

Marin Countywide Plan
DRAFT Proposed Text Amendments
August 8, 2022
Exhibit 1
Additions in bold, deletions in ~~strickethrough~~

CWP Policies	Proposed Changes/Notes
2. The Natural Systems and Agricultural Element	
Goal BIO-5: Baylands Conservation (p. 83)	
Baylands Corridor (p. 83 – second full paragraph on the page)	Within the Baylands Corridor, potential residential density and commercial floor area ratios shall be calculated at the lowest end of the applicable ranges. This provision does not apply to small parcels (2 acres or less in size) that were legally created prior to January 1, 2007. Within PD-AERA designation, the density and floor area ratios shall be as specified for those areas. Section 22.14.060 of the Development Code should be updated to reflect these policies.
3. The Built Environment	
3.4 Community Development (CD)	
Background (page 249, paragraph below “Map 1.2, Environmental Corridors, depicts the four major county corridors.”)	“The Plan’s land use pattern reflects existing development potential shifted, to a degree, from environmentally constrained sites to more appropriate locations. Sites with environmental constraints or lacking public water or sewer systems have had development potential reduced to the lowest end of the density range for the applicable designation. These adjustments to development potential are reflected in corresponding increases in development potential in the City-Centered Corridor at locations closest to jobs and transit that are better suited to accommodate the development.”
Policy CD-1.3 (potential impacts in sensitive areas)	“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

	<p>Baylands Corridor, or on sites lacking public water or sewer systems. 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 that are capable of providing adequate water or sewer services, as long as the development complies with the California Environmental Quality Act and is consistent with all other applicable policies in the Countywide Plan, including, but not limited to, those governing environmental protection.”</p>
<p>Program CD-1.c</p>	<p>“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. 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 that are capable of providing adequate water or sewer services, as long as the development complies with the California Environmental Quality Act and all other applicable policies in the Countywide Plan, including, but not limited to, those governing environmental protection.”</p>
<p>Policy CD 2.3 Establish a Housing Overlay Designation p. 3.4-10</p>	<p>This policy to be removed entirely and replaced by a Housing Element Overlay as described in NEW Policy (CD-2.3?) below.</p> <p>Removal of the Policy CD-2.3 (HOD) will also result in removal of the following:</p> <ul style="list-style-type: none"> – Program CD-2.d (Implementation of the Housing Overlay Designation Program - p. 3.4-14) – Maps 3-2a and 3-2b (Housing Overlay Designation – following p. 3.4-14) – Program CD-2.l (Analyze Additional HOD Sites During the Housing Element Update – p. 3.4-17) – Program CD-2.m (Evaluate Affordability Rates of the HOD – p. 3.4-17) – Definition of the Housing Overlay Designation in the Glossary (p. 5-39) – Remove miscellaneous references to the HOD throughout the CWP

<p>NEW Policy (CD-2.3?) Housing Element Overlay</p>	<p>The Housing Element Overlay (HE) is established to identify housing development that may be allowed by right to help meet the Marin County RHNA. The HE Overlay applies to opportunity sites identified in the Housing Element. As shown in Table ## and on Maps #-# through #-#, the HE Overlay identifies residential development scenarios that are allowed by right on specific sites. The HE Overlay identifies development density, affordability levels, and objective standards that will govern project review. Projects that are consistent with the HE Overlay may develop “by right”.</p> <p>Development proposals on sites governed by the HE Overlay that do not comply with the identified standards or process requirement will be subject to standard County review processes and requirements and may not be allowed by right.</p> <p><u>NOTE:</u> This concept will be presented at the August 9, 2022 workshop.</p>
<p>Program CD-5.e Limit Density for Areas Without Water or Sewer Connections</p>	<p>“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 service. 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 that are capable of providing adequate water or sewer services, as long as the development complies with the California Environmental Quality Act and all other applicable policies in the Countywide Plan including, but not limited to, those governing environmental protection.”</p>
<p>Program CD-6.a Consider Annexation of Urbanized Areas (urban service areas)</p>	<p>“Encourage annexation of lands proposed for intensified development in urban service areas or within established urban growth boundaries by calculating density at the lowest end of the Countywide Plan designation range, thereby allowing less intensive development than permitted by the neighboring city or</p>

	<p>town (unless limited to housing affordable to very low or low income residents, or specified in an adopted specific, community, or master plan).</p>
<p>Policy CD-8.6 Establish Residential Land Use Categories</p>	<p>Medium to High Density Residential</p> <p>The following medium to high density residential land use categories (from 11 to 45 units per acre) are established within the City-Centered Corridor and in communities or villages in the Inland Rural, Baylands, and Coastal Corridors where multi-family development can be accommodated with easy accessibility to u a full range of urban services and locations near major arterials, transit services, and/or community and regional shopping facilities.</p>
<p>Policy CD- 8.7 Establish Commercial/Mixed Use Land Use Categories and Intensities (Introductory Language)</p>	<p>Establish Commercial/Mixed-Use Land Use Categories and Intensities.</p> <p>Commercial/mixed-use land use categories are established to provide for a mix of retail, office, and industrial uses, as well as mixed-use residential development or exclusively affordable residential development, in a manner compatible with public facilities, natural resource protection, environmental quality, and high standards of urban design. Mixed-use developments are intended to incorporate residential units on commercial properties, including on-site housing for employees, thereby contributing to affordable housing and reduced commutes.</p> <p>For projects consisting of low and very low income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate income housing, the FAR may be exceeded in areas with acceptable levels of service — but not to an amount sufficient to cause an LOS standard to be exceeded.</p> <p>The following criteria shall apply to any mixed-use development:</p> <ol style="list-style-type: none"> 1. For parcels larger than 2 acres in size, no more than 50% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.

	<p>For parcels 2 acres and less in size, no more than 75% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.</p> <ol style="list-style-type: none">2. Projected peak-hour traffic impacts of the proposed mixed-use development are no greater than that for the maximum commercial development permissible on the site under the specific land use category.3. Priority shall be given to the retention of existing neighborhood serving commercial uses.4. The site design fits with the surrounding neighborhood and incorporates design elements such as podium parking, usable common/open space areas, and vertical mix of uses, where appropriate. In most instances, residential uses should be considered above the ground floor or located in a manner to provide the continuity of store frontages, while maintaining visual interest and a pedestrian orientation.5. For projects consisting of low income and very low-income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate-income housing, the FAR may only be exceeded in areas with acceptable traffic levels of service — but not to an amount sufficient to cause an LOS standard to be exceeded.6. Residential units on mixed use sites in the Tamalpais Area Community Plan area shall be restricted to 100 residential units, excluding units with valid building permits issued prior to the date of adoption of the Countywide Plan update. The 100 unit cap includes any applicable density bonus and such units are not subject to the FAR exceptions listed in #5 above due to the
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	<p>area's highly constrained (week and weekend) traffic conditions, flooding, and other hazards.</p> <p>Renovations not resulting in additional square footage will be exempt from the above requirements if consistent with the requirements of the Marin County Jobs-Housing Linkage Ordinance, Chapter 22.22 of the Development Code.</p>
<p>Policy CD- 8.7 Establish Commercial/Mixed Use Land Use Categories and Intensities (General Commercial/Mixed Use)</p>	<p>General Commercial/Mixed Use. The General Commercial mixed-use land use category is established to allow for a wide variety of commercial uses, including retail and service businesses, professional offices, and restaurants, in conjunction with mixed- use residential development. The Development Code includes permitted and conditional uses and development standards consistent with this designation. The Land Use Policy Maps provide floor area ratio (FAR) standards for this designation.</p> <p>For sites identified as opportunity sites in the Housing Element as necessary to meet the Regional Housing Needs Allocation (RHNA), allowed intensity is expressed both as maximum FAR and maximum density (number of dwelling units per acre). Projects on these sites are permitted to have both commercial development at the permitted FAR and residential development at the permitted density. The permitted density is expressed on the Land Use Policy Maps as GC – XX (maximum density). The maximum density in the General Commercial category is 45 dwelling units/acre.</p> <p>For other properties, residential development located in a mixed-use development within this designation shall be included in the permissible amount of development under these FARs. For projects consisting of low and very low income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate income housing, the FAR may be exceeded in areas with acceptable traffic levels of</p>

	<p>service—but not to an amount sufficient to cause an LOS standard to be exceeded. (Refer to CD 2.3 for projects located within the Housing Overlay Designation.)</p> <p>Consistent Zoning: C P C1-H H-1 RMP-.1 to RMP-30 AH RMPC – 20 to RMPC. - 45</p>
<p>Policy CD- 8.7 Establish Commercial/Mixed Use Land Use Categories and Intensities (Neighborhood Commercial/Mixed Use)</p>	<p>Neighborhood Commercial/Mixed Use. The Neighborhood Commercial/Mixed Use land use category is established to encourage smaller-scale retail and neighborhood- serving office and service uses in conjunction with residential development oriented toward pedestrians and located in close proximity to residential neighborhoods. The Development Code includes permitted and conditional uses and development standards consistent with this designation. The Land Use Policy Maps provide for floor area ratio (FAR) standards for this designation.</p> <p>For sites identified as opportunity sites in the Housing Element as necessary to meet the Regional Housing Needs Allocation (RHNA), allowed intensity is expressed both as maximum FAR and maximum density (number of dwelling units per acre). Projects on these sites are permitted to have both commercial development at the permitted FAR and residential development at the permitted density. The permitted density is expressed on the Land Use Policy Maps as NC – XX (maximum density). The maximum density in the Neighborhood Commercial category is 30 dwelling units/acre.</p> <p>For other properties, residential development located in a mixed-use development within this designation shall be included in the permissible amount of development under these FARs. For projects consisting of low and</p>

	<p>very low income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate income housing, the FAR may be exceeded in areas with acceptable traffic levels of service — but not to an amount sufficient to cause an LOS standard to be exceeded.</p> <p>(Refer to CD-2.3 for projects located within the Housing Overlay Designation.)</p> <p>Consistent Zoning: VCR RMPC- 20 to RMPC-30 VCR:B2 AH</p>
Policies Specific to Certain Sites	
St. Vincent’s and Silveira	
p. 3.12-6	<p><i>Natural Systems Goals and Policies</i></p> <p>There are a number of protected resource areas on the St. Vincent’s and Silveira lands, which include: tidelands; diked baylands, of which a portion are owned by the Las Gallinas Valley Sanitary District and used for wastewater ponds and irrigation; Miller Creek and its riparian corridor; lands within the 100-year floodplain; and hills leading up to Pacheco Ridge at the northern boundary of the site.</p> <p>On the St. Vincent property, there are approximately 60 acres of land that largely avoid the hazards and resources addressed in the below Goals and Policies (refer to the “Development Area” shown on the St. Vincent’s and Silveira Land Use Policy Map below). To support residential development that will help meet Marin County’s housing needs, Goals SV-1 through SV-7 (and related policies) do not apply to housing development located within the “Development Area” and related infrastructure and similar improvements that may occur outside the development area.</p>

<p>SV-2.2 Require Master Plan P. 3.12-9</p>	<p>SV-2.2 Require Master Plan. Require a master plan for new uses or a large reuse project based on an environmental review, unless exempt from discretionary review based on either state law or compliance with the HE Overlay. Minor expansion of existing uses and minor compatible new uses may be allowed without a master plan, provided they do not increase the development intensity of either property. Any proposal for development in the St. Vincent’s and Silveira area should respect the land, honor the legacy of the human settlements from the Miwok to the St. Vincent’s School for Boys to the Silveira family, limit the amount of traffic to and from the site, and be planned for long-term sustainability.</p>
<p>SV-2.4 Cluster Development. p. 3.12-10</p>	<p>New non-agricultural development (e.g., building footprints, roads, and parking) on either the St. Vincent’s property will be restricted to the approximately 60-acre portion identified for reuse/development on the St. Vincent’s and Silveira Land Use Policy Map. New non-agricultural development on the Silveira property shall be restricted to up to 5% of the land area of each property, or as determined through a site-specific analysis of agricultural and environmental constraints and resources, observing habitat protection policies including, but not limited to, streamside conservation, ridge and upland greenbelt, wetlands, tidelands, and community separation. Existing development shall not be counted toward the 5% restrictions on for the land area for each property.</p> <p>In addition, development (e.g., educational/social service) on the St. Vincent’s property should be clustered around the H complex, with the Chapel and the H complex buildings retained as the community center as determined by a master plan process.</p>
<p>SV-2.5 Establish Land Use Categories. p. 3.12-10</p>	<p>The St. Vincent’s and Silveira properties are assigned the MF-4 (11-30 units per acre) or the Planned Designation — Agricultural and Environmental Resource Area land use category. Potential uses include agriculture and related uses,</p>

	<p>residential development, education and tourism, places of worship, institutional uses, and small-scale hospitality uses, as described more fully in SV-2.3.</p> <p>In addition to existing uses, a total of up to 680 dwelling units may be allowed on the St. Vincent's property. The number of units on the Silveira property's shall not exceed the property's share of the 221 dwelling units established in the 2007 CWP in addition to existing development 221 dwelling units for the combined St. Vincent's and Silveira sites may be allowed consisting of up to 121 market rate dwelling units plus up to 100 additional dwelling units for very low and/or low income households. Dwelling units shall be allocated proportionally to the respective St. Vincent's and Silveira areas, based on the total acreage of the St. Vincent's and Silveira sites as determined by the County at the time of the first application for development of more than four units or their equivalent.</p> <p>Within these standards, the master plan approval process will determine the specific development suitable for these properties, taking into consideration environmental constraints and the community benefits associated with providing a higher ratio of housing affordable to low and very low income persons and smaller residential unit sizes. Pursuant to the PD-Agricultural and Environmental Resource Area land use category, nonresidential uses, assisted senior housing, or other senior care facilities may be permitted in lieu of some dwelling units, provided that the impacts of the senior care and other nonresidential development on peak hour traffic do not exceed those projected for all residential development being replaced plus existing baseline trips.</p> <p>Projects that either: 1) comply with State housing laws that exempt the project from discretionary review, or 2) are consistent with the development density, standards and development process established for sites identified in the Housing Element (HE Overlay) as necessary to meet the regional housing need (RHNA) are not subject to the Master Plan or Specific Plan review.</p>
<p>St. Vincent's and Silveira Land Use Policy Map p. 3.12-11</p>	<p>Update the St. V/Silveira Policy Map to show an approximately 60-acre development area on the St. Vincent properties.</p>

<p>CD-8.8 Establish Planned Designation Land Use Categories. P 3.4-39</p>	<p>The Planned Designation-Agricultural and Environmental Resource Area (PD-Agricultural and Environmental Resource Area), Planned Designation-Transit Village Area (PD-Transit Village 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 65450 or a master plan pursuant to the County Development Code unless either: 1) State housing laws exempt a project from this planning process, or 2) the proposed project is consistent with the development density, standards and development process established for sites identified in the Housing Element (HE Overlay) as necessary to meet the regional housing need (RHNA).</p> <p><u>PD-Agricultural and Environmental Resource Area</u></p> <p>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.</p> <p>Standards of Building Intensity. Building-intensity standards for the PD-Agricultural and Environmental Resource Area for the St. Vincent’s area are in addition to existing development and established by the Housing Element. Building intensity standards for the Silveira area shall not exceed Silveira’s share of the 221 dwelling units established in the 2007 CWP in addition to</p>
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	existing development. up to 221 dwelling units in addition to existing development, or equivalent amounts of nonresidential development based on impacts on peak-hour traffic.
Buck Center	Amend Map 1-2 to show Buck Center in the City-Centered Corridor from Inland-Rural.
3.5 Community Design (DES)	
NEW Program DES-4.e Protect View of Ridge and Upland Greenbelt Areas	DES-4.e Protect Views of Ridge and Upland Greenbelt Areas. Employ a variety of strategies to protect views of Ridge and Upland Greenbelt areas, including the following: <ul style="list-style-type: none"> • Identifying any unmapped ridgelines of countywide significance, both developed and undeveloped, and adjusting the Ridge and Upland Greenbelt Areas map as appropriate; • Amending the Development Code and County zoning maps to designate a suburban edge on all parcels contiguous to the City-Centered Corridor that abut the Ridge and Upland Greenbelt, and requiring that those parcels develop at rural densities with visually sensitive site design; • Rezoning Ridge and Upland Greenbelt lands to the Planned District category and adjacent buffer areas to a transitional district, thereby subjecting them to County Design Review Requirements that include hillside protection; • Requiring buildings in Ridge and Upland Greenbelt areas to be screened from view by wooded areas, rock outcrops, or topographical features (see DES-3.b); and • Calculating density for Ridge and Upland Greenbelt subdivisions at the lowest end of the General Plan designation range.
3.9 Transportation (TR)	
Program TR-1.e Uphold Vehicle Level of Service Standards	TR-1.e Uphold Vehicle Level of Service Standards. Uphold peak-hour vehicle Level of Service standard LOS D or better for urban and suburban arterials and LOS E or better for freeways and rural expressways27F1.

Only the Congestion Management Program–specified roadway and highway segments operating at a lower LOS than the standard in 1991 are grandfathered and may continue to operate at the lower LOS standard until such time as the roads are improved or the traffic load or demand is reduced or diverted. An improvement plan should be developed for Highway 101 and the grandfathered roadway segments to address existing deficiencies. Unless determined to be infeasible, alternatives that reduce fossil fuels and single occupancy vehicle use should be considered a priority over infrastructure improvements such as road widening.

~~New development shall be restricted to the lowest end of the applicable residential density/commercial floor area ratio range where the LOS standards will be exceeded at any intersection or road segment or worsened on any grandfathered segment. Densities higher than the low end of the applicable residential density/commercial floor area ratio may be considered for the following:~~

- ~~• Development that qualifies as Housing Overlay Projects in accordance with Policy CD 2.3, Establish a Housing Overlay Designation, and Program CD 2.d, Implement the Housing Overlay Designation.~~
- ~~• Mixed use projects developed in accordance with Policy CD 8.7.~~
- ~~• Second units developed pursuant to State law.~~
- ~~• New housing units affordable to very low and low income households.~~

All projects shall be conditioned to include feasible mitigation measures for project related traffic impacts.

Community Plans	
<p>How to Read the Countywide Plan p. 1.4-3</p>	<p>Another overall principle to guide the reading, interpretation, and implementation of the Plan is that none of its provisions will be interpreted by the County in a manner that violates state or federal law. For example, Policy CD-5.2 (“Assign financial responsibility for growth”) requires new development to pay for its fair share of the cost of public facilities. This policy will be implemented subject to applicable legal standards. In reading every provision of the Plan, one should infer that it is limited by the principle, “to the extent legally permitted.”</p> <p>Similarly, no provision of a community plan may be interpreted by the County in a manner that conflicts with the Countywide Plan. There are seventeen community plans containing policies and programs to support implementation of the Countywide Plan. When reading, interpreting, and implementing the community plans, none of their provisions can conflict with the Countywide Plan.</p>
<p>Land Use Categories p. 1.5-3</p>	<p>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. To the degree that these community plan policy guidance conflicts with the Countywide Plan, the CWP shall govern. The Countywide Plan land use designations supersede Community Plan designations.</p>
<p>p 3.4-3</p>	<p>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</p>

	<p>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 development density, floor area ratio, setback, and height differences, the Countywide Plan shall prevail, 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. except this policy shall not apply to applications subject to Development Agreements.</p>
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Marin HE SE EIR: BOS PC, Workshop, Outreach, and Meeting Schedule

Last Revised **8/5/2022**

Subject to Change

Blue refers to HE; Amber refers to SE; Green refers to EIR; Gray refers to HE & SE

9/22 Community Workshop #1: Sites

11/15 Community Workshop #2: SE Vulnerability Assessment

12/7 Joint Session #1: Sites

1/11 EIR Scoping

1/20 Community Workshop #3: Sites

2/1 Joint Session #2: SE VA/Key Issues

1/20 – 2/27 Public Engagement: Balancing Act; Office Hours; DRB Mtgs; Community District Board Mtgs

3/1 Joint Session #3: Sites/Preferred Alt #1

3/15 Joint Session #4: Sites/Preferred Alt #2

3/29 Community Workshop #4: HE Key/New Programs

4/5 Community Workshop #5: SE Key/New Programs

4/12 Joint Session #5: HE Policies & Programs/Finalize Recommended Sites

4/19 Joint Session #6: SE Policies & Programs

6/1 – 6/30 Draft HE Public Review – 30 days

6/1 – 6/30 Draft SE Public Review – 30 days

6/14 Joint Session #7: Draft HE and SE Public Comment

7/19 – 10/18 HCD Review – 90 days

8/9 Joint Session #8: CWP Amendments

9/23 – 11/6 Draft EIR Public Review – 45 days

9/27 – Joint Session: Form Based Code and Development Code Amendments related to SB 9 and SB 35

10/18 Joint Session #9: DEIR Public Comment

10/25 Joint Session #10: HCD Comments/Revisions (Including Sites Revisions if Needed)

11/15 BOS Workshop : HE Sites – Final Inventory

12/2 Final EIR Public Release

12/12 PC Workshop: HE, SE, CWP/DC Amendments

1/5/23 PC Hearing (Special meeting): EIR, HE, SE, CWP/DC Amendments Recommendation

1/24/23 BOS Hearing: Certify EIR; Adopt HE, SE, and CWP/DC Amendment

1/31/23 BOS Hearing (back up): Certify EIR; Adopt HE, SE, CWP/Development Code revisions

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