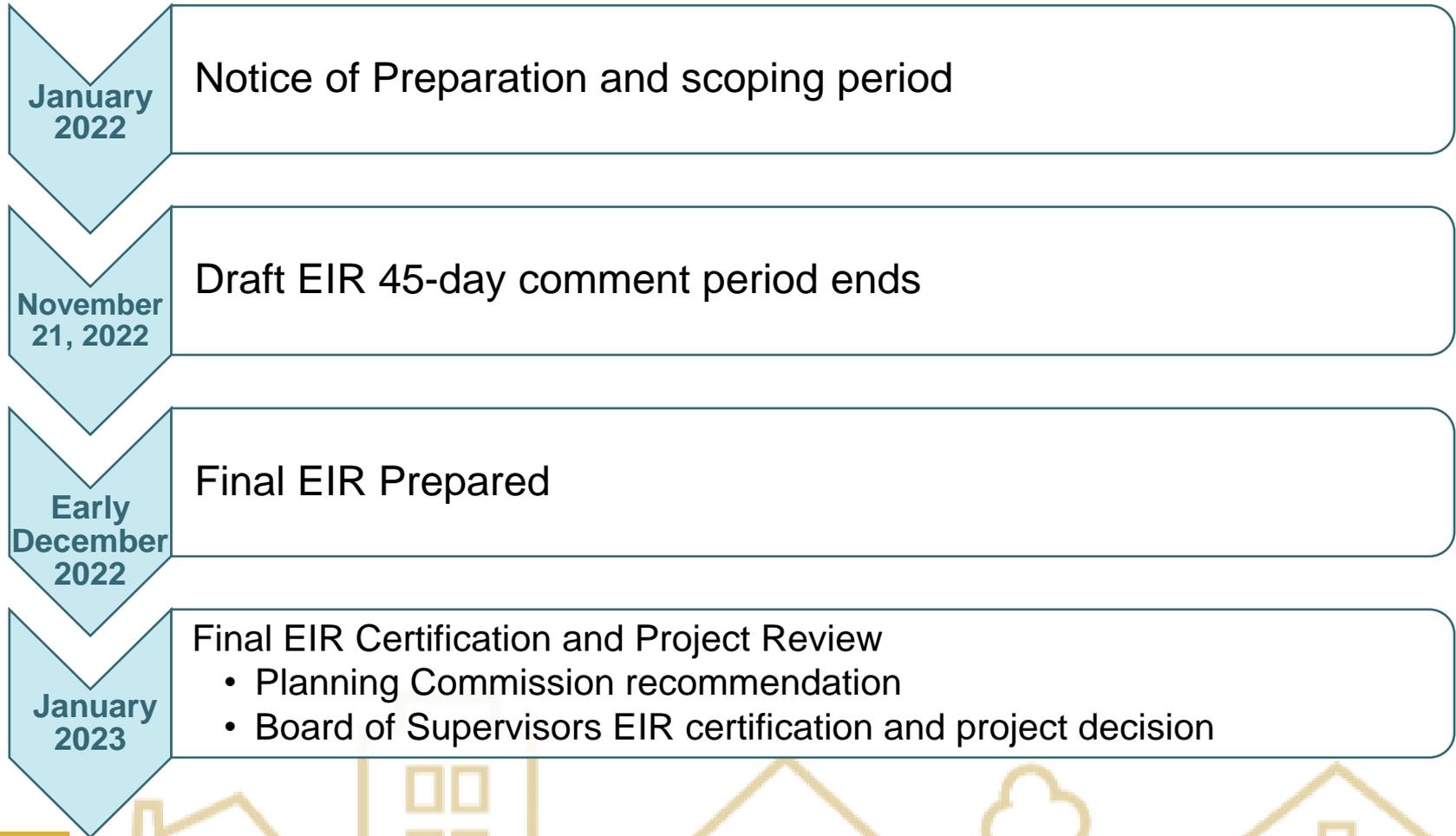


Draft EIR – Project Alternatives

- Alternative 2 would not fully meet the objective of providing housing throughout unincorporated county communities because it would reduce the number of units in the Project Sites Inventory by approximately 479 by eliminating the larger housing sites in the more rural communities in the western part of the county.
- The total number of housing units under this alternative would still meet the County's RHNA
- Smaller sites that can be screened out from the CEQA VMT analysis would still be part of the alternative.
- While Alternative 2 reduces the Project per capita VMT by 10% - 15%, the VMT, air quality, and GHG impacts would remain significant and unavoidable.



EIR Process Milestones & Next Steps



Hearing Opportunities

Milestone	Public Meeting/Hearing
Notice of Preparation	Public scoping hearing held on January 24, 2022
Draft EIR Public Hearing	Joint Planning Commission/Board of Supervisors hearing (today)
Final EIR	Planning Commission hearing to provide recommendation to the Board of Supervisors
Consider Project Approval	
Final EIR Certification	Board of Supervisors hearing to consider EIR certification and project decision
Project Approval	



What to Comment On

- This public hearing is to receive comments on the adequacy of the Draft EIR.
- Comments should be focused on the analysis and conclusions in the Draft EIR and not on the Housing or Safety Element content.
- For comments specific to the Housing and Safety Elements, please check the website for specific opportunities.



Public Comment Due Date

Comments Must Be Received by:
Monday, November 21, 2022 by 4:00 pm

Mail: Attn: Rachel Reid, Environmental Planning Manager
Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903

Email: envplanning@marincounty.org

Webpage: <https://housingelementsmarin.org/marin-county-environmental-review>



Staff Recommendation

- Open public hearing to comment on the adequacy of the Draft EIR;
- Discuss issues regarding project's impacts that are of primary concern to your Board and Commission; and
- Instruct the EIR consultant to prepare the Final EIR based upon the written responses to all comments received during the 45-day public review period.

