

**Marin LCPA Cross-out/Underline Comparison to Unit I and II: AGRICULTURE Policies**

**Legend:**

Language in policy as currently certified is in **red and crossed-out** if not exactly carried over into LCPA.

Language added by LCPA is in **blue underline**.

Policy elements that have relocated are **highlighted in yellow**, showing **old** and **new**

<p align="center"><b>Marin LCP Proposed Amendments - Agriculture</b> Adopted by Board of Supervisors July 30, 2013</p>		
	Unit II - Existing Policy	LCPA - Proposed Policy
<p><b>Policy 29, pg. 35</b>  <del>Certification of the remaining large agricultural holdings within Unit I which are greater than 60 acres in size shall be deferred until consideration of the Unit II LCP in order to facilitate development and application of a coordinated and consistent approach to the protection of large agricultural holdings within the total Marin County Coastal Zone. These areas consist of the following Assessor's Parcel Numbers:                      188 090 02, 04, 05, 06, 09, 10, 11                      188 120 09, 11, 15, 19                      188 170 01, 06, 18, 56, 57                      199 150 20, 21</del>  <b>Policy Status</b>                      This policy is no longer relevant and thus is not carried forward to the LCPA.</p>		<p>This Unit I policy was accomplished with the creation and application of the C-APZ Zone in the Unit II LUP and the C-APZ and C-ARP zoning designations.</p>
	<p><del><b>Policy 1, p. 98 C-AG-I Agricultural Lands and Resources.</b>                      Protect agricultural land, continued agricultural uses, family farming, and the agricultural economy                      General policy. Marin County intends to protect the existing and future viability of agricultural lands in its coastal zone, in accordance with Sections 30241 and 30242 of the Coastal Act. by maintaining parcels large enough to sustain agricultural production.</del></p>	<p><b>C-AG-I Agricultural Lands and Resources.</b> Protect agricultural land, continued agricultural uses, family farming, and the agricultural economy by maintaining parcels large enough to sustain agricultural production, preventing conversion to non-agricultural uses, providing for diversity in agricultural development, facilitating multi-generational operation and succession, and prohibiting uses that are incompatible with long-term agricultural production or the rural character of the</p>

	<p><del>preventing conversion to non-agricultural uses, providing for diversity in agricultural development, facilitating multi-generational operation and succession</del> The County's LCP policies are intended to permanently preserve productive agriculture and lands with the potential for agricultural use, foster agricultural development, and <del>prohibiting uses that are incompatible with long-term agricultural production assure that non-agricultural development does not conflict with agricultural uses or is incompatible with</del> the rural character of the County's coastal zone. <del>These policies are also intended to concentrate development in suitable locations, ensure that adequate public services are available to serve new development, and protect coastal wildlife, habitat, and scenic resources, in accordance with Sections 30240, 20250, and 30251 of the Coastal Act.</del> <u>Preserve important soils, agricultural water sources, and forage to allow continued agricultural production on agricultural lands.</u></p> <p><b>Policy Status</b> The concept of this policy has been carried forward to LCPA Policy <b>C-AG-1</b>.</p>	<p>County's Coastal Zone. Preserve important soils, agricultural water sources, and forage to allow continued agricultural production on agricultural lands. [BOS app. 7/30/2013] (PC app. 10/10/11, 1/24/11) <i>[Adapted from Unit II Agriculture Policy I, p. 98, and CWP Goal AG-1, p. 2-157]</i></p>
	<p><del>Policy 2 p. 98 C-AG-2 Coastal Agricultural Production Zone (C-APZ). Apply the Coastal Agricultural Production Zone (C-APZ) to preserve privately owned agricultural lands that are suitable for land-intensive or land-extensive agricultural productivity, that contain soils classified as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, or Grazing Land capable of supporting production agriculture, or that are currently zoned C-APZ.</del></p> <p><del>Agricultural Production Zone. To implement the goals stated in Policy #1 above, the County shall adopt a planned district zone for all privately owned lands in the Unit II coastal zone currently zoned A-60 or other agricultural zoning district, such as A-20, which are outside of the community expansion boundaries identified in the LCP. Agricultural lands in Unit I which are zoned A-60 shall also be included. The planned district zone shall be</del></p>	<p><b>C-AG-2 Coastal Agricultural Production Zone (C-APZ).</b> Apply the Coastal Agricultural Production Zone (C-APZ) to preserve privately owned agricultural lands that are suitable for land-intensive or land-extensive agricultural productivity, that contain soils classified as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, or Grazing Land capable of supporting production agriculture, or that are currently zoned C-APZ. Ensure that the principal use of these lands is agricultural, and that any development shall be accessory and incidental to, in support of, and compatible with agricultural production.</p> <p>In the C-APZ zone, the principal permitted use shall be agriculture as follows:</p> <ol style="list-style-type: none"> <li>I. Uses of land for the breeding, raising, pasturing, and grazing</li> </ol>

	<p><del>known as the Agricultural Production Zone (APZ) and shall have a maximum density of 1 unit per 60 acres. The actual density of permitted development may be less and shall be determined based on the standards in Policy #4 below. The County recognizes that parcel sizes of 60 acres are too small, generally, to independently support existing agricultural operations in the coastal zone. However, 60-acre densities, when combined with the protective standards in Policy #4, do on balance adequately protect agriculture on the coast. The APZ should be reviewed in 5 years to determine its effectiveness, and necessary changes considered at that time. Ensure that the principal use of these lands is agricultural, and that any development shall be accessory and incidental to, in support of, and compatible with agricultural production.</del></p> <p><u>In the C-APZ zone, the principal permitted use shall be agriculture as follows:</u></p> <ol style="list-style-type: none"> <li><u>1. Uses of land for the breeding, raising, pasturing, and grazing of livestock;</u></li> <li><u>2. The production of food and fiber;</u></li> <li><u>3. The breeding and raising of bees, fish, poultry, and other fowl;</u></li> <li><u>4. The planting, raising, harvesting and producing of agriculture, aquaculture, horticulture, viticulture, vermiculture, forestry crops, and plant nurseries;</u></li> <li><u>5. Substantially similar uses of an equivalent nature and intensity; and</u></li> <li><u>6. Accessory structures or uses appurtenant and necessary to the operation of agricultural uses, including one farmhouse per legal lot, one intergenerational home, agricultural worker housing, limited agricultural product sales and processing, educational tours, agricultural homestay facilities with three or fewer guest rooms, barns, fences, stables, corrals, coops and pens, and utility facilities (not including wind energy conversion systems and wind testing facilities).</u></li> </ol>	<p>of livestock;</p> <ol style="list-style-type: none"> <li>2. The production of food and fiber;</li> <li>3. The breeding and raising of bees, fish, poultry, and other fowl;</li> <li>4. The planting, raising, harvesting and producing of agriculture, aquaculture, horticulture, viticulture, vermiculture, forestry crops, and plant nurseries;</li> <li>5. Substantially similar uses of an equivalent nature and intensity; and</li> <li>6. Accessory structures or uses appurtenant and necessary to the operation of agricultural uses, including one farmhouse per legal lot, one intergenerational home, agricultural worker housing, limited agricultural product sales and processing, educational tours, agricultural homestay facilities with three or fewer guest rooms, barns, fences, stables, corrals, coops and pens, and utility facilities (not including wind energy conversion systems and wind testing facilities).</li> </ol> <p>Conditional uses in the C-APZ zone include additional agricultural uses and non-agricultural uses including residential development potentially up to the zoning density, consistent with Policies C-AG-7, 8 and 9.</p> <p>Development shall not exceed a maximum density of 1 residential unit per 60 acres. Densities specified in the zoning are maximums that may not be achieved when the standards of the Agriculture policies below and other relevant LCP policies are applied.  [BOS app. 10/2/2012, 11/13/2012, 1/15/2013]  (PC app. 10/10/11, 1/24/11)  [Adapted from Unit II Agriculture Policies 2 and 3, p. 98, and CWP Program AG-1.g, p. 2-162]</p>
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	<p><a href="#">Conditional uses in the C-APZ zone include additional agricultural uses and non-agricultural uses including residential development potentially up to the zoning density, consistent with Policies C-AG-7, 8 and 9.</a></p> <p><a href="#">Development shall not exceed a maximum density of 1 residential unit per 60 acres. Densities specified in the zoning are maximums that may not be achieved when the standards of the Agriculture policies below and other relevant LCP policies are applied.</a></p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-AG-2</b>, which also draws the concept from Unit II Agriculture Policy 3 (p. 98).</p>	
	<p><a href="#">Policy 3, p. 98 C-AG-2 Coastal Agricultural Production Zone (C-APZ). Apply the Coastal Agricultural Production Zone (C-APZ) to preserve privately owned agricultural lands that are suitable for land-intensive or land-extensive agricultural productivity, that contain soils classified as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, or Grazing Land capable of supporting production agriculture, or that are currently zoned C-APZ. <del>Intent of the Agricultural Production Zone. The intent of the Agricultural Production Zone is to preserve lands within the zone for agricultural use. The principal use of lands in the APZ shall be agricultural. Ensure that the principal use of these lands is agricultural, and that any development shall be accessory and incidental to, in support of, and compatible with agricultural production. Development shall be accessory, incidental, or in support of agricultural land uses, and shall conform to the policies and standards in #4 and #5 below. In the C-APZ zone, the principal permitted use shall be agriculture as follows:... [see C-AG-2 adjacent]</del></a></p>	<p><b>C-AG-2 Coastal Agricultural Production Zone (C-APZ).</b> (Relevant policy language excerpted)</p>

	<p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-AG-2</b>, which also draws the concept from Unit II Agriculture Policy 2 (p. 98).</p>	
<p><del>Policy 30, pg. 35 C-AG-3 Coastal Agricultural Residential Planned Zone (C-ARP).</del></p> <p><del>In order to preserve the maximum amount of agricultural land, protect important upland grassland feeding areas and to promote the concentration of development in accordance with Section 30240 (a) and (b), 30241, 30242 and 30250 of the Coastal Act, the land now designated as A-5 and A-10 zoning districts shall be rezoned to ARP-5 and ARP-10. Apply the Coastal Agricultural Residential Planned Zone (C-ARP) designation to lands adjacent to residential areas, and at the edges of Agricultural Production Zones in the Coastal Zone that have potential for agricultural production but do not otherwise qualify for protection under Policy C-AG-2. The intent of the C-ARP Zone is to provide flexibility in lot size and building locations in order to: to encourage greater flexibility in the design of future land divisions within the area. New land divisions shall be designed to provide the maximum feasible clustering of new units and by easement or similar recorded instrument shall provide both the retention of the maximum amount of land in agricultural use and the protection of important upland feeding areas, which are identified on the resource maps on file in the Marin County Planning Department.</del></p> <p><del>1. Promote the concentration of residential and accessory uses to maintain the maximum amount of land available for agricultural use, and</del></p> <p><del>2. Maintain the visual, natural resource and wildlife habitat values of subject properties and surrounding areas. The C-ARP district requires proposed development to be clustered in a group or groups around existing development nodes to avoid impacts to environmental and other coastal resources.</del></p>		<p><b>C-AG-3 Coastal Agricultural Residential Planned Zone (C-ARP).</b> Apply the Coastal Agricultural Residential Planned Zone (C-ARP) designation to lands adjacent to residential areas, and at the edges of Agricultural Production Zones in the Coastal Zone that have potential for agricultural production but do not otherwise qualify for protection under Policy C-AG-2. The intent of the C-ARP Zone is to provide flexibility in lot size and building locations in order to:</p> <ol style="list-style-type: none"> <li>1. Promote the concentration of residential and accessory uses to maintain the maximum amount of land available for agricultural use, and</li> <li>2. Maintain the visual, natural resource and wildlife habitat values of subject properties and surrounding areas. The C-ARP district requires proposed development to be clustered in a group or groups around existing development nodes to avoid impacts to environmental and other coastal resources.</li> </ol> <p>[BOS app. 7/30/2013]  (PC app. 10/10/11, 1/24/11)  <i>[Adapted from Interim County Code Section 22.57.040. This policy also carries forward the concept of Unit I Agriculture Policy 30, p. 35]</i></p>

<b>Policy Status</b> The concepts of this policy have been carried forward to LCPA Policies <b>C-AG-3</b> and <b>C-AG-7(B.1)</b> . LCPA Policy C-AG-		
<b>End of Unit I Agricultural Policies</b>	<b>Continued...</b>	<b>Continued...</b>

<b>Unit II - Existing Policy</b>	<b>LCPA - Proposed Policy</b>
<p><del>Policy 4, p. 98 C-AG-7</del> <b>Development Standards for the Agricultural Production Zone (C-APZ) Lands.</b></p> <p><del>Development standards and requirements. All land divisions and developments in the APZ Proposed development in the C-APZ zone shall require an approved master plan showing how the proposed division or development would affect the subject property. Proposed development in the C-APZ zone shall be designed and constructed to preserve agricultural lands and to be consistent with all applicable standards and requirements of the LCP, and in particular the policies of the Natural Systems and Agriculture Element of the LUP. In reviewing a proposed master plan and determining the density of permitted units, the County shall make all of the following findings:</del></p> <p><b>A. Standards for Agricultural Uses in the C-APZ:</b>  <u>All of the following development standards apply:</u></p> <p><del>a. The development would protect and enhance continued agricultural use and contribute to agricultural viability. 1. Permitted development shall protect and maintain continued agricultural use and contribute to agricultural viability. Development of agricultural facilities shall be sited to avoid agricultural land (i.e., prime agricultural land or other land suitable for agriculture) whenever possible, consistent with the operational needs of agricultural production. If use of agricultural land is necessary, prime agricultural land shall not be converted if it is possible to utilize other lands suitable for agricultural use. In addition, as little agricultural land as possible shall be converted.</del></p> <p><del>b. The development is necessary because agricultural use of the property is no longer feasible. The purpose of this standard is to permit agricultural landowners who face economic hardship to demonstrate how development on a portion of their land would ease this hardship and enhance agricultural operations on the remainder of the property. [see C-AG-7.B.4]</del></p> <p><del>c. The land division or development would not conflict with the continuation of agriculture on that portion of the property which is not developed, on adjacent parcels, or those within one mile of</del></p>	<p><b>C-AG-7 Development Standards for the Agricultural Production Zone (C-APZ) Lands.</b></p> <p>Proposed development in the C-APZ zone shall be designed and constructed to preserve agricultural lands and to be consistent with all applicable standards and requirements of the LCP, and in particular the policies of the Natural Systems and Agriculture Element of the LUP.</p> <p><b>A. Standards for Agricultural Uses in the C-APZ:</b>        All of the following development standards apply:</p> <ol style="list-style-type: none"> <li>1. Permitted development shall protect and maintain continued agricultural use and contribute to agricultural viability. Development of agricultural facilities shall be sited to avoid agricultural land (i.e., prime agricultural land or other land suitable for agriculture) whenever possible, consistent with the operational needs of agricultural production. If use of agricultural land is necessary, prime agricultural land shall not be converted if it is possible to utilize other lands suitable for agricultural use. In addition, as little agricultural land as possible shall be converted.</li> <li>2. Development shall be permitted only where adequate water supply, sewage disposal, road access and capacity and other services are available to support the proposed development after provision has been made for existing and continued agricultural operations. Water diversions or use for a proposed development shall not adversely impact stream or wetland habitats, have significant effects on groundwater resources, or significantly reduce freshwater inflows to water bodies, including Tomales Bay, either individually or</li> </ol>

<p><del>the perimeter of the proposed development.</del> [see C-AG-7.B.5]</p> <p>d. <b>2.</b> Development shall be permitted only where Adequate water supply, sewage disposal, road access and capacity and other public services are available to <del>service</del> <u>support</u> the proposed development after provision has been made for existing and continued agricultural operations. Water diversions or use for a proposed development shall not adversely impact stream <u>or wetland</u> habitats, <u>have significant effects on groundwater resources</u>, or significantly reduce freshwater inflows to Tomales Bay, either individually or cumulatively.</p> <p>e. Appropriate public agencies are able to provide necessary services (fire protection, police protection, schools, etc.) to serve the proposed development.</p> <p><del>f. The proposed land division and/or</del> <b>3.</b> Permitted development shall <del>will</del> have no significant adverse impacts on environmental quality or natural habitats, <del>including stream or riparian habitats and scenic resources. In all cases, LCP policies on streams and natural resources shall be met and shall meet all other applicable policies, consistent with the LCP.</del></p> <p><u>4. In order to retain the maximum amount of land in agricultural production or available for future agricultural uses, farmhouses, intergenerational homes, and agricultural homestay facilities shall be placed in one or more groups along with any non-agricultural development on a total of no more than five percent of the gross acreage, to the extent feasible, with the remaining acreage retained in or available for agricultural production or open space.</u></p> <p><del>g. Development consists of permitted and conditional uses as authorized in the APZ.</del></p> <p><b>B. Standards for Non-Agricultural Uses:</b>... [revised Unit II Policy 5 incorporated here].</p> <p><b>Policy Status</b> This policy has been carried forward to LCPA Policy <b>C-AG-7</b>, which also draws language from Unit II Agriculture Policy 5 (p. 99) and carries forward the concept of Unit I Agriculture Policy 30 (p. 35).</p>	<p>cumulatively.</p> <p><b>3.</b> Permitted development shall have no significant adverse impacts on environmental quality or natural habitats, and shall meet all other applicable policies, consistent with the LCP.</p> <p><b>4.</b> In order to retain the maximum amount of land in agricultural production or available for future agricultural uses, farmhouses, intergenerational homes, and agricultural homestay facilities shall be placed in one or more groups along with any non-agricultural development on a total of no more than five percent of the gross acreage, to the extent feasible, with the remaining acreage retained in or available for agricultural production or open space.</p> <p><b>B. Standards for Non-Agricultural Uses:</b>... [see following] [BOS app. 10/2/2012, 11/13/2012, 2/26/2013] (PC app. 2/13/12, 1/9/11, 1/24/11) [Adapted from Unit II Agriculture Policies 4 and 5, pp. 98-99. This policy also carries forward Unit I Agriculture Policy 30, p. 35.]</p>
<p><del>Policy 5, p. 99 C-AG-7</del> <b>Development Standards for the Agricultural Production Zone (C-APZ) Lands.</b></p> <p><del>Conditions. As part of the approval of a master plan, the following conditions shall be required:</del></p> <p><b>B. Standards for Non-Agricultural Uses:</b> <u>In addition to the standards of Section A. above, all of the following development standards apply to non-agricultural uses, including division of agricultural lands or construction of two or more dwelling units (excluding agricultural worker or intergenerational housing). The County</u></p>	<p><b>C-AG-7 Development Standards for the Agricultural Production Zone (C-APZ) Lands.</b> [See policy language for "A" above]</p> <p><b>B. Standards for Non-Agricultural Uses:</b> In addition to the standards of Section A. above, all of the following development standards apply to non-agricultural uses, including division of agricultural lands or construction of two or more dwelling units (excluding agricultural worker or intergenerational housing). The</p>

shall determine the density of permitted residential units only upon applying Policy C-AG-6 and the following standards and making all of the findings listed below.

~~a. All development shall be clustered~~ 1. In order to retain the maximum amount of land in agricultural production or available for agricultural use, homes, roads, residential support facilities, and other non-agricultural development ~~Development, including all land converted from agricultural use such as roads and residential support facilities, shall be clustered on no more than five percent of the gross acreage, placed in one or more groups on a total of no more than five percent of the gross acreage,~~ to the extent feasible, with the remaining acreage ~~to be left~~ retained in or available for agricultural production and/ or open space. Proposed ~~Development~~ shall be located close to existing roads, or shall not require new road construction or improvements resulting in significant impacts on agriculture, natural topography, major vegetation, or significant natural visual qualities of the site. Proposed development ~~and~~ shall be sited to minimize impacts on scenic resources, wildlife habitat and streams, and adjacent agricultural operations and shall be designed and sited to avoid hazardous areas. Any new parcels created shall have building envelopes outside any designated scenic protection area.

~~b. 3. Where consistent with state and federal laws, a~~ Permanent conservation easements over that portion of the property not used for physical development or services shall be required for proposed land divisions, non-agricultural development, and residential projects, other than a farmhouse, agricultural worker housing, or intergenerational housing, to promote the long-term preservation of these lands. Only agricultural and compatible uses shall be allowed under the easements. In addition, the County shall require the execution of a covenant not to divide for the parcels created under this division so each will be ~~that they are~~ retained as a single unit and are not further subdivided.

~~c. The creation of a homeowner's or other organization and/or the submission of agricultural management plans may be required to provide for the proper utilization of agricultural lands and their availability on a lease basis or for the maintenance of community roads or mutual water systems.--[see C-AG-7.B.2]~~

4. Proposed development shall only be approved after making the following findings:

a. The development is necessary because agricultural use of the property would no longer be feasible. The purpose of this standard is to permit agricultural landowners who face economic hardship to demonstrate how development on a portion of their land would ease this hardship ~~and~~ enhance agricultural operations on the remainder of the property.

b. The proposed development will not conflict with the continuation or initiation of agricultural

County shall determine the density of permitted residential units only upon applying Policy C-AG-6 and the following standards and making all of the findings listed below.

1. In order to retain the maximum amount of land in agricultural production or available for future agricultural use, homes, roads, residential support facilities, and other non-agricultural development shall be placed in one or more groups on a total of no more than five percent of the gross acreage, to the extent feasible, with the remaining acreage retained in or available for agricultural production or open space. Proposed development shall be located close to existing roads, or shall not require new road construction or improvements resulting in significant impacts on agriculture, natural topography, major vegetation, or significant natural visual qualities of the site. Proposed development shall be sited to minimize impacts on scenic resources, wildlife habitat and streams, and adjacent agricultural operations and shall be designed and sited to avoid hazardous areas. Any new parcels created shall have building envelopes outside any designated scenic protection area.

2. The creation of a homeowners' or other organization and/or the submission of an Agricultural Production and Stewardship Plan (APSP) may be required to provide for the proper utilization of agricultural lands and their availability on a lease basis or for the maintenance of the community's roads, septic or water systems.

3. Where consistent with state and federal laws, a permanent agricultural conservation easement over that portion of the property not used for physical development or services shall be required for proposed land divisions, non-agricultural development, and residential projects, other than a farmhouse, agricultural worker housing, or intergenerational housing, to promote the long-term preservation of these lands. Only agricultural and compatible uses shall be allowed under the easement. In addition, the County shall require the execution of a covenant not to divide for the parcels created under this division so that each will be retained as a single unit and will not be further subdivided.

4. Proposed development shall only be approved after making the following findings:

a. The development is necessary because agricultural use of the property would no longer be feasible. The purpose of this standard is to permit agricultural landowners who face economic hardship to demonstrate how development on a portion of their land would ease this hardship or enhance agricultural operations on the remainder of the property.

b. The proposed development will not conflict with the continuation or initiation of agricultural uses on that portion of the property that is not proposed for

Comment [JL.1]: improve



<p>uses on that portion of the property that is not proposed for development, on adjacent parcels, or on other agricultural parcels within one mile of the perimeter of the proposed development.</p> <p><u>C.</u> Appropriate public agencies are able to provide necessary services (fire protection, police protection, schools, etc.) to serve the proposed development without extending urban services.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-AG-7</b>, which also draws language from Unit II Agriculture Policy 4 (p. 98) and carries forward the concept of Unit I Agriculture Policy 30 (p. 35).</p>	<p>development, on adjacent parcels, or on other agricultural parcels within one mile of the perimeter of the proposed development.</p> <p>c. Appropriate public agencies are able to provide necessary services (fire protection, police protection, schools, etc.) to serve the proposed development without extending urban services.</p>
<p><b>Policy 6, p-100</b></p> <p><del>Definitions and uses. Article VIII, Chapter 22.130 (Definitions)</del></p> <p><del><b>Agriculture (coastal).</b> This land use consists of agricultural production, and the facilities that are accessory and incidental to, in support of, and compatible with the property's agricultural production, including agricultural accessory structures and activities, one farmhouse per legal lot, intergenerational housing, agricultural worker housing, agricultural product sales and processing, non-profit and owner-operator conducted agricultural tours, and agricultural homestay facilities.</del></p> <p><del>The definition of agricultural uses in the APZ is given below, along with permitted and conditional uses.</del></p> <p><b>22.62.060 – Coastal Agricultural and Resource-Related Districts</b></p> <p><b>A. Purpose of Section.</b> This Section provides regulations for development and new land uses proposed within the coastal agricultural and resource-related zoning districts established consistent with Local Coastal Program policies by Section 22.62.030 (Coastal Zoning Districts Established). The purpose of these zoning districts is to protect agricultural land, continued agricultural uses and the agricultural economy by maintaining parcels large enough to sustain agricultural production, preventing conversion to non-agricultural uses, and prohibiting uses that are incompatible with long-term agricultural production or the rural character of the County's Coastal Zone and to preserve important soils, agricultural water sources, and forage to allow continued agricultural production on agricultural lands. (Policy C-AG-1)</p> <p><del>a. Definitions. For the purposes of the Agricultural Production Zone, agricultural uses shall be defined as uses of land to grow and/or produce agricultural commodities for commercial purposes, including:</del></p> <p><b>B. Purposes of zoning districts.</b> The purposes of the individual zoning districts are as follows.</p>	<p><b>Article VIII, Chapter 22.130 (Definitions)</b></p> <p><b>Agriculture (coastal).</b> This land use consists of agricultural production, and the facilities that are accessory and incidental to, in support of, and compatible with the property's agricultural production, including agricultural accessory structures and activities, one farmhouse per legal lot, intergenerational housing, agricultural worker housing, agricultural product sales and processing, non-profit and owner-operator conducted agricultural tours, and agricultural homestay facilities.</p> <p><b>22.62.060 – Coastal Agricultural and Resource-Related Districts</b></p> <p><b>A. Purpose of Section.</b> This Section provides regulations for development and new land uses proposed within the coastal agricultural and resource-related zoning districts established consistent with Local Coastal Program policies by Section 22.62.030 (Coastal Zoning Districts Established). The purpose of these zoning districts is to protect agricultural land, continued agricultural uses and the agricultural economy by maintaining parcels large enough to sustain agricultural production, preventing conversion to non-agricultural uses, and prohibiting uses that are incompatible with long-term agricultural production or the rural character of the County's Coastal Zone and to preserve important soils, agricultural water sources, and forage to allow continued agricultural production on agricultural lands. (Policy C-AG-1)</p> <p><b>B. Purposes of zoning districts.</b> The purposes of the individual zoning districts are as follows.</p> <p><b>I. C-APZ (Coastal, Agricultural Production Zone) District.</b> The C-APZ zoning district is intended to preserve privately owned agricultural lands that are suitable for land-intensive or land-extensive agricultural production. (Policy C-AG-2)</p>

1. C-APZ (Coastal, Agricultural Production Zone) District. The C-APZ zoning district is intended to preserve privately owned agricultural lands that are suitable for land-intensive or land-extensive agricultural production. (Policy C-AG-2)

The principal permitted use of lands in the C-APZ district is agricultural, including activities that are accessory and incidental to, in support of, and compatible with agricultural production. These activities include use of land for the breeding, raising, pasturing, and grazing of livestock; the production of food and fiber; the breeding and raising of bees, fish, poultry, and other fowl; the planting, raising, harvesting and producing of agriculture, aquaculture, horticulture, viticulture, vermiculture, forestry crops, and plant nurseries; substantially similar uses of an equivalent nature and intensity; accessory structures or uses appurtenant and necessary to the operation of agricultural uses, including one farmhouse per legal lot, one intergenerational home, agricultural worker housing, limited agricultural product sales and processing, educational tours, agricultural homestay facilities with three or fewer guest rooms, barns, fences, stables, corrals, coops and pens, and utility facilities (not including wind energy conversion systems and wind testing facilities). (Policy C-AG-2)

- ~~Livestock and poultry—cattle, sheep, poultry, goats, rabbits, horses unless they are the primary animals raised.~~
  - ~~Livestock and poultry products—milk, wool, eggs.~~
  - ~~Field, fruit, nut, and vegetable crops—hay, grain, silage, pasture, fruits, nuts, and vegetables.~~
  - ~~Nursery products—nursery crops, cut plants.~~
- b. Permitted uses. Permitted uses include the following:
- ~~Agricultural uses as defined above.~~
  - ~~One single family dwelling per parcel. "Parcel" is defined as all contiguous assessor's parcels under common ownership.~~
  - ~~Accessory structures or uses appurtenant and necessary to the operation of agricultural uses, other than dwelling units of any kind, but including barns, fences, stables, corrals, coops and pens, and utility facilities.~~

~~c. Conditional uses. Conditional uses include the following:~~

Conditional uses in the C-APZ zone include additional agricultural uses and non-agricultural uses including land division and residential development potentially up to the zoning density, consistent with Policies C-AG-7, 8 and 9. Conditional residential development shall not exceed a maximum density of 1 residential unit per 60 acres. Densities specified in the zoning are maximums that may not be achieved when the standards of the Agriculture policies and, as applicable, other LCP policies are applied. (Policy C-AG-1, 2)

The principal permitted use of lands in the C-APZ district is agricultural, including activities that are accessory and incidental to, in support of, and compatible with agricultural production. These activities include use of land for the breeding, raising, pasturing, and grazing of livestock; the production of food and fiber; the breeding and raising of bees, fish, poultry, and other fowl; the planting, raising, harvesting and producing of agriculture, aquaculture, horticulture, viticulture, vermiculture, forestry crops, and plant nurseries; substantially similar uses of an equivalent nature and intensity; accessory structures or uses appurtenant and necessary to the operation of agricultural uses, including one farmhouse per legal lot, one intergenerational home, agricultural worker housing, limited agricultural product sales and processing, educational tours, agricultural homestay facilities with three or fewer guest rooms, barns, fences, stables, corrals, coops and pens, and utility facilities (not including wind energy conversion systems and wind testing facilities). (Policy C-AG-2)

Conditional uses in the C-APZ zone include additional agricultural uses and non-agricultural uses including land division and residential development potentially up to the zoning density, consistent with Policies C-AG-7, 8 and 9. Conditional residential development shall not exceed a maximum density of 1 residential unit per 60 acres. Densities specified in the zoning are maximums that may not be achieved when the standards of the Agriculture policies and, as applicable, other LCP policies are applied. (Policy C-AG-1, 2)

The C-APZ zoning district is consistent with the Agriculture I land use category of the Marin County Local Coastal Program.

[BOS app. 10/2/2012, 11/13/2012, 1/15/2013, 2/26/2013]

...

[Rest of section not shown]

<ul style="list-style-type: none"> <li>• Land divisions:</li> <li>• <del>Farmworker housing.</del></li> <li>• <del>Mobile homes so long as they are used exclusively for employees of the owner who are actively and directly engaged in the agricultural use of the land.</del></li> <li>• <del>Hog ranch.</del></li> <li>• <del>Veterinary facilities.</del></li> <li>• <del>Fish hatcheries and rearing ponds.</del></li> <li>• <del>Stabling of more than five horses on ranches where horses are the primary or only animals raised.</del></li> <li>• <del>Raising of other food and fiber producing animals not listed under (a) above.</del></li> <li>• <del>Planting, raising, or harvesting of trees for timber, fuel, or Christmas tree production.</del></li> <li>• <del>Facilities for processing or retail sale of agricultural products.</del></li> <li>• <del>Greenhouses.</del></li> <li>• <del>Commercial storage and sale of garden supply products.</del></li> <li>• <del>Water conservation dams and ponds.</del></li> <li>• <del>Mineral resource production.</del></li> <li>• <del>Game or nature preserve or refuge.</del></li> <li>• <del>Public or private recreational activities, such as hunting, fishing, and camping.</del></li> <li>• <del>Bed and breakfast operations in existing structures up to a maximum of 5 rooms.</del></li> <li>• <del>Construction, alteration, or maintenance of gas, electric, water, communication, or flood control facilities, unrelated to an agricultural use, as approved by the appropriate governmental agencies.</del></li> <li>• <del>Dump.</del></li> </ul> <p><a href="#">The C-APZ zoning district is consistent with the Agriculture I land use category of the Marin County Local Coastal Program.</a></p> <p><b>Policy Status</b></p> <p>The contents of this policy are more appropriate for the development code rather than the land use plan. Therefore, they have been modified and carried forward to LCPA Development Code <b>Section 22.62.060.B.1</b> (p. 26) and Chapter 22.62 <b>Table 5-1 Allowed Uses and Permit Requirements for Coastal Agricultural &amp; Resource-related districts</b> (not shown, pp. 29-35).</p>	
<p><del>Policy 7, p. 101</del> <b>C-AG-10 Marin Agricultural Land Trust (MALT) and Other Methods of Preserving Agriculture</b></p> <p><del>Alternative methods of preserving agricultural lands. The County strongly s</del>Supports the objectives</p>	<p><b>C-AG-10 Marin Agricultural Land Trust (MALT) and Other Methods of Preserving Agriculture.</b> Support the objectives of the Marin Agricultural Land Trust (MALT) to protect agricultural lands through the transfer, purchase, or donation of development rights or agricultural</p>

<p>of the Marin Agricultural Land Trust (<a href="#">MALT</a>) to protect agricultural lands through the transfer, purchase, or donation of development rights or <a href="#">agricultural</a> conservation easements on agricultural lands. <del>The County supports and encourages action by the Trust in the coastal zone to preserve agricultural land for productive uses. The County also supports</del> the use of <a href="#">County's adopted model agricultural easement, implementation</a> Transfer of Development Rights (TDR) <a href="#">programs</a> and similar innovative techniques to permanently preserve agricultural lands.</p> <p><b>Policy Status</b> This policy has been carried forward to LCPA Policy <b>C-AG-10</b>.</p>	<p>conservation easements on agricultural lands. Support and encourage action by MALT in the Coastal Zone to preserve agricultural land for productive uses. Support the use of County's adopted model agricultural easement, implementation of Transfer of Development Rights (TDR) programs and similar innovative techniques to permanently preserve agricultural lands.</p> <p>(PC app. 10/10/11, 1/24/11) <i>[Adapted from Unit II Agriculture Policy 7, p. 101]</i></p>
<p><del><b>Policy 8 p. 101</b></del> <del>Agriculture on state parklands. State parklands with the potential for agricultural use should be made available for such use, especially during the interim period before the parks are opened for public use. Once opened, the parks should retain agricultural uses unless public recreation or natural resources on the site would be adversely affected. If conflicts between agriculture and public uses occur, they should be resolved in such a way as to protect resources and public safety while still allowing the continuation of the agricultural operation. Agricultural leases with private operators should be reviewed five years prior to expiration for compatibility with park goals. Operators should be notified at that time whether or not their leases will be renewed and what revisions in operating arrangements, if any, are necessary.</del></p> <p><b>Policy Status</b> This policy is not applicable because the County does not have jurisdiction on state parklands, and thus the policy language has not been carried forward to the LCPA.</p>	<p>n/a</p>
<p><b>End of Unit 1 Agricultural Policies</b></p>	<p><b>LCPA Policies Continued...</b></p>

<p><b>LCPA - Proposed Policy</b></p>	
<p><b><u>C-AG-8 Agricultural Production and Stewardship Plans.</u></b>  <u>1. Submission of an Agricultural Production and Stewardship Plan (APSP) shall be required for approval of land division or non-agricultural development of Agricultural Production Zone (C-APZ) lands, except as provided for in (3) below.</u>  <u>2. The purpose of an APSP prepared and submitted for land division or for residential or other non-agricultural development of C-APZ lands is to ensure that long-term agricultural productivity will occur and will substantially contribute to Marin's agricultural industry. Such a plan shall clearly identify and describe existing and planned agricultural uses for the</u></p>	

property, explain in detail their implementation, identify on-site resources and agricultural infrastructure, identify product markets and processing facilities (if appropriate), and demonstrate how the planned agricultural uses substantially contribute to Marin's agricultural industry. An APSP shall provide evidence that at least 95% of the land will remain in agricultural production or natural resource protection and shall identify stewardship activities to be undertaken to protect agriculture and natural resources. An APSP shall be prepared by qualified professionals with appropriate expertise in agriculture, land stewardship, range management, and natural resource protection. The approval of a development proposal that includes an APSP shall include conditions ensuring the proper, long-term implementation of the plan.

3. The requirement for an APSP shall not apply to agricultural worker housing or to intergenerational housing units. The APSP may be waived for residences and residential accessory buildings or structures to be occupied or used by the property owner(s) or lessee who is directly engaged in the production of agricultural commodities for commercial purposes on the property. It may also be waived for non-agricultural land uses when the County finds that the proposal will enhance current or future agricultural use of the property and will not convert the property to primarily residential or other non-agricultural use, as evidenced by such factors as bona fide commercial agricultural production on the property, the applicant's history and experience in production agriculture, and the fact that agricultural infrastructure (such as fencing, processing facilities, marketing mechanisms, agricultural worker housing, or agricultural land leasing opportunities) has been established or will be enhanced.

4. Projects subject to the potential requirement of preparing an APSP should be referred to such individuals or groups with agricultural expertise as appropriate for analysis and a recommendation. Such individuals or groups should also be requested to periodically review and evaluate the effectiveness of the APSP program.

[BOS app. 10/2/2012]

[PC app. 2/13/12, 10/10/11, 1/24/11]

[Adapted from CWP Program AG-1.b, pp. 2-160 and 2-161]

**Program C-AG-8.a Commercial Agricultural Production.** Develop criteria and standards for defining commercial agricultural production so that APSPs can differentiate between commercial agricultural production and agricultural uses accessory to residential or other non-agricultural uses.

[PC app. 10/10/11, 1/24/11]

[New program, not in Unit I or II]

**C-AG-9 Residential Development Impacts and Agricultural Use.** Ensure that lands designated for agricultural use are not de facto converted to residential use, thereby losing the long-term productivity of such lands.

1. Residential development shall not be allowed to diminish current or future agricultural use of the property or convert it to primarily residential use.**Natural Systems and Agriculture Marin County Local Coastal Program**

2. Any proposed residential development subject to a Coastal Permit shall comply with LCP policies including ensuring that the mass and scale of new or expanded structures respect environmental site constraints and the character of the surrounding area. Such development must be compatible with ridge protection policies and avoid tree-cutting and grading wherever possible.

The County shall exercise its discretion in light of some or all of the following criteria and for the purpose of ensuring that the parcel does not de facto convert to residential use:

a. The applicant's history of production agriculture.

b. How long term agricultural use of the property will be preserved — for example, whether there is an existing or proposed dedication or sale of permanent agricultural easements or other similar protective agricultural restrictions such as Williamson Act contract or farmland security zone.

c. Whether long term capital investment in agriculture and related infrastructure, such as fencing, processing facilities, market mechanisms, agricultural worker housing or agricultural

leasing opportunities have been established or are proposed to be established.

d. Whether sound land stewardship practices, such as organic certification, riparian habitat restoration, water recharge projects, fish-friendly farming practices, or erosion control measures, have been or will be implemented.

e. Whether the proposed residence will facilitate the ongoing viability of agriculture such as through the intergenerational transfer of existing agricultural operations.

3. In no event shall a single-family residence subject to these provisions exceed 7,000 square feet in size. Where one or two intergenerational residence units are allowed in the C-APZ zone, the aggregate residential development on the subject legal lot shall not exceed 7000 square feet.

4. However, agricultural worker housing, up to 540 square feet of garage space for each residence unit, agricultural accessory structures, and up to 500 square feet of office space in the farmhouse used in connection with the agricultural operation on the property shall be excluded from the 7,000 square foot limitation.

5. The square footage limitations noted in the above criteria represent potential maximum residence unit sizes and do not establish a mandatory entitlement or guaranteed right to development.

(PC app. 10/10/11, 1/24/11)

[Adapted from CWP Program AG-1.a, pp.2-159 and 2-160]

<b>Unit II</b>		
<b>Natural Resources</b>		
<b>LCPA - Proposed Policy</b>	<b>Unit II - Existing Policy</b>	<b>Unit I - Existing Policy</b>
<p><b>C-BIO-1 Environmentally Sensitive Habitat Areas (ESHAs).</b></p> <p>1. An environmentally sensitive habitat area (ESHA) is any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.</p> <p>2. ESHA consists of three general categories: wetlands, streams and riparian vegetation, and terrestrial ESHAs. Terrestrial ESHA refers to those non-aquatic habitats that support rare and endangered species; coastal dunes as referenced in C-BIO-7 (Coastal Dunes); roosting and nesting habitats as referenced in C-BIO-10 (Roosting and Nesting Habitats); and riparian vegetation that is not associated with a perennial or intermittent stream. The ESHA policies of C-BIO-2 (ESHA Protection) and C-BIO-3 (ESHA Buffers) apply to all categories of ESHA, except where modified by the more specific policies of the LCP.</p> <p>[BOS app. 10/2/2012, 11/13/2012, 1/15/2013]            (PC app. 1/23/12, 12/1/11, 1/24/11)            [Adapted from Unit I Habitat Protection Policies 24 and 25, p. 34, and Unit II Natural Resources Policy 5b, p. 74]</p>	<p><del>5b. Other Environmentally Sensitive Habitats. C-BIO-1 Environmentally Sensitive Habitat Areas (ESHAs)</del></p> <p><u>1. An environmentally sensitive habitat area (ESHA) is any area in which plant or animal life or their habitats are either <del>Other sensitive habitats include habitats of</del> rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. <del>endangered species and unique plant communities.</del></u></p> <p><u>2. ESHA consists of three general categories: wetlands, streams and riparian vegetation, and terrestrial ESHAs. Terrestrial ESHA refers to those non-aquatic habitats that support rare and endangered species; coastal dunes as referenced in C-BIO-7 (Coastal Dunes); roosting and nesting habitats as referenced in C-BIO-10 (Roosting and Nesting Habitats); and riparian vegetation that is not associated with a perennial or intermittent stream. The ESHA policies of C-BIO-2 (ESHA Protection) and C-BIO-3 (ESHA Buffers) apply to all categories of ESHA, except where modified by the more specific policies of the LCP.</u></p>	
<p><b>C-BIO-2 ESHA Protection.</b></p> <p>1. Protect ESHAs against disruption of habitat values,</p>	<p><b>C-BIO-2 ESHA Protection</b></p> <p><u>1. Protect ESHAs against disruption of habitat</u></p>	

<p>and only allow uses within those areas that are dependent on those resources or otherwise provided in C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging) or C-BIO-24 (Coastal Streams and Riparian Vegetation). Disruption of habitat values occurs when the physical habitat is significantly altered or when species diversity or the abundance or viability of species populations is reduced. The type of proposed development, the particulars of its design, and its location in relation to the habitat area, will affect the determination of disruption.</p> <ol style="list-style-type: none"> <li>2. Accessways and trails are resource dependent uses that shall be sited and designed to protect ESHAs against significant disruption of habitat values in accordance with Policy C-BIO-2.1. Where it is not feasible to avoid ESHA, the design and development of accessways and trails shall minimize intrusions to the smallest feasible area or least impacting routes. As necessary to protect ESHAs, trails shall incorporate measures to control the timing, intensity or location of access (e.g., seasonal closures, placement of boardwalks, limited fencing, etc.).</li> <li>3. Avoid fence types, roads, and structures that significantly inhibit wildlife movement, especially access to water.</li> <li>4. Development proposals within or adjacent to ESHA will be reviewed subject to a biological site assessment prepared by a qualified biologist hired by the County and paid for by the applicant. The purpose of the biological site assessment is to confirm the extent of the ESHA, document any site constraints and the presence of other sensitive</li> </ol>	<p><u>values, and only allow uses within those areas that are dependent. Development in such areas may only be permitted when it depends upon the resources or otherwise provided in C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging) or C-BIO-24 (Coastal Streams and Riparian Vegetation). Disruption of habitat values occurs when the physical habitat is significantly altered or when species diversity or the abundance or viability of species populations is reduced. The type of proposed development, the particulars of its design, and its location in relation to the habitat area, will affect the determination of disruption. of the habitat area. Development adjacent to such areas shall be set back a sufficient distance to minimize impacts on the habitat area.</u></p> <p><u>2. Accessways and trails are resource dependent uses that shall be sited and designed to protect ESHAs against significant disruption of habitat values in accordance with Policy C-BIO-2.1. Where it is not feasible to avoid ESHA, the design and development of accessways and trails shall minimize intrusions to the smallest feasible area or least impacting routes. As necessary to protect ESHAs, trails shall incorporate measures to control Public access to sensitive habitat areas, including the timing, intensity, and or location of such access, shall be controlled to minimize disturbance to wildlife (e.g., seasonal closures, placement of boardwalks, limited fencing, etc.).</u></p> <p><u>3. Avoid fence types Fences, roads, and structures which that significantly inhibit wildlife movement, especially access to water, shall be avoided.</u></p> <p><u>4. Development proposals within or adjacent to</u></p>	<p>Policy 24, pg. 34 <b>C-BIO-2 ESHA Protection</b></p> <p><u>2. Accessways and trails are resource dependent uses that shall be sited and designed to protect ESHAs against significant disruption of habitat values in accordance with Policy C-BIO-2.1. Where it is not feasible to avoid ESHA, the design and development of accessways and trails shall minimize intrusions to the smallest feasible area or least impacting routes. As necessary to protect ESHAs, trails shall incorporate measures to control Public access to these identified sensitive habitat areas, including the timing, intensity, and location of such access (e.g., seasonal closures, placement of boardwalks, limited fencing, etc.)., shall be controlled to minimize disturbance to wildlife.</u></p> <p><i>Policy Status</i>  <i>This policy has been carried forward to LCPA Policy C-BIO-2.2, which also draws language from Unit I Habitat Protection Policy 25 (p. 34) and Unit II Natural Resources Policy 5 (p. 74).</i></p>
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<p>biological resources, recommend buffers, development timing, mitigation measures or precise required setbacks, provide a site restoration program where necessary, and provide other information, analysis and modifications appropriate to protect the resource.</p> <p>[BOS app. 10/2/2012, 11/13/2013, 1/15/2013, 2/26/2013]</p> <p>(PC app. 12/1/11, 6/28/10)</p> <p>[Adapted from the concept of Unit II Natural Resources Policy 5.b, p. 74]</p>	<p><u>ESHA will be reviewed subject to a biological site assessment prepared by a qualified biologist hired by the County and paid for by the applicant. The purpose of the biological site assessment is to confirm the extent of the ESHA, document any site constraints and the presence of other sensitive biological resources, recommend buffers, development timing, mitigation measures or precise required setbacks, provide a site restoration program where necessary, and provide other information, analysis and modifications appropriate to protect the resource.</u></p> <p><b><u>Policy Status</u></b></p> <p>Part 'a' of this policy has been carried forward to LCPA Policy <b>C-BIO-7</b>, and part 'b' has been carried forward to LCPA Policies <b>C-BIO-1</b>, <b>C-BIO-2</b>, and <b>C-PA-10</b>. LCPA Policy C-BIO-1 also draws language from Unit I Habitat Protection Policies 24 and 25 (p. 34). LCPA Policy C-PA-10 also draws language from Unit II Public Access Policy 2.b (p. 14).</p>	
<p><b>C-BIO-3 ESHA Buffers.</b></p> <ol style="list-style-type: none"> <li>1. In areas adjacent to ESHAs and parks and recreation areas, site and design development to prevent impacts that would significantly degrade those areas, and to be compatible with the continued viability of those habitat and recreation areas.</li> <li>2. Provide buffers for wetlands, streams and riparian vegetation in accordance with C-BIO-19 and C-BIO-24, respectively.</li> <li>3. Establish buffers for terrestrial ESHA to provide separation from development impacts.</li> </ol>		

<p>Maintain such buffers in a natural condition, allowing only those uses that will not significantly degrade the habitat. Buffers for terrestrial ESHA shall be 50 feet, a width that may be adjusted by the County as appropriate to protect the habitat value of the resource. Such adjustment shall be made on the basis of a biological site assessment supported by evidence that includes but is not limited to:</p> <ul style="list-style-type: none"> <li>a. Sensitivity of the ESHA to disturbance;</li> <li>b. Habitat requirements of the ESHA, including the migratory patterns of affected species and tendency to return each season to the same nest site or breeding colony;</li> <li>c. Topography of the site;</li> <li>d. Movement of stormwater;</li> <li>e. Permeability of the soils and depth to water table;</li> <li>f. Vegetation present;</li> <li>g. Unique site conditions;</li> <li>h. Whether vegetative, natural topographic, or built features (e.g., roads, structures) provide a physical barrier between the proposed development and the ESHA;</li> <li>i. The likelihood of increased human activity and disturbance resulting from the project relative to existing development.</li> </ul> <p>[BOS app. 10/2/2012, 11/13/2012]</p>		
<p><b>C-BIO-4 Protect Major Vegetation.</b> Require a Coastal Permit for the removal or harvesting of major vegetation. Coastal Permits shall allow the management or removal of major vegetation where necessary to minimize risks to life and property or to promote the health and survival of surrounding vegetation native to</p>		<p><del>Policy 22, pg. 34</del> <b>C-BIO-4 Protect Major Vegetation.</b> Require a Coastal Permit for the removal or harvesting of major vegetation. <del>Butterfly trees and other trees or vegetation identified on the natural resource maps on file with the Marin County Planning Department, which</del></p>

<p>the locale, while avoiding adverse impacts to an ESHA or its buffer, coastal waters, and public views, and shall not conflict with prior conditions of approval, consistent with Policy C-EH-25 (Vegetation Management in an ESHA).  [BOS app. 10/2/2012]  (PC app. 2/13/12, 1/23/12, 6/28/10)  <i>[Adapted from Unit I Habitat Protection Policy 22, p. 34, and Interim County Code Section 22.56.055]</i></p> <p><b>Program C-BIO-4.b Integrated Planning for Fire Risk, Habitat Protection, and Forest Health.</b> Develop a Coastal Permit process that protects coastal resources and allows for expedited review of projects related to the management or removal of major vegetation to minimize risks to life and property or to promote the health and survival of surrounding vegetation native to the locale.  (PC app. 1/23/12)  <i>[New Program, not in Unit I or II]</i></p>		<p><del>provide roosting and/or nesting habitat of wildlife, shall be considered major vegetation, and significant alteration or removal of such vegetation shall require a coastal project permit pursuant to Section 30106 of the Coastal Act. Such trees shall not be altered or removed except where they pose a threat to life or property. Coastal Permits shall allow the management or removal of major vegetation where necessary to minimize risks to life and property or to promote the health and survival of surrounding vegetation native to the locale, while avoiding adverse impacts to an ESHA or its buffer, coastal waters, and public views, and shall not conflict with prior conditions of approval, consistent with Policy C-EH-25 (Vegetation Management in an ESHA).</del></p> <p>Policy Status  <i>This policy has been carried forward to LCPA Policies C-BIO-4 and C-BIO-10.</i></p>
<p><b>C-BIO-5 Ecological Restoration.</b> Encourage the restoration and enhancement of degraded ESHAs and the creation of new ESHAs, and streamline regulatory processes whenever possible to facilitate the successful completion of restoration projects.  (PC app. 12/1/11, 6/28/10)  <i>[New policy, not in Unit I or II]</i></p> <p><b>Program C-BIO-5.a Determine Locations of ESHAs.</b> Continue to update the process for determining whether projects are within or adjacent to ESHAs. The process shall continue to be based on the best available scientific and geographic information and a level of review</p>	<p><i>[New Policy and Programs not in Unit II]</i></p>	<p><i>[New Policy and Programs not in Unit I]</i></p>

<p>commensurate with the nature and scope of the project and the potential existence of an ESHA. (PC app. 12/1/11, 6/28/10)  <i>[New program, not in Unit I or II]</i></p> <p><b>Program C-BIO-5.b “Safe Harbor” for Expansion of ESHA.</b> Consider a future work item to encourage the expansion of ESHAs by establishing policies, procedures and criteria that would allow such enhancements and protect sensitive resources while maintaining pre-existing buffers. The size of any buffer designated as a result of this program would not be a precedent for the size of any buffer on any other development site. This program would lead to policies and implementing measures that would be subject to review and certification as an amendment to the LCP.  [BOS app. 10/2/2012, 11/13/2012]  (PC app. 1/23/12, 12/1/11, 6/28/10)  <i>[New program, not in Unit I or II]</i></p>		
<p><b>C-BIO-6 Invasive Plants.</b> Where feasible, require the removal of non-native, invasive plant species such as pampas grass, brooms, iceplant, thistles and other invasive plant species on the list maintained by the California Invasive Plant Council in the areas of development and revegetate those areas with native plants as specified in Coastal Permit approvals. Ensure that required landscaping avoids use of non-native, invasive trees and plants in accordance with Policy C-DES-9 Landscaping. This policy does not apply to agricultural crops and pastures.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 1/24/11)  <i>[Adapted from Unit I Habitat Protection Policy 28, p. 34]</i></p>		<p><b><u>Policy 28, pg. 34 C-BIO-6 Invasive Plants.</u></b>  <u>Where feasible, require the removal of non-native, invasive plant species such as pampas grass, brooms, iceplant, thistles and other invasive plant species on the list maintained by the California Invasive Plant Council in the areas of development and revegetate those areas with native plants as specified in Coastal Permit approvals. Ensure that required landscaping avoids use of non-native, invasive trees and plants in accordance with Policy C-DES-9 Landscaping. This policy does not apply to agricultural crops and pastures.</u>  <del>Invasive exotic plant species are proliferating in the</del></p>

		<p><del>Coastal Zone at the expense of native plants. In order to preserve indigenous native plant species within the Coastal Zone, development permits shall be conditioned, where applicable, to require the removal of any invasive, non-indigenous plant species such as Pampas Grass, Brooms, and Thistles.</del></p> <p><b>Policy Status</b></p> <p><i>This policy has been carried forward to LCPA Policy <b>C-BIO-6</b>.</i></p>
<p><b>C-BIO-7 Coastal Dunes.</b> Prohibit development in coastal dunes to preserve dune formations, vegetation, and wildlife habitats. Prevent overuse in dune areas by mechanisms such as restricting parking, and directing pedestrian traffic through signage and sand fencing to areas capable of sustaining increased use. Prohibit motor vehicles in dune areas except for emergency purposes; prohibit motor vehicles in non-dune beach areas except for emergency and essential maintenance purposes and where previously permitted. [BOS app. 10/2/2012, 11/13/2012, 1/15/2013] (PC app. 2/13/12, 12/1/11, 6/28/10) [Adapted from Unit II Natural Resources Policy 5.a, p. 74]</p>	<p><del>Coastal Dunes and Other Sensitive Land Habitats. Development in or adjacent to sensitive habitats shall be subject to the following standards:</del></p> <p>a. <del>Coastal Dunes. No Prohibit</del> development shall be permitted in coastal dunes <del>in order</del> to preserve dune formations, vegetation, and wildlife habitats. <del>If additional development is proposed at Lawson's Landing, it shall be sited out of the dunes and designed to minimize impacts on adjacent dune vegetation and habitat. Overuse Prevent overuse</del> in the dune areas shall be prevented by such mechanisms as restricting parking, directing pedestrian traffic <del>through signage and sand fencing</del> to areas capable of sustaining increased use, <del>and fencing. No Prohibit</del> motor vehicles shall be permitted <del>in beach or</del> dune areas except for emergency <del>and essential maintenance</del> purposes <del>and where previously permitted</del>. The existing sand quarry operation shall be reviewed in February 1982 when the current permit expires for conformance with LCP policies.</p>	
<p><b>C-BIO-8 Stringline Method of Preventing Beach Encroachment.</b> In a developed area where most lots</p>	<p><i>[New policy, not in Unit I or II]</i></p>	<p><i>[New policy, not in Unit I or II]</i></p>

<p>are developed and where there are relatively few vacant lots, no part of a proposed new development (other than a shoreline protective device), including decks, shall be built farther onto a beachfront than a line drawn between the most seaward portions of the adjacent structures. Enclosed living space in a new unit or addition shall not extend farther seaward than a second line drawn between the most seaward portions of the enclosed living space of the adjacent structures. [BOS app. 10/2/2012]  <a href="#">[New policy, not in Unit I or II]</a></p>		
<p><b>C-BIO-9 Stinson Beach Dune and Beach Areas.</b> Prohibit development that would adversely impact the natural sand dune formation and sandy beach habitat in the areas west of the paper street Mira Vista and the dry sand areas west of the Patios. Prohibit development west of Mira Vista, including erection of fences, signs, or other structures, to preserve the natural dune habitat values, vegetation and contours, as well as the natural sandy beach habitat. Continue to pursue a land trade between the lots seaward of Mira Vista and the street right-of-way to more clearly establish and define the boundaries between public and private beach areas.</p> <p>Site development of other shorefront lots within the Stinson Beach and Seadrift areas outside of the natural sand dune formations, consistent with LUP Policy C-BIO-7 (Coastal Dunes). Where no dunes are evident, any new development on shorefront lots shall be set back behind the first line of terrestrial vegetation to the maximum extent feasible, in order to minimize the need for protective works, protect sandy beach habitat, and provide a buffer area between private and public use areas to protect both the scenic and visual character of the beach, and the public right of access to the use and enjoyment of dry sand areas. [BOS app. 11/13/2012, 1/15/2013]</p>		<p><del>Policy 19, pg. 29</del> <b>C-BIO-9 Stinson Beach Dune and Beach Areas.</b> Prohibit development that would adversely impact the natural sand dune formation and sandy beach habitat in the <del>In order to preserve the natural sand dune formation and sandy beach habitat, and to protect potential prescriptive rights over the dry sand</del> areas west of the Patios, <u>Prohibit development of the existing lots west of the paper street Mira Vista shall not be permitted. These lots shall be rezoned from R-1 to RSP-2.0, and contiguous ownerships across Mira Vista shall be consolidated in order to assure protection of the existing sandy beach areas. No development, including erection of fences, signs, or other structures, shall be permitted west of Mira Vista in order to preserve both the natural dune habitat values, vegetation and contours, as well as the natural sandy beach habitat, and to protect potential public prescriptive rights over the area.</u> <del>The County shall</del> continue to pursue a land trade between the lots seaward of Mira Vista and the street right-of-way <del>as proposed in the Stinson Beach Community plan, in order</del> to more clearly establish and define the boundaries between public</p>

<p>(PC app. 12/1/11, 6/28/10)  [Adapted from Unit I Natural Dune and Sandy Beach Protection Policies 19 and 20, p. 29]</p>		<p>and private beach areas....</p> <p><i>Policy Status</i></p> <p><i>This policy has been carried forward to LCPA Policy C-BIO-9, which also draws language from Unit I Natural Dune and Sandy Beach Protection Policy 20 (p. 29).</i></p> <p><b><u>Policy 20, pg. 29</u></b></p> <p><del>Site d</del>Development of other shorefront lots within the Stinson Beach and Seadrift areas <u>outside shall assure preservation of</u> the natural sand dune formations, <u>consistent with LUP Policy C-BIO-7 (Coastal Dunes), in order to protect environmentally sensitive dune habitat and vegetation and to maintain the natural protection from wave runup that such natural dunes provide.</u> Where no dunes are evident, any new development on shorefront lots shall be set back behind the first line of terrestrial vegetation to the maximum extent feasible, in order to minimize the need for protective works, <del>to</del> protect sandy beach habitat, and <del>to</del> provide a buffer area between private and public use areas <del>in order</del> to protect both the scenic and visual character of the beach, and the public right of access to the use and enjoyment of dry sand areas.</p> <p><i>Policy Status</i></p> <p><i>This policy has been carried forward to LCPA Policy C-BIO-9, which also draws language from Unit I Natural Dune and Sandy Beach Protection Policy 19 (p. 29).</i></p>
<p><b>C--BIO-10 Roosting and Nesting Habitat.</b>  Prohibit the alteration or removal of groves of trees that provide colonial nesting and roosting habitat for monarch butterflies or other wildlife, except where the trees pose a threat to life or property.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 6/28/10)</p>		<p><del>Policy 22, pg. 34</del> <b><u>C--BIO-10 Roosting and Nesting Habitat. Prohibit the alteration or removal of groves of trees that provide colonial nesting and roosting habitat for monarch butterflies or other wildlife. Butterfly trees and other trees or vegetation identified on the natural resource maps on file with the Marin County Planning Depart-</u></b></p>

<p><i>[Adapted from Unit I Habitat Protection Policy 22, p. 34]</i></p>		<p><del>ment, which provide roosting and/or nesting habitat of wildlife, shall be considered major vegetation, and significant alteration or removal of such vegetation shall require a coastal project permit pursuant to Section 30106 of the Coastal Act. Such trees shall not be altered or removed except where they pose a threat to life or property.</del></p> <p><b>Policy Status</b></p> <p><i>This policy has been carried forward to LCPA Policies <b>C-BIO-4</b> and <b>C-BIO-10</b>.</i></p>
<p><b>C-BIO-11 Development Adjacent to Roosting and Nesting Habitat.</b> Development adjacent to wildlife nesting and roosting areas shall be set back a sufficient distance to protect against disruption in nesting and roosting activities and designed to avoid impacts on the habitat area. Time such development activities so that disturbance to nesting and breeding wildlife is minimized. To the extent feasible, use native vegetation for landscaping. (PC app. 12/1/11, 6/28/10) <i>[Adapted from Unit I Habitat Protection Policy 23, p. 34]</i></p> <p><b>Program C-BIO-11.a Grassy Uplands Surrounding Bolinas Lagoon.</b> Collect and evaluate data and studies to determine the habitat values of upland grassland feeding areas around Bolinas Lagoon for shorebirds, and develop effective policies to protect these areas against significant disruption of habitat values. Limited agricultural use of these lands may be permitted. [BOS app. 10/2/2012] (PC app. 12/1/11, 1/24/11)</p>		<p><del><b>Policy 23, pg. 34 C-BIO-11 Development Adjacent to Roosting and Nesting Habitat.</b></del></p> <p>Development adjacent to wildlife nesting and roosting areas shall be set back a sufficient distance to <u>protect against disruption in nesting and roosting activities and designed to avoid impacts on the habitat area.</u> <del>minimize impacts on the habitat area.</del> Time such development activities shall be timed so that disturbance to nesting and breeding wildlife is minimized. <del>To the extent feasible, and shall, to the extent practical,</del> use native vegetation for landscaping.</p> <p><b>Policy Status</b></p> <p><i>This policy has been carried forward to LCPA Policy C-BIO-11.</i></p> <p><del><b>Policy 26, p. 34 Program C-BIO-11.a Grassy Uplands Surrounding Bolinas Lagoon.</b> Collect and evaluate data and studies to determine the habitat values of Upland grassland feeding areas around Bolinas Lagoon for shorebirds, and develop effective policies to protect these areas against significant disruption of</del></p>



<p><i>[Adapted from Unit I Habitat Protection Policy 26, p. 34]</i></p>		<p><del>habitat values. Limited agricultural use of these lands may be permitted. shall be protected against any significant disruption of habitat values.</del></p> <p><b>Policy Status</b> This policy has been carried forward to LCPA Program <b>C-BIO-11.a.</b></p>
<p><b>No Policy numbered C-BIO.12</b></p>		
<p><b>No Policy numbered C-BIO.13</b></p>		
<p><b>C-BIO-14 Wetlands.</b> Preserve and maintain wetlands in the Coastal Zone as productive wildlife habitats and water filtering and storage areas, and protect wetlands against significant disruption of habitat values. Prohibit grazing or other agricultural uses in a wetland, except in those areas used for such activities prior to April 1, 1981, the date on which Marin’s LCP was first certified.</p> <p>Where there is evidence that a wetland emerged primarily from agricultural activities (e.g., livestock management, tire ruts, row cropping) and does not provide habitat for any species that meet the definition of ESHA, such wetland may be used and maintained for agricultural purposes and shall not be subject to the buffer requirements of C-BIO-19 (Wetland Buffers).</p> <p>[BOS app. 10/2/2012, 11/13/2012] (PC app. 2/13/12, 1/23/12, 6/28/10)</p> <p><i>[Adapted from Unit II Natural Resources Policy 4 (a – c), p. 74]</i></p>	<p><b><u>Policy 4, p. 74 C-BIO-14 Wetlands</u></b></p> <p><del>Wetlands. Wetlands in the Unit II coastal zone shall be preserved and maintained, consistent with the policies in this section; Preserve and maintain wetlands as</del> productive wildlife habitats, <del>recreational open space,</del> and water filtering and storage areas <u>and protect wetlands against significant disruption of habitat values.</u> <del>Land uses in and adjacent to wetlands shall be evaluated as follows:</del></p> <p><del>a. Diking, filling, and dredging of wetlands shall be permitted only in conformance with the policies contained in the LCP on this subject, presented on page 136. In conformance with these policies, filling of wetlands for the purposes of single family residential development shall not be permitted.</del></p> <p><del>b. Allowable resource dependent activities in wetlands shall include fishing, recreational clamming, hiking, hunting, nature study, birdwatching and boating.</del></p> <p><del>c. No Prohibit grazing or other agricultural uses shall be permitted in a wetlands, except in those reclaimed areas presently areas used for such activities prior to April 1, 1981, the date on which</del></p>	

	<p><u>Marin's LCP was first certified.</u></p> <p><u>Where there is evidence that a wetland emerged primarily from agricultural activities (e.g., livestock management, tire ruts, row cropping) and does not provide habitat for any species that meet the definition of ESHA, such wetland may be used and maintained for agricultural purposes and shall not be subject to the buffer requirements of C-BIO-19 (Wetland Buffers).</u></p>	
<p><b>C-BIO-15 Diking, Filling, Draining and Dredging.</b> Diking, filling, draining and dredging of coastal waters can have significant adverse impacts on water quality, marine habitats and organisms, and scenic features. Limit strictly the diking, filling, and dredging of open coastal waters, wetlands, and estuaries to the following purposes:</p> <ol style="list-style-type: none"> <li>1. New or expanded commercial fishing facilities.</li> <li>2. Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.</li> <li>3. Incidental public service purposes, including burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.</li> <li>4. Mineral extraction, including sand for restoring beaches, except in ESHAs.</li> <li>5. Restoration purposes.</li> <li>6. Nature study, aquaculture, or similar resource-dependent activities.</li> <li>7. Excluding wetlands, new or expanded boating facilities and the placement of structural pilings for public recreation piers that provide public access and recreational opportunities may be permitted.</li> <li>8. In the Esteros Americano and de San Antonio,</li> </ol>		

<p>limit any alterations to those for the purposes of scientific study and restoration.</p> <p>[BOS app. 11/13/2012, 7/30/2013]  (PC app. 12/1/11, 1/24/11)  <i>[Adapted from Unit II Diking, Filling and Dredging Policies 1 and 2, p. 136]</i></p>		
<p><b>No Policy numbered C-BIO.16</b></p>		
<p><b>C-BIO-17 Conditions and Standards for Diking, Filling, Draining, and Dredging.</b> Diking, filling, draining or dredging may be permitted for the purposes specified in policy C-BIO-15 above provided that all of the following conditions and standards are met:</p> <ol style="list-style-type: none"> <li>1. There is no feasible less environmentally damaging alternative.</li> <li>2. Mitigation measures have been provided in accordance with Policy C-BIO-21 (Wetland Impact Mitigation) in order to minimize adverse environmental effects.</li> <li>3. The activities are planned, scheduled, and carried out to avoid significant disruption to marine and wildlife habitats, fish and bird breeding and migrations, and water circulation.</li> <li>4. The need for both initial and maintenance dredging shall be minimized by careful design and location of facilities with respect to existing water depths, water circulation, siltation patterns, and by efforts to reduce controllable sedimentation.</li> </ol>		

<p>5. In estuaries and wetlands, the diking, filling, or dredging shall maintain or enhance the functional capacity of the wetland or estuary.</p> <p>[BOS app. 10/2/2012] (PC app. 12/1/11, 6/28/10) <i>[Adapted from Unit II Diking, Filling and Dredging Policy 3, p. 137]</i></p>		
<p><b>C-BIO-18 Disposal of Dredged Materials.</b> Require the disposal of dredged sediments to conform to the following standards:</p> <ol style="list-style-type: none"> <li>1. The dredged materials disposal site has been approved by all relevant agencies.</li> <li>2. Disposal of dredged materials shall be planned and carried out to avoid disruption to marine and wildlife habitats and water circulation.</li> <li>3. Dredged materials suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.</li> <li>4. The disposal of dredged materials shall conform to the most recently approved dredging requirements promulgated or adopted by the State or Regional Water Quality Control Board.</li> </ol> <p>[BOS app. 10/2/2012] (PC app. 12/1/11, 6/28/10) <i>[Adapted from Unit II Diking, Filling and Dredging Policy 4, p. 137]</i></p>		
<p><b>C-BIO-19 Wetland Buffers.</b> Consistent with Policy C-BIO-3.1 (ESHA Buffers), maintain a buffer area, a minimum of 100 feet in width, in a natural condition along the periphery of all wetlands. A wider buffer may</p>	<p><del>4d.</del> <b><u>C-BIO-19 Wetland Buffers</u></b> <u>Consistent with Policy C-BIO-3.1 (ESHA Buffers), maintain a buffer area, a minimum of A buffer strip</u></p>	<p><del>Policy 18, pg. 28</del> <b><u>C-BIO-19 Wetland Buffers</u></b> <del>To the maximum extent feasible,</del> <u>Consistent with Policy C-BIO-3.1 (ESHA Buffers), maintain</u> a buffer</p>

<p>be required based on the results of a site assessment, if such an assessment is determined to be necessary, and the site assessment concludes that a buffer greater than 100 feet in width is necessary to protect wetland resources from the impacts of the proposed development, including construction and post-construction impacts. No development shall be permitted within the wetland buffer, unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging), or C-BIO-20 (Wetland Buffer Adjustments). [BOS app. 10/2/2012, 11/13/2012] (PC app. 12/1/11, 6/28/10) <i>[Adapted from Unit I Lagoon Protection Policy 18, p. 28, and Unit II Natural Resources Policy 4.d, p. 74]</i></p>	<p>100 feet in width, <u>in a natural condition minimum, as measured landward from the edge of the wetland, shall be established</u> along the periphery of all wetlands. <u>A wider</u> <del>Where appropriate, the required buffer strip</del> may be <u>wider required</u> based upon the <u>findings results of a site assessment, if such assessment is determined to be necessary, and the site assessment concludes that a buffer greater than 100 feet in width is necessary to protect wetland resources from the impacts of the proposed development, including construction and post-construction impacts.</u> <del>of the supplemental report required in (c). Development activities and uses in the wetland buffer shall be limited to those specified in (a) and (b) above. No development shall be permitted within the wetland buffer, unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging), or C-BIO-20 (Wetland Buffer Adjustments).</del></p>	<p><del>area strip, a minimum of 100 feet in width, shall be maintained</del> in natural condition along the periphery of all wetlands <del>as delineated by the Department of Fish and Game and in accordance with Section 30121 of the Coastal Act and with the criteria developed by the U.S. Fish and Wildlife Service.</del> <u>A wider buffer may be required based on the results of a site assessment, if such an assessment is determined to be necessary, and the site assessment concludes that a buffer greater than 100 feet in width is necessary to protect wetland resources from the impacts of the proposed development, including construction and post-construction impacts.</u> <del>No development uses other than those dependent upon the resources shall be allowed within the buffer strip.</del></p> <p><i>Policy Status</i> <i>This policy has been carried forward to policy C-BIO-19, which also draws language from Unit II Natural Resources Policy 4 (p. 74).</i></p>
<p><b>C-BIO-20 Wetland Buffer Adjustments and Exceptions.</b></p> <p>1. A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:</p> <ul style="list-style-type: none"> <li>a. It is proposed on a legal lot of record located entirely within the buffer; or</li> <li>b. It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or</li> <li>c. It is demonstrated that the permitted development outside the buffer would have greater impact on the wetland and the continuance of its habitat than development within the buffer; or</li> </ul>	<p><i>[New policy, not in Unit I or II]</i></p>	<p><i>[New policy, not in Unit I or II]</i></p>

<p><b>d.</b> The wetland was constructed out of dry land for the treatment, conveyance or storage of water and does not affect natural wetlands.</p> <p><b>2.</b> A buffer adjustment may be granted only if supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the wetland and will be compatible with the continuance of the wetland ESHA.</p> <p><b>3.</b> A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required by minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:</p> <ul style="list-style-type: none"> <li><b>a.</b> Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter stormwater);</li> <li><b>b.</b> Elimination of on-site invasive species ;</li> <li><b>c.</b> Increasing native vegetation cover (e.g., expand continuous vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);</li> </ul>		
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<p>d. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);</p> <p>e. Other measures that reduce overall similar site-related environmental impacts.</p> <p>1. The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the wetland. [BOS app. 10/2/2012, 11/13/2012, 1/15/2013, 2/26/2013] (PC app. 12/1/11, 6/28/10) <i>[New policy, not in Unit I or II]</i></p>		
<p><b>C-BIO-21 Wetland Impact Mitigation.</b> Where any dike and fill development is permitted in wetlands in conformity with this section, require mitigation measures to include, at a minimum, either acquisition of required areas of equal or greater biological productivity or opening up equivalent areas to tidal action; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or such replacement site shall be purchased before the dike or fill development may proceed. A minimum ratio of 2:1 in area is required for on-site mitigation, a minimum ratio of 3:1 is required for off-site mitigation, and a minimum ratio of 4:1 is required for an in-lieu fee. Mitigations shall meet the following criteria:</p> <p>1. No net losses shall occur in wetland acreage, functions, or values. This should include both direct impacts on wetlands and essential buffers, and consideration of potential indirect effects of development due to changes in available surface water and nonpoint water quality degradation.</p>	<p><i>[New policy, not in Unit I or II]</i></p>	<p><i>[New policy, not in Unit I or II]</i></p>

<p>Detailed review of the adequacy of a proposed mitigation plan shall be performed as part of any required environmental review of the proposed development project to allow for a thorough evaluation of the anticipated loss, as well as the replacement acreage, functions, and values.</p> <ol style="list-style-type: none"> <li>2. Restoration of wetlands is preferred to creation of new replacement wetlands, due to the greater likelihood of success.</li> <li>3. Mitigation shall be implemented prior to and/or concurrently with the project activity causing the potential adverse impact to minimize any short-term loss and modification to wetlands.</li> <li>4. An area of adjacent upland habitat shall be protected to provide an adequate buffer for wetland functions and values. Development shall be set back the minimum distance specified in Policy C-BIO-19 (Wetland Buffers) to create this buffer, unless an adjustment is allowed and appropriate mitigation is provided where necessary, pursuant to Policy C-BIO-20 (Wetland Buffer Adjustments).</li> <li>5. Mitigation sites shall be permanently protected and managed for open space and wildlife habitat purposes.</li> <li>6. Mitigation projects must to the extent feasible minimize the need for ongoing maintenance and operational manipulation (e.g., dredging, artificial water-level controls, etc.) to ensure long-term success. Self-sustaining projects with minimal maintenance requirements are encouraged.</li> <li>7. All plans to mitigate or minimize adverse impacts to</li> </ol>		
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<p>wetland environments shall include provisions to monitor the success of the restoration project. The measures taken to avoid adverse impacts may be modified if the original plans prove unsuccessful. Performance bonds shall be required for all mitigation plans involving habitat creation or enhancement, including the cost of monitoring for five years post-completion.</p> <p>8. Mitigation must be commensurate with adverse impacts of the wetland alteration and consist of providing similar values and greater wetland acreage than those of the wetland area adversely affected. All restored or created wetlands shall be provided at the minimum replacement ratio specified in this Policy (C-BIO-21) and shall have the same or increased habitat values as the wetland proposed to be destroyed.</p> <p>Such mitigation measures shall not be required for temporary or short-term fill or diking; provided that a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest period of time not to exceed 12 months.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 6/28/10)  <i>[New policy, not in Unit I or II]</i></p>		
<p><b>C-BIO-22 Tomales Bay Shoreline.</b> As part of the application for a coastal permit on any parcel adjacent to Tomales Bay, except where there is no evidence of wetlands, require the applicant to submit supplemental biological information prepared by a qualified biologist at a scale sufficient to identify the extent of the existing wetlands, based on Section 30121 of the Coastal Act</p>	<p><del>e.—</del><b>C-BIO-22 Tomales Bay Shoreline.</b>  As part of the application for a coastal development permit on any parcel adjacent to Tomales Bay, except where there is no evidence of wetlands <del>pursuant to the Coastal Commission's guidelines,</del> <b>require</b> the applicant <del>shall be required</del> to submit supplemental biological information</p>	

<p>and the area of the proposed buffer areas. (PC app. 12/1/11, 6/28/10) [Adapted from Unit II Natural Resources Policy 4.e, p. 74]</p>	<p>prepared by a qualified <del>ecologist</del> <u>biologist</u> at a scale sufficient to identify the extent of the existing wetlands, based on Section 30121 of the Coastal Act and the area of the proposed buffer areas.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policies <b>C-BIO-14, C-BIO-19, and C-BIO-22</b>. LCPA Policy C-BIO-19 also draws language from Unit I Lagoon Protection Policy 18 (p. 28)</p>	
<p><b>C-BIO-23 Marine Resources.</b> Maintain, enhance, and, where feasible, restore marine resources. Provide special protection to areas and species of special biological or economic significance. Carry out uses of the marine environment in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes. (PC app. 12/1/11, 6/28/10) <i>[New policy, not in Unit I or II]</i></p>	<p><i>[New policy, not in Unit I or II]</i></p>	<p><i>[New policy, not in Unit I or II]</i></p>

<p><b>C-BIO-24 Coastal Streams and Riparian Vegetation.</b></p> <p><b>1. Stream alterations.</b> Limit channelizations, diversions, dams, or similar substantial alterations of coastal streams to the following purposes:</p> <p>a. Necessary water supply projects where no other less environmentally damaging method of water supply is feasible;</p> <p>b. Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or</p> <p>c. Developments where the primary function is the improvement of fish and wildlife habitat. Before any such substantial alterations that would significantly disrupt the habitat value of a stream are permitted, minimum flows necessary to maintain fish habitat and water quality, and to protect downstream resources (e.g. riparian vegetation, groundwater recharge areas, receiving waters, spawning habitats, etc.) and downstream users shall be determined by the Department of Fish and Wildlife and the Division of Water Rights of the State Water Resources Control Board. Prohibit new impoundments which, individually or cumulatively, would decrease streamflows below the minimum.</p> <p><b>2. Access and Utility Crossings.</b> Access and utility crossings shall be accomplished by clear span bridging, unless other methods are determined to be less disruptive to the stream and/or riparian ESHA. Wherever possible, shared bridges or other crossings shall be used to provide access and utilities to groups of lots covered by this policy. Bridge abutments shall be located outside stream channels and designed to minimize disturbance of riparian vegetation.</p>	<p><b><u>Policy 3, p. 72 C-BIO-24 Coastal Streams and Riparian Vegetation</u></b></p> <p><del>Streams and riparian habitats. The policies contained in this section shall apply to all streams in the Unit II coastal zone, perennial or intermittent, which are mapped by the United States Geological Survey (U.S.G.S.) on the 7.5 minute quadrangle series.</del></p> <p>a: <b><u>1. Stream alterations. Stream impoundments, Limit channelizations, diversions, dams channelizations,</u></b> or other substantial alterations <b><u>of coastal streams shall be limited</u></b> to the following purposes:</p> <p>(1) Necessary water supply projects <b><u>where no other less environmentally damaging method of water supply is feasible, including those for domestic or agricultural purposes;</u></b></p> <p>(2) Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or</p> <p>(3) Developments where the primary function is the improvement of fish and wildlife habitat.</p> <p>Before any such <b><u>activities substantial alterations that would significantly disrupt the habitat value of a stream</u></b> are permitted, minimum flows necessary to maintain fish habitat and water quality, and to protect downstream resources (e.g. riparian vegetation, groundwater recharge areas, receiving waters, spawning habitats, etc.) and downstream users shall be determined by the Department of Fish and <del>Game</del> <b><u>Wildlife</u></b> and the Division of Water Rights of the State Water Resources Control Board. <b><u>Prohibit new</u></b> <del>New</del> impoundments which, individually or cumulatively, would decrease</p>	<p><b><u>Policy 1, pg. 19 C-BIO-24 Coastal Streams and Riparian Vegetation</u></b></p> <p><b><u>1. Stream alterations. Limit channelizations, Stream impoundments and diversions, dams or similar substantial alterations of coastal streams to the following purposes: shall be limited to</u></b></p> <p><b><u>a. necessary Necessary</u></b> water supply projects <b><u>where no other less environmentally damaging method of water supply is feasible;</u></b></p> <p><b><u>b. flood Flood</u></b> control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or</p> <p><b><u>c. developments Developments</u></b> where the primary function is the improvement of fish and wildlife habitat.</p> <p>Before any such <b><u>activities substantial alterations that would significantly disrupt the habitat value of a stream</u></b> are permitted, minimum flows necessary to maintain fish habitat and <del>existing</del> water quality, and to protect downstream resources (e.g. riparian vegetation, groundwater recharge areas, receiving waters, <del>estuarine habitats,</del> spawning <del>areas-habitats, etc.</del>) and other downstream users shall be determined by the Department of Fish and <del>Game</del> <b><u>Wildlife</u></b> and the Division of Water Rights of the State Water Resources Control Board. <del>New</del> <b><u>Prohibit new</u></b> impoundments <del>or diversions</del> which, individually or cumulatively, would decrease streamflows</p>
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<p><b>3. <u>Conditions.</u></b> Minimize the alteration of streams allowed for the purposes listed in (1) and (2) above in order to protect streamwater quality and the volume and rate of streamflow. Require all developments to incorporate the best mitigation measures feasible, including erosion and runoff control measures, and re-vegetation of disturbed areas with native species. Minimize the disturbance of riparian vegetation and require revegetation.</p> <p>[BOS app. 10/2/2012, 11/13/2012] (PC app. 12/1/11, 1/24/11)</p> <p>[Adapted from Unit I Stream Protection Policies 1 and 2, p. 19, and Unit II Natural Resources Policy 3, p. 72]</p>	<p>streamflows below the minimum <del>shall not be permitted.</del></p> <p><b>2. <u>Access and Utility Crossings.</u></b> <u>Access and utility crossings shall be accomplished by clear span bridging, unless other methods are determined to be less disruptive to the stream and/or riparian ESHA. Wherever possible, shared bridges or other crossings shall be used to provide access and utilities to groups of lots covered by this policy. Bridge abutments shall be located outside stream channels and designed to minimize disturbance of riparian vegetation.</u></p> <p>b. <b>3. <u>Conditions.</u></b> <u>Minimize the</u><del>The</del> alteration of streams allowed for the purposes listed in <del>(a)-(1) and (2)</del> above <del>shall be held to a minimum in order</del> to protect streamwater quality and the volume and rate of streamflow. <del>All such</del> <u>Require all</u> developments <del>shall to</del> incorporate the best mitigation measures feasible, including erosion and runoff control measures, and revegetation of disturbed areas with native species. <del>Disturbance</del> <u>Minimize the disturbance</u> of riparian vegetation <u>and require revegetation shall be held to a minimum.</u></p>	<p>below the minimum <del>shall not be permitted.</del></p> <p><u>Access and Utility Crossings. Access and utility crossings shall be accomplished by clear span bridging, unless other methods are determined to be less disruptive to the stream and/or riparian ESHA. Wherever possible, shared bridges or other crossings shall be used to provide access and utilities to groups of lots covered by this policy. Bridge abutments shall be located outside stream channels and designed to minimize disturbance of riparian vegetation.</u></p> <p><b><u>Policy Status</u></b></p> <p><i>The concept and standard of this policy is carried forward to LCPA Policy C-BIO-24, which also draws language from Unit I Stream Protection Policy 2 (p. 19), and Unit II Natural Resources Policy 3 (p. 72).</i></p> <p><b><u>Policy 2, pg. 19 C-BIO-24 Coastal Streams and Riparian Vegetation</u></b></p> <p><u>3. Minimize</u> <del>The</del> <u>the</u> alteration of stream <del>channels and banks shall be</del> allowed <u>for the purposes listed in (1) and (2) above only for the developments identified in Policy II 1</u> in order to protect streamwater quality and the volume and rate of streamflow. <del>All</del> <u>Require all such</u> developments <del>shall to</del> incorporate the best mitigation measures feasible, including erosion and runoff control measures and revegetation of disturbed areas with native species. <u>Minimize the disturbance of riparian vegetation and require revegetation.</u></p> <p><b><u>Policy Status</u></b></p> <p><i>Language from this policy is carried forward to LCPA Policy C-BIO-24, which also draws language from Unit</i></p>
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<p><b>C-BIO-“TBD” Coastal Stream and Riparian Vegetation Buffers.</b> Consistent with Policy C-BIO-3.1 (ESHA Buffers), establish buffers to protect streams from the impacts of adjacent uses including development impacts from construction and post-construction activities, and maintain such buffers in a natural condition. The buffer shall be the wider of the following on both sides of the stream: (a) the area 50 feet landward from the outer edge of the riparian vegetation, or (b) the area 100 feet landward from the top of the stream banks. No development shall be permitted in the stream or riparian vegetation buffer unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-24 (Coastal Streams and Riparian Vegetation) or C-BIO-25 (Stream and Riparian Buffer Adjustments).  [BOS app. 10/2/2012, 11/13/2012]  (PC app. 12/1/11, 1/24/11)  <i>[Adapted from Unit I Stream Protection Policy 3, p. 19, and Unit II Natural Resources Policy 3, p. 72]</i></p>	<p><del>c. <b>Stream Buffers. C-BIO-“TBD” Coastal Stream and Riparian Vegetation Buffers</b></del>  <u>Consistent with Policy C-BIO-3.1 (ESHA Buffers), establish buffers</u> to protect streams from the impacts of adjacent uses <u>including development impacts from construction and post-construction activities, and maintain such buffers in a natural condition shall be established for each stream in Unit II.</u> The <del>stream</del> buffer shall <u>be the wider of the following include the area covered by riparian vegetation</u> on both sides of <u>the a stream: (a) and</u> the area 50 feet landward from the <u>outer edge</u> of the riparian vegetation, <u>or (b) the area. In no case shall the stream buffer be less than 100 feet in width, on either side of *the stream, as measured landward</u> from the top of the stream banks. <u>No development shall be permitted in the stream or riparian vegetation buffer unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-24 (Coastal Streams and Riparian Vegetation) or C-BIO-25 (Stream and Riparian Buffer Adjustments).</u></p>	<p><del><b>Policy 3, pg. 19 C-BIO-“TBD” Coastal Stream and Riparian Vegetation Buffers</b></del>  <u>Consistent with Policy C-BIO-3.1 (ESHA Buffers), establish</u> <del>A riparian protection area and a stream buffers area shall be established for all to protect streams from the impacts of adjacent uses including development impacts from construction and post-construction activities, and maintain such buffers in a natural condition within Unit I.</del> The <del>riparian protection area buffer shall include all existing riparian vegetation</del> <u>be the wider of the following</u> on both sides of the stream: <u>(a) the area. The stream buffer area shall extend a minimum of 50 feet landward</u> from the outer edge of the riparian vegetation; <u>or (b) the area but in no case shall be less than 100 feet landward</u> from the <u>top of the stream banks of the stream.</u></p> <p><b>Policy Status</b>  Language from this policy is carried forward to LCPA Policy <b>C-BIO-“TBD”</b>, which also draws language from Unit II Natural Resources Policy 3 (p. 72).</p>
<p><b>C-BIO-25 Stream Buffer Adjustments and Exceptions.</b>  I. A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:  a. It is proposed on a legal lot of record located</p>	<p><del>d. <b>Development in Stream Buffers. C-BIO-25 Stream Buffer Adjustments and Exceptions</b></del>  <u>No construction, alteration of land forms or vegetation removal shall be permitted within such riparian protection area. Additionally, such project applications shall identify a stream buffer area</u></p>	<p><del><b>Policy 4, pg. 19 C-BIO-25 Stream Buffer Adjustments and Exceptions.</b></del>  <u>No construction, alteration of land forms, or vegetation removal, shall be permitted within the riparian protection area. However, if a parcel is located entirely within the stream buffer, design</u></p>

<p>entirely within the buffer; or</p> <p>b. It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or</p> <p>c. It is demonstrated that the permitted development outside the buffer would have a greater impact on the stream or riparian ESHA and the continuance of its habitat than development within the buffer.</p> <p>2. A buffer adjustment may be granted only if supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the stream or riparian vegetation, and will be compatible with the continuance of the stream/riparian ESHA.</p> <p>3. A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required by minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:</p> <p>a. Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter</p>	<p><del>which shall extend a minimum of 50 feet from the outer edge of riparian vegetation, but in no case less than 100 feet from the banks of a stream. Development shall not be located within this stream buffer area. When a parcel is located entirely within a stream buffer area; design review shall be required to identify and implement the mitigation measures necessary to protect water quality, riparian vegetation and the rate and volume of stream flows. The design process shall also address the impacts of erosion and runoff, and provide for restoration of disturbed areas by replacement landscaping with plant species naturally found on the site. Where a finding based upon factual evidence is made that development outside a riparian protection or stream buffer area would be more environmentally damaging to the riparian habitat than development within the riparian protection or stream buffer area, development of principal permitted uses may occur within such area subject to design review and appropriate mitigation measures.</del></p> <p>1. <u>A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:</u></p> <p>a. <u>It is proposed on a legal lot of record located entirely within the buffer; or</u></p> <p>b. <u>It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or</u></p> <p>c. <u>It is demonstrated that the permitted development outside the buffer would have a greater impact on the stream or riparian ESHA and the continuance of its habitat than development within the buffer.</u></p> <p>2. <u>A buffer adjustment may be granted only if</u></p>	<p><del>review shall be required for any proposed structure and shall consider impacts on water quality, riparian vegetation and the rate and volume of streamflow. In general, development shall be located on that portion of the site which results in the least impact on the stream, and shall include provision for mitigation measures to control erosion and runoff and to provide restoration of disturbed areas by replanting with plant species naturally found on the site.</del></p> <p>1. <u>A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:</u></p> <p>a. <u>It is proposed on a legal lot of record located entirely within the buffer; or</u></p> <p>b. <u>It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or</u></p> <p>c. <u>It is demonstrated that the permitted development outside the buffer would have greater impact on the stream or riparian ESHA and the continuance of its habitat than development within the buffer.</u></p> <p>2. <u>A buffer adjustment may be granted only if supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the stream or riparian vegetation, and will be compatible with the continuance of the stream/riparian ESHA.</u></p> <p>3. <u>A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing</u></p>
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<p>stormwater);</p> <ul style="list-style-type: none"> <li>b. Elimination of on-site invasive species;</li> <li>c. Increasing native vegetation cover (e.g., expand continuous riparian vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);</li> <li>d. Improvement of streambank or in-stream conditions (e.g., replace bank armoring, slope back streambanks, create inset floodplains, install large woody debris structures), in order to restore habitat;</li> <li>e. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);</li> <li>f. Other measures that reduce overall similar site-related environmental impacts.</li> </ul> <p>4. The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the stream/riparian ESHA.</p>	<p><u>supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the stream or riparian vegetation, and will be compatible with the continuance of the stream/riparian ESHA.</u></p> <p>3. <u>A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required by minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:</u></p> <ul style="list-style-type: none"> <li>a. <u>Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter stormwater);</u></li> <li>b. <u>Elimination of on-site invasive species;</u></li> <li>c. <u>Increasing native vegetation cover (e.g., expand continuous riparian vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);</u></li> <li>d. <u>Improvement of streambank or in-stream conditions (e.g., replace bank armoring, slope back streambanks, create inset floodplains,</u></li> </ul>	<p><u>conditions, in addition to what is otherwise required by minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:</u></p> <ul style="list-style-type: none"> <li>a. <u>Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter stormwater);</u></li> <li>b. <u>Elimination of on-site invasive species;</u></li> <li>c. <u>Increasing native vegetation cover (e.g., expand continuous riparian vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);</u></li> <li>d. <u>Improvement of streambank or in-stream conditions (e.g., replace bank armoring, slope back streambanks, create inset floodplains, install large woody debris structures), in order to restore habitat;</u></li> <li>e. <u>Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);</u></li> <li>f. <u>Other measures that reduce overall similar site-related environmental impacts.</u></li> </ul> <p>4. <u>The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the stream/riparian ESHA.</u></p>
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	<p><u>install large woody debris structures), in order to restore habitat;</u></p> <p><u>e. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);</u></p> <p><u>f. Other measures that reduce overall similar site-related environmental impacts.</u></p> <p><u>4. The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the stream/riparian ESHA.</u></p> <p><del>e. Diversions Outside the Coastal Zone. [see below]</del>  <b><u>C-BIO-26 Diversions Outside the Coastal Zone.</u></b></p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policies <b>C-BIO-24, C-BIO-“TBD”, C-BIO-25 and C-BIO-26.</b> LCPA Policies C-BIO-24 and C-BIO-“TBD” also draw language from Unit I Stream Protection Policies I - 3 (p. 19).</p>	<p><b>Policy Status</b></p> <p>The concept of this policy is carried forward to LCPA Policies C-BIO-24 and C-BIO-25. LCPA Policy C-BIO-24 also draws language from Unit I Stream Protection Policies 1, 2 and 3 (p. 19), and Unit II Natural Resources Policy 3 (p. 72). See also LCPA Policy C-BIO-4 (p. 23) regarding the removal of “Major Vegetation.”</p>
<p><b>C-BIO-26 Diversions Outside the Coastal Zone.</b> Require that the impacts from diversion projects, especially on the two major tributaries to Tomales Bay, Walker and Lagunitas Creeks, be fully studied through the CEQA process before they are permitted to proceed and in all cases, require mitigation and enhancement measures to ensure that coastal resources influenced by freshwater inflows are not significantly damaged.</p> <p>(PC app. 12/1/11, 1/24/11)</p> <p>[Adapted from Unit II Natural Resources Policy 3.e, p. 73]</p>	<p><del>e. Diversions Outside the Coastal Zone. C-BIO-26</del>  <b><u>Diversions Outside the Coastal Zone.</u></b></p> <p><del>Freshwater inflows to Tomales Bay are critical to the ecology of the Bay. These inflows maintain unique estuarine habitats along the shoreline of the Bay, affect the spawning characteristics of silver salmon and steelhead trout, flush saltwater and accumulated bottom sediments seaward, and influence the distribution of shellfish, including a rare and endangered species of shrimp, Syncaris pacifica. Existing dams and reservoirs have already significantly decreased the mean annual net freshwater inflow to Tomales Bay by approximately</del></p>	



	<p><del>25%. There is general recognition that the water quality and marine life of Tomales Bay have been adversely affected by these reduced inflows. The effect of further diversions on the Bay is not known; however, the cumulative effect is generally regarded as significant.</del></p> <p><del>Coastal Act policies 30230 and 30231 provide for the protection of marine resources and water quality. In addition, Section 30402 provides that all state agencies shall carry out their duties and responsibilities in conformance with the policies of the Act. Although most freshwater diversions occur outside the coastal zone and are thus beyond the jurisdiction of the LCP, the important effects of such diversion projects on the coastal zone should be considered by all agencies involved so that conformance to the Coastal Act policies cited above is ensured. The County urges all agencies involved with diversions outside the coastal zone which affect freshwater inflows to Tomales Bay to properly notify the County of any plans for such diversions so that opportunity for local comment is assured.</del></p> <p>The LCP recommends <u>Require</u> that the impacts from diversion projects, especially on the two major tributaries to Tomales Bay, Walker and Lagunitas Creeks, be fully studied through the <u>EIR/CEQA</u> process before they are permitted to proceed and <del>that</del> in all cases, <u>require</u> mitigation and enhancement measures be required to ensure that coastal resources influenced by freshwater inflows are not significantly damaged.</p> <p><b><u>Policy Status</u></b> This policy has been carried forward to LCPA Policies</p>	
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	<b>C-BIO-24, C-BIO-“TBD”, C-BIO-25 and C-BIO-26.</b> LCPA Policies C-BIO-24 and C-BIO-“TBD” also draw language from Unit I Stream Protection Policies I - 3 (p. 19).	
<b>C-BIO-27 Federal Projects.</b> Federal projects which require the modification or alteration of natural resources shall be evaluated by the Coastal Commission through the consistency review process. (PC app. 12/1/11, 6/28/10) <i>[Adapted from Unit II Federal Parklands Policy 3, p. 61]</i>		
<b>C-BIO-28 California Parks and Recreation.</b> Support and encourage the environmental conservation, land and easement acquisition, and habitat restoration efforts of the California Department of Parks and Recreation. (PC app. 12/1/11, 6/28/10) <i>[New policy, not in Unit I or II]</i>	<i>[New policy, not in Unit I or II]</i>	<i>[New policy, not in Unit I or II]</i>
<b>C-BIO-29 Marin County Parks.</b> Support and encourage the environmental conservation, land and easement acquisition, and habitat restoration efforts of the Marin County Parks Department. In particular, conservation activities related to beach areas, lagoons, wetlands, streams, existing and potential boat launching sites, recreational areas, and Tomales Bay and its shoreline are considered a high priority in the Coastal Zone. [BOS app. 10/2/2012] (PC app. 12/1/11, 6/28/10) <i>[New policy, not in Unit I or II]</i>	<i>[New policy, not in Unit I or II]</i>	<i>[New policy, not in Unit I or II]</i>

Environmental Hazards and Shoreline Structures		
LCPA - Proposed Policy	Unit II - Existing Policy	Unit I - Existing Policy
<p><b>C-EH-1 Safety of New Development.</b></p> <p>Ensure that new development during its economic life (100 years) is safe from, and does not contribute to, geologic or other hazards. (PC app. 12/1/11, 3/16/09)  <i>[Adapted from Unit II New Development and Land Use Policy 5.a, p. 207]</i></p>	<p>New Development and Land Use Hazards Policy 5.a p. 207</p> <p><del>Ensure that new development during its economic life (100 years) is safe from, and does not contribute to, geologic or other hazards.</del></p> <p><del>a. An applicant for development in an area potentially subject to geologic or other hazards as mapped by the County, including Alquist-Priolo earthquake hazards zones, areas subject to tsunami runup, landslides, liquefaction, beach or bluff erosion, steep slopes averaging greater than 35%, or flood hazard areas, shall be required to demonstrate that the area of construction is stable for development, the development will not create a hazard or diminish the stability of the area, and the development will not require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The applicant may be required to file a report by a qualified professional evaluating the geologic conditions of the site and the effect of the development. In addition, as a condition of coastal permit approval, the applicant shall be required to sign a waiver of liability exempting the County from liability for any personal or property damage caused by natural hazards on such properties.</del></p>	<p>No comparable provision in Unit I</p>

	<p>Note: See LCPA Policies C-EH-2 and C-EH-3 below for “carryover” of provisions deleted above.</p>	
<p><b>C-EH-2 Avoidance of Environmental Hazards.</b></p> <p>Require applicants for development in areas potentially subject to geologic or other hazards as mapped by the County at the time of coastal permit application, including Alquist-Priolo earthquake hazards zones, areas subject to tsunami runup, landslides, liquefaction, beach or bluff erosion, steep slopes averaging greater than 35%, unstable slopes regardless of steepness, flood hazard areas, or areas potentially inundated by accelerated sea level rise, to demonstrate that:</p> <ol style="list-style-type: none"> <li>1. The area of construction is stable for development,</li> <li>2. The development will not create a hazard or diminish the stability of the area, and</li> <li>3. The development will not require the construction of shoreline protective devices during its economic life (100 years).</li> </ol> <p>(PC app. 12/1/11, 3/16/09)  <i>[Adapted from Unit II New Development and Land Use Policy 5.a, p. 207]</i></p>	<p>New Development and Land Use Hazards Policy 5.a p. 207</p> <p>a. <del>An applicant</del> <u>Require applicants</u> for development in <del>an area</del> <u>areas</u> potentially subject to geologic or other hazards as mapped by the County <u>at the time of coastal permit application</u>, including Alquist-Priolo earthquake hazards zones, areas subject to tsunami runup, landslides, liquefaction, beach or bluff erosion, steep slopes averaging greater than 35%, <u>unstable slopes regardless of steepness, or flood hazard areas, or areas potentially inundated by accelerated sea level rise, shall be required</u> to demonstrate that:</p> <ol style="list-style-type: none"> <li><del>1. The</del> <u>1. The</u> area of construction is stable for development,</li> <li><del>2. The</del> <u>2. The</u> development will not create a hazard or diminish the stability of the area, and</li> <li><del>3. The</del> <u>3. The</u> development will not require the construction of <u>shoreline</u> protective devices <u>during its economic life (100 years) that would substantially alter natural landforms along bluffs and cliffs. The applicant may be required to file a report by a qualified professional evaluating the geologic conditions of the site and the effect of the development. In addition, as a condition of coastal permit approval, the applicant shall be required to</u></li> </ol>	<p>No comparable provision in Unit I</p>

	<p><del>sign a waiver of liability exempting the County from liability for any personal or property damage caused by natural hazards on such properties.</del></p>	
<p><b>C-EH-3 Applicant's Assumption of Risk.</b></p> <p>As a condition of coastal permit approval for development in hazardous areas, require the applicant to record a document exempting the County from liability for any personal or property damage caused by natural hazards on such properties and acknowledging that future shoreline protective devices to protect structures authorized by such coastal permit will not be allowed during the structure's economic life. (PC app. 12/1/11, 1/24/11) <i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 4, p. 41, and Unit II New Development and Land Use Policy 5.a, p. 207]</i></p>	<p>New Development and Land Use Hazards Policy 5.a p. 207</p> <p><del>a. An applicant for development in an area potentially subject to geologic or other hazards as mapped by the County, including Alquist-Priolo earthquake hazards zones, areas subject to tsunami runup, landslides, liquefaction, beach or bluff erosion, steep slopes averaging greater than 35%, or flood hazard areas, shall be required to demonstrate that the area of construction is stable for development, the development will not create a hazard or diminish the stability of the area, and the development will not require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The applicant may be required to file a report by a qualified professional evaluating the geologic conditions of the site and the effect of the development. In addition, a <u>As a condition of coastal permit approval for development in hazardous areas, the applicant shall be required the applicant to sign record a waiver of liability document</u> exempting the County from liability for any personal or property damage caused by natural hazards on such properties <u>and</u></del></p>	<p>Shoreline protection and Hazard Areas Policy 4 p. 41</p> <p><del>Many of the building sites in Unit I are characterized by one or more potential geologic hazards. The development of residential structures on such parcels may be subject to often sudden and destructive geologic phenomenon. The County of Marin does not encourage new residential development of such parcels and expressly states that the issuance of a coastal development permit for such property does not warrant said property's safety from geologic hazards. Further, the County of Marin will not accept liability for subsequent personal or property damage caused by geologic processes on said properties. To assure that the builder and subsequent purchasers are expressly aware of the policy, a "waiver of liability" shall be executed and recorded by said property owner prior to the issuance of a coastal development permit. Further, except for short-term, emergency food, shelter, and clothing, the County of Marin will not participate in emergency or disaster relief funding for properties so</del></p>

	<p><u>acknowledging that future shoreline protective devices to protect structures authorized by such coastal permit will not be allowed during the structure's economic life.</u></p>	<p><del>identified and would recommend such limitations on State and/or federal disaster/emergency grants and/or loans. Existing geologic information indicates this geologic hazard policy shall apply to new development (excluding improvements to existing structures that would not result in an increase of 50 percent or more of internal floor area of the structure) on lots located in the following areas:</del></p> <ul style="list-style-type: none"> <li><del>• Lands located in the "Alquist Priolo" earthquake hazard zones, as said zones may be amended.</del></li> <li><del>• Development within 300 feet of the mean high tide of the sea.</del></li> <li><del>• Development on parcels with slopes averaging over 35 percent.</del></li> <li><del>• All lots within the Seadrift sandspit to include the Patios, Calles and Seadrift Subdivision: (Those lands covered by this "geologic hazards" policy are shown on the geologic hazard maps on file in the Marin County Planning Department)</del></li> </ul> <p>Note: The concepts of this policy have been carried forward to Policy C-EH-2 and C-EH-3, which also draw language from Unit II New Development and Land Use Policy 5.a (p. 207).</p>

<p><b>C-EH-4 Seismic Hazard Standards.</b></p> <p>Require development to meet the seismic safety standards of the Alquist-Priolo Act (Calif. Public Resources Code Section 2621, et seq.). (PC app. 12/1/11, 5/26/09) <i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 2, p. 41]</i></p>	<p>No comparable provision in Unit II</p>	<p>Shoreline protection and Hazard Areas Policy 2 p. 41 <del>D Require</del> development <del>shall continue to be required</del> to meet the seismic safety standards of the Alquist-Priolo Act <del>as it has been implemented by the County (Calif. Public Resources Code Section 2621, et seq.).</del></p> <p><del>The County shall request that the State Geologist's Office review the recent study, "Depositional History and Fault-Related Studies, Bolinas Lagoon, California", by Joel R. Bergquist, U.S.G.S. Open File Report 78-802, to determine if the Alquist-Priolo Special Study Zone should be extended in the Bolinas Lagoon vicinity.</del></p>
<p><b>C-EH-5 New Blufftop Development.</b></p> <p>Ensure that new blufftop development is safe from bluff retreat. New structures except as provided by C-EH-15 and C-EH-16 including accessory structures and infill development (i.e., new development between adjacent developed parcels) shall be set back from the bluff edge a sufficient distance to reasonably ensure their stability for the economic life of the development and to eliminate the need for shoreline protective works. Such assurance shall take the form of a quantitative slope stability analysis demonstrating a minimum factor of safety against sliding of 1.5 (static) or 1.2</p>	<p>New Development and Land Use Hazards Policy 5.b. p. 208 <del>b. In coastal bluff areas, new structures shall be set back a sufficient distance from the bluff edge to ensure with reasonable certainty that they are not threatened by bluff retreat within their expected economic lifespans (50 years). The County shall determine the required setback based on information submitted by the applicant, staff investigation, and a geologic report which may be required. The setbacks will be of sufficient distance</del></p>	<p>Shoreline Protection and Hazard Areas Policy 1 p. 40 <del>New structures shall be set back from the Bolinas and Muir Beach bluffs a sufficient distance to ensure with reasonable certainty that they are not threatened from cliff retreat within their economic life expectancies. Adequate setback distances will be determined from information contained in required geologic reports and the setback formula established below. These setbacks will be of</del> <u>Ensure that new blufftop</u></p>

<p>(pseudostatic, <math>k=0.15</math> or determined through analysis by the geotechnical engineer). Such stability must be demonstrated for the predicted position of the bluff following bluff recession during the 100-year economic life of the development. The predicted bluff retreat shall be evaluated considering not only historical bluff retreat data, but also acceleration of bluff retreat due to continued and accelerated sea level rise, and other climate impacts according to best available science.</p> <p>(PC app. 12/1/11, 1/25/10)  <i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 1, pp. 40-41, and Unit II New Development and Land Use Policy 5.b, p. 207]</i></p>	<p><del>to eliminate the need for shoreline protective works.</del></p> <p><u>Ensure that new blufftop development is safe from bluff retreat. New structures except as provided by C-EH-15 and C-EH-16 including accessory structures and infill development (i.e., new development between adjacent developed parcels) shall be set back from the bluff edge a sufficient distance to reasonably ensure their stability for the economic life of the development and to eliminate the need for shoreline protective works. Such assurance shall take the form of a quantitative slope stability analysis demonstrating a minimum factor of safety against sliding of 1.5 (static) or 1.2 (pseudostatic, <math>k=0.15</math> or determined through analysis by the geotechnical engineer). Such stability must be demonstrated for the predicted position of the bluff following bluff recession during the 100-year economic life of the development. The predicted bluff retreat shall be evaluated considering not only historical bluff retreat data, but also acceleration of bluff retreat due to continued and accelerated sea level rise, and other climate impacts according to best available science.</u></p> <p>New Development and Land Use Hazards Policy 5.d. p. 208</p> <p><del>d. New development shall be sited and designed so that no protective shoreline structures (e.g.</del></p>	<p><u>development is safe from bluff retreat. New structures except as provided by C-EH-15 and C-EH-16 including accessory structures and infill development (i.e., new development between adjacent developed parcels) shall be set back from the bluff edge a sufficient distance to reasonably ensure their stability for the economic life of the development and to eliminate the need for shoreline protective works.</u></p> <p><u>Such assurance shall take the form of a quantitative slope stability analysis demonstrating a minimum factor of safety against sliding of 1.5 (static) or 1.2 (pseudostatic, <math>k=0.15</math> or determined through analysis by the geotechnical engineer). Such stability must be demonstrated for the predicted position of the bluff following bluff recession during the 100-year economic life of the development. The predicted bluff retreat shall be evaluated considering not only historical bluff retreat data, but also acceleration of bluff retreat due to continued and accelerated sea level rise, and other climate impacts according to best available science.</u></p> <p><del>In view of the fact that the retreat rate varies markedly along the cliffs, and that the life expectancy of different kinds of structures varies greatly, the following formula will be used to determine setbacks from the bluff for new structures:</del></p>
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	<p><del>seawalls, groins, breakwaters) are or will be necessary to protect the building from erosion or storm damage during its expected economic lifespan (50 years). The applicant may be required to submit a professional geologic report demonstrating that the project conforms to this policy.</del></p> <p>Note: The concepts of avoidance of shoreline protective works during a building's economic lifespan are carried over to LCPA Policy C-EH-5, with a change from a 50-year to a 100-year economic lifespan.</p>	<p><del>Setback (meters) = structure life (yrs.) X retreat rate (meters/yr.) In areas where vigorous sliding is taking place, an additional 15 meters should be added as a safety factor. The retreat rate will be determined by a complete geotechnical investigation which will be required if one or both of the following conditions are met: The building or proposed development site is within 150 feet of the blufftop, or the site is located in stability zones 2, 3 or 4 as indicated on the Slope Stability of the Bolinas Peninsula Study Area map which accompanies Wagner's 1977 report, "Geology for Planning, Western Marin County". This report and accompanying maps is incorporated by reference as part of the LCP.</del></p>
<p><b>C-EH-6 Proper Drainage on Blufftop Parcels.</b></p> <p>Ensure that surface and subsurface drainage associated with development of any kind beyond the required bluff edge setback shall not contribute to the erosion of the bluff face or the stability of the bluff itself. (PC app. 12/1/11, 3/16/09) <i>[Adapted from Unit II New Development and Land Use Policy 5.c, p. 208]</i></p>	<p>New Development and Land Use Hazards Policy 5.c p. 208</p> <p><del>c. Development of any kind beyond the required bluff top setback shall be constructed to e</del> Ensure that <del>all</del> surface and subsurface drainage <u>associated with development of any kind beyond the required bluff edge setback</u> shall not contribute to the erosion of the bluff face or the stability of the bluff itself. <del>Surface water shall be directed away from the top of the bluff or handled in a manner which prevents damage to the bluff by surface and</del></p>	<p>No comparable provision in Unit I</p>

	<del>percolating water.</del>	
<p><b>C-EH-7 New Structures on Bluff Faces.</b></p> <p>Prohibit additional permanent structures on bluff faces, except for engineered public beach access where no feasible alternative means of public access exists. Such structures shall be designed and constructed to be visually compatible with the surrounding area to the maximum extent feasible and to minimize effects on erosion of the bluff face.  (PC app. 12/1/11, 3/16/09)  <i>[New policy, not in Unit I or II]</i></p>	No comparable provision in Unit II	No comparable provision in Unit I
<p><b>C-EH-11 Minimum Floor Elevations in the Flood Velocity Zone at Seadrift.</b></p> <p>For new development within the Seadrift Subdivision located in the special flood hazard (V zone) as mapped by the Federal Emergency Management Agency, measure the maximum allowable building height from the minimum floor elevation required by the special flood hazard zone designation.  (PC app. 12/1/11, 1/25/10)  <i>[New policy, not in Unit I or II]</i></p>	No comparable provision in Unit II	No comparable provision in Unit I

<p><b>C-EH-12 Floor Elevations Requirements for Existing Buildings in Flood Hazard Zones.</b>  Within flood hazard zones as mapped by the Federal Emergency Management Agency, allow existing buildings that are encroaching into a required yard setback to be raised above the base flood elevation without the need for a variance to setback requirements, as long as the finished floor is not more than 18 inches above the base flood elevation and the extent of the encroachment is not expanded.  [BOS app. 12/11/2012]  (PC app. 12/1/11, 1/25/10)  <i>[New policy, not in Unit I or II]</i></p> <p><b><i>Program C-EH-12.a Address Tsunami Potential.</i></b> Review tsunami wave run-up and inundation maps, when available, along with other applicable information to be considered in coastal planning and development.  (PC app. 12/1/11, 1/25/10)  <i>[New program, not in Unit I or II]</i></p>	<p>No comparable provision in Unit II</p>	<p>No comparable provision in Unit I</p>
<p><b>C-EH-13 Shoreline Protective Devices.</b></p> <p>Discourage shoreline protective devices (i.e., shoreline armoring) in the Coastal Zone due to their visual impacts, obstruction of public access, interference with natural shoreline processes and water circulation, and effects on marine habitats and water quality.</p>	<p>Shoreline Structures  Policy I  p. 132  <del>General policy. The County d Discourages the proliferation of</del> shoreline structures in the <del>Unit II</del>  <del>eCoastal zZone</del> due to their visual impacts, obstruction of public access, interference with</p>	<p>Shoreline Protection and Hazard Areas  Policy 5  p. 42  <del>The following policy from Section 30235 of the Coastal Act is incorporated into the County LCP:</del></p>

<p>Allow the construction or reconstruction of a shoreline protective device, including revetments, breakwaters, groins, seawalls, or other artificial structures for coastal erosion control, only if each of the following criteria is met:</p> <ol style="list-style-type: none"> <li>1. The shoreline protective device is required to serve a coastal-dependent use or to protect a principal structure, residence, or second residential unit in existence prior to the adoption of the Local Coastal Program (May 13, 1982) or a public beach in danger from erosion.</li> <li>2. No other non-structural alternative, such as sand replenishment, beach nourishment, or managed retreat is feasible.</li> <li>3. The condition causing the problem is site specific and not attributable to a general erosion trend, or the project reduces the need for a number of individual projects and solves a regional erosion problem.</li> <li>4. It can be shown that a shoreline protective device will successfully eliminate or mitigate its effects on local shoreline sand supply and that the device will not adversely affect adjacent or other sections of the shoreline.</li> <li>5. The shoreline protective device will not be located in wetlands or other significant resource or habitat area, and will not cause significant adverse impacts to fish or wildlife.</li> <li>6. There will be no reduction in public</li> </ol>	<p>natural shoreline processes and water circulation, and effects on marine habitats and water quality. <del>In some cases, however, the County recognizes that the construction of protective works or piers may be necessary or desirable. When piers are allowed, multiple public and private, commercial and recreational uses shall be accommodated, if feasible, to maximize the use of these structures and minimize the need for further construction. Coastal permits for all shoreline structures will be evaluated based on the criteria listed in the policies below.</del></p> <p>Shoreline Structures Policy 2 p. 132 <del>Shoreline protective works. F</del> <u>Allow the construction or reconstruction of a shoreline protective device, including</u> revetments, breakwaters, groins, seawalls, or other artificial structures for coastal erosion control, <del>shall be allowed</del> only if each of the following criteria is met:</p> <p><del>a. 1.</del> <u>The structure shoreline protective device</u> is required to serve a coastal-dependent use, <del>a coastal-related use in a developed area,</del> or to protect <u>a principal structure, residence, or second residential unit in existence prior to the adoption of the Local Coastal Program (May 13, 1982) existing development</u> or <u>a public beaches in danger from erosion.</u></p> <p><del>b. 2.</del> <u>No other non-structural alternative, such as sand replenishment, beach nourishment, or</u></p>	<p><del>Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline process shall be permitted when required to serve coastal-dependent uses or to protect existing structures (constructed before adoption of the LCP), or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.</del></p> <p>Note: The concept of this policy has been carried forward to LCPA Policy C-EH-13, which also draws language from Unit II Shoreline Structures Policies 1 and 2 (p. 132).</p>
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<p>access, use, or enjoyment of the natural shoreline environment, and construction of a shoreline protective device will preserve or provide access to related public recreational lands or facilities.</p> <p>7. The shoreline protective device will not restrict navigation, mariculture, or other coastal use and will not create a hazard in the area in which it is built.</p> <p>8. The shoreline protective device may be authorized for a specified time period depending on the nature of the project and other possible changing conditions. Maintenance beyond the specified time period, modification, or expansion of the approved device shall require approval of an amendment to the Coastal Permit.</p> <p>(PC app. 1/23/12)  <i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 5, p. 42, and Unit II Shoreline Structure Policies 1 and 2, p. 132]</i></p>	<p><u>managed retreat</u> is <del>practical or preferable</del> <u>feasible</u>.</p> <p><del>e. 3.</del> The condition causing the problem is site specific and not attributable to a general erosion trend, or the project reduces the need for a number of individual projects and solves a regional erosion problem.</p> <p><del>d. 4.</del> It can be shown that a <u>structure(s) shoreline protective device</u> will successfully <u>eliminate or mitigate its effects on local shoreline sand supply</u> <del>the effects of shoreline erosion</del> and <u>that the device</u> will not adversely affect adjacent or other sections of the shoreline.</p> <p><del>e. 5.</del> The <u>structure shoreline protective device</u> will not be located in wetlands or other significant resource or habitat area, and will not cause significant adverse impacts to fish or wildlife.</p> <p><del>f. 6.</del> There will be no reduction in public access, use, <del>and or</del> enjoyment of the natural shoreline environment, and construction of a <u>structure shoreline protective device</u> will preserve or provide access to related public recreational lands or facilities.</p> <p><del>g. 7.</del> The <u>structure shoreline protective device</u> will not restrict navigation, mariculture, or other coastal use and will not create a hazard in the area in which it is built.</p> <p><u>8. The shoreline protective device may be authorized for a specified time period depending on the nature of the project and other possible changing conditions. Maintenance beyond the specified time period, modification, or expansion of the approved device shall require approval of an amendment to the Coastal Permit.</u></p>	
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	<p><del>Before approval is given for the construction or reconstruction of any protective shoreline structure, the applicant for the project shall submit a report from a registered geologist, professional civil engineer, or certified engineering geologist verifying that the structure is necessary for coastal erosion control and explaining how it will perform its intended function. Such a report shall not be required for emergency permit applications; however, the application shall specifically establish why the need for protective structures was not foreseen.</del></p> <p>Note: The above policies have been carried forward to LCPA Policy C-EH-13, which also draws language from Unit II Shoreline Structures Policy I (p. 132) and carries forward the concept of Unit I Shoreline Protection and Hazard Areas Policy 5 (p. 42).</p>	
<p><b>C-EH-14 Design Standards for the Construction of Shoreline Protective Devices.</b></p> <p>Ensure that the design and construction of any shoreline protective device shall:</p> <ol style="list-style-type: none"> <li>1. Be treated to blend in visually with the natural shoreline;</li> <li>2. Respect natural landforms to the greatest degree possible;</li> <li>3. Include mitigation measures to offset any impacts on fish and wildlife resources caused by the project;</li> <li>4. Minimize and mitigate for the impairment</li> </ol>	<p>Shoreline Structures Policy 5 p. 133</p> <p><del>Design standards for all shoreline structures. The design and construction of any shoreline structure shall:</del> <u>Ensure that the design and construction of any shoreline protective device shall:</u></p> <p><del>a. 1. Make it as visually unobtrusive as possible. Be treated to blend in visually with the natural shoreline;</del></p> <p><del>b. 2. Respect natural landforms to the greatest degree possible;</del></p>	<p>No comparable provision in Unit I</p>

<p>and interference with the natural movement of sand supply and the circulation of coastal waters;</p> <ol style="list-style-type: none"> <li>5. Address the geologic hazards presented by construction in or near Alquist-Priolo earthquake hazard zones;</li> <li>6. Minimize the displacement of beach; and</li> <li>7. If necessary, be combined with efforts to control erosion from surface and groundwater flows.</li> </ol> <p>(PC app. 12/1/11, 5/26/09)  <i>[Adapted from Unit II Shoreline Structures Policy 5, p. 133]</i></p>	<p><del>e.</del> <u>3.</u> Include mitigation measures to offset any impacts on fish and wildlife resources caused by the project;</p> <p><del>d.</del> <u>4.</u> Minimize <u>and mitigate for</u> the impairment and <u>interference with the natural</u> movement of sand supply and the circulation of coastal waters; <del>and</del></p> <p><del>e.</del> <u>5.</u> Address the geologic hazards presented by construction in or near Alquist-Priolo earthquake hazard zones</p> <p><u>6. Minimize the displacement of beach; and</u>  <u>7. If necessary, be combined with efforts to control erosion from surface and groundwater flows.</u></p>	
<p><b>C-EH-15 Temporary Accessory Structures in Hazardous Areas.</b></p> <p>Design and construct accessory structures, including patios and gazebos, on shoreline parcels in such a manner that they could be relocated landward should they become threatened by shoreline erosion. Require the applicant as a condition of permit approval to agree:</p> <ol style="list-style-type: none"> <li>1. To remove the accessory structure(s) if determined by the Marin County Division of Building and Safety to be threatened imminently by shoreline erosion, and</li> <li>2. That no shoreline protective device will be allowed for the sole purpose of protecting</li> </ol>	<p>No comparable provision in Unit II</p>	<p>No comparable provision in Unit I</p>

<p>the accessory structure. (PC app. 12/1/11, 5/26/09) <i>[New policy, not in Unit I or II]</i></p>		
<p><b>C-EH-16 Shoreline Access Facilities and Bluff Stability.</b></p> <p>Allow shoreline access facilities, including stairways or ramps, only when they will not cause, expand, or accelerate instability of a bluff. (PC app. 12/1/11, 1/25/10) <i>[New policy, not in Unit I or II]</i></p>	<p>No comparable provision in Unit II</p>	<p>No comparable provision in Unit I</p>
<p><b>C-EH-17 Creation of New Parcels of Land that Would Require Protection Against Coastal Erosion.</b></p> <p>Prohibit the division of land abutting the ocean, bays, lagoons, or other coastal water bodies unless the new parcels can be developed with structures that will not require a shoreline protective device during their economic life. (PC app. 12/1/11, 5/26/09) <i>[New policy, not in Unit I or II]</i></p>	<p>No comparable provision in Unit II</p>	<p>No comparable provision in Unit I</p>
<p><b>C-EH-18 Re-Establishment of Dunes in Conjunction with Shoreline Protective Devices.</b></p> <p>To minimize visual and sand transport impacts,</p>	<p>No comparable provision in Unit II</p>	<p>Shoreline protection and Hazard Areas Policy 6 p. 42 To minimize visual and sand transport impacts</p>



<p>require that any permit granted to construct a shoreline protective device shall include the re-establishment of the former dune contour and appearance, where feasible. (PC app. 12/1/11, 5/26/09) <i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 6, p. 42]</i></p>		<p><del>on Stinson Beach, require that</del> any permit granted to construct <del>erosion control structures a shoreline protective device</del> shall <del>require include</del> the re-establishment of the former dune contour and appearance, <del>where feasible. In case of emergency permits, the property owner of record shall agree, in writing, that such restoration work will be accomplished within 60 days after the threat of damage has passed.</del></p>
<p><b>C-EH-19 Maintenance Needs for the Shoreline Protective Device at Seadrift.</b></p> <p>Refer inquiries regarding permit requirements for maintenance of the rock revetment as permitted by Coastal Commission permit #A-1-MAR-87-235-A issued August 31, 1994 to the Coastal Commission. Extraordinary maintenance includes placement of any material on or adjacent to the seaward face of the revetment (other than replacement of dislodged material as described below) and/or which expands the height or length of the revetment. No coastal permit shall be required for ordinary maintenance of the revetment, which is defined to include removal from the beach of any rocks or other material which become dislodged from the revetment or moved seaward from the identified footprint, replacement of such materials on the revetment, minor placement of sand over the revetment from a source other than the Bolinas Sandspit Beach, planting of dune grass on the</p>	<p>No comparable provision in Unit II</p>	<p>No comparable provision in Unit I</p>

<p>revetment, and similar activities. (For more information, see the Seadrift settlement agreement in Appendix 9.)  (PC app. 12/1/11, 5/26/09)  <i>[New policy, not in Unit I or II; taken from the Seadrift settlement agreement]</i></p>		
<p><b>C-EH-20 Advance Planning for Emergency Shoreline Protection Needs.</b></p> <p>Encourage property owners subject to ocean-front erosion hazards to develop responses to such hazards prior to emergency conditions. Where contiguous properties are subject to generally similar erosion hazards, joint program development should occur.  (PC app. 12/1/11, 5/26/09)  <i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 8, p. 42. This policy also carries forward the concept of Unit I Shoreline Protection and Hazards Areas Policy 7, p. 42]</i></p>		<p>Shoreline Protection and Hazard Areas Policy 7  p. 42  <del>Because revetments, seawalls or other shoreline protective works can be detrimental to maintenance of natural shoreline processes and can interfere with visual enjoyment and coastal access, such works are discouraged. The County of Marin through the LCP and other documentation has identified those coastal areas potentially subject to significant wave and run-off erosion. Because such probable risk areas are identified, sufficient opportunity for private investigation and response to such hazards is available. Therefore, the County of Marin shall not finance or construct emergency shoreline protective devices for the benefit of private developments.</del></p> <p>Policy 8  p. 42  <del>It shall be County policy to e</del> Encourage property owners subject to ocean-front</p>

		<p>erosion hazards to develop responses to such hazards prior to emergency conditions. Where contiguous properties are subject to generally similar erosion hazards, joint program development should occur. <del>The County will not finance such engineering studies (or any subsequent construction activities), but will seek aid from Federal and State agencies, colleges and universities to assist private consulting engineers in such review and recommendations. Where existing community organizations or special districts are unable to provide organizational support for such area-wide joint studies, the County, upon request, will assist in the organization and administration of such privately funded studies.</del></p>
<p><b>C-EH-21 Emergency Shoreline Protective Devices.</b></p> <p>Upon receipt of a request for an emergency shoreline protective device, notify the Coastal Commission if time allows. Approve emergency shoreline protective devices on a temporary basis only and require removal of the structure unless a coastal permit is approved for permanent placement of the structure. A coastal permit application must be submitted within 60 days following construction of the shoreline protective device. If dunes are present on the project site, require that re-establishment of the former dune</p>	<p>No comparable provision in Unit II</p>	<p>Shoreline Protection and Hazard Areas Policy 9 p. 43 <del>In the absence of an overall wave hazard/shoreline erosion study, any permit application for seawalls, riprap or other protective structures on beaches, shall be accompanied by engineering reports stating the nature and extent of wave erosion hazard along the beach area and an explanation of how the proposed protective works will mitigate the hazard, both on and off the project site. This policy shall not apply to emergency permit applications applied for</del></p>

<p>contour and appearance shall occur within 60 days following construction of a shoreline protective device. (PC app. 12/1/11, 1/24/11) <i>[Adapted from Unit I Shoreline Protection and Hazard Policy 9, p. 43]</i></p>		<p><del>within three years of the date of adoption of the LCP. Emergency permit applications after that date shall be subject to report requirement or shall specifically establish why the need for such protective devices was not foreseen.</del> Note: See Development Code Section 22.70.140.B.5.</p>
<p><b>C-EH-22 Sea Level Rise and Marin’s Coast.</b></p> <p>Support scientific studies that increase and refine the body of knowledge regarding potential sea level rise in Marin, and possible responses to it. (PC app. 12/1/11, 1/24/11) <i>[New policy, not in Unit I or II; adapted from CWP Policy EH-1.2, p. 2-73]</i></p> <p><b><i>Program C-EH-22.a Research and Respond to the Impacts of Sea Level Rise on Marin County’s Coastal Zone Shoreline.</i></b></p> <ol style="list-style-type: none"> <li>1. Continue to gather information on the effects of sea level rise on Marin County’s Coastal Zone shoreline, including identifying the most vulnerable areas, structures, facilities, and resources; specifically areas with priority uses such as public access and recreation resources, including the California Coastal Trail, Highway 1, significant ESHA such as wetlands or wetland restoration areas, open space areas where future wetland migration would be possible, and existing and planned sites for</li> </ol>	<p>No comparable provision in Unit II</p>	<p>No comparable provision in Unit I</p>

<p>critical infrastructure. Any vulnerability assessment shall use best available science and multiple scenarios including best available scientific estimates of expected sea level rise, such as by the Ocean Protection Council [e.g. 2011 OPC Guidance on Sea Level Rise], Nation Research Council, Intergovernmental Panel on Climate Change, and the West Coast Governors Association.</p> <p>2. Based on information gathered over time, propose additional policies and other actions for inclusion in the LCP in order to address the impacts of sea level rise. As applicable, recommendations may include such actions as:</p> <ul style="list-style-type: none"> <li>a. relocation of existing or planned development to safer locations, working with entities that plan or operate infrastructure, such as Caltrans</li> <li>b changes to LCP land uses, and siting and design standards for new development, to avoid and minimize risks;</li> <li>c. changes to standards for wetland, ESHA, and stream buffers and setbacks;</li> <li>d. changes to standards for erosion rates;</li> <li>e. modifications to the LCP Access Component to ensure long term protection of the function and connectivity of existing public access and recreation resources; and</li> <li>f. modifications to the Regional Transportation Plan.</li> </ul>		
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<p>(PC app. 12/1/11, 1/25/10)  <i>[New program, not in Unit I or II]</i></p> <p><b>Program C-EH-22.b Study Bluff Retreat.</b> The County shall seek funds for a study to identify threats of bluff retreat taking into account accelerated sea level rise.  (PC app. 12/1/11, 1/24/11)  <i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 3, p. 41]</i></p>		<p>Shoreline Protection and Hazard Areas Policy 3  p. 41  The County shall seek public funds to <del>contract with the State Division of Mines and Geology to initiate for</del> a study to identify <del>lots and/or structures threatened with cliff retreat within their economic life expectancy. The results of this study shall be incorporated into the general restoration program for the Bolinas Mesa as described in Chapter II of the LCP</del> <u>threats of bluff retreat taking into account accelerated sea level rise.</u>  Note: LCPA Program C-EH-22.b carries forward this concept.</p>
<p><b>C-EH-23 New Development and Fire Safety.</b></p> <p>Coastal Permit applications shall demonstrate that the development meets all applicable fire safety standards.  (PC app. 12/1/11, 1/24/11)  <i>[Adapted from Unit II Public Services Policy 2.f, p. 189]</i></p>	<p>Public Services  Policy 2.f  p. 189  <del>f. Fire protection. All proposed building permits and land divisions shall be reviewed by the County Fire Chief or other appropriate fire protection agency prior to the issuance of a coastal development permit so that additional requirements for fire protection, including water storage facilities, sprinkler systems, or fire hydrants, may be added as necessary.</del></p>	<p>No comparable provision in Unit I</p>

<p><b>C-EH-24 Permit Exemption for Replacement of Structures Destroyed by Disaster.</b></p> <p>Exempt from the requirement for a coastal permit the replacement of any structure, other than a public works facility, destroyed by a disaster, if the replacement structure:</p> <ol style="list-style-type: none"> <li>1. Conforms to applicable existing zoning requirements;</li> <li>2. Is for the same use as the destroyed structure;</li> <li>3. Does not exceed the floor area of the destroyed structure by more than 10 percent or 500 square feet, whichever is less, or the height or bulk of the destroyed structure by more than 10 percent (the applicant must provide proof of pre-existing height and bulk); and</li> <li>4. Is sited in the same location on the affected property as the destroyed structure, unless the Director determines that relocation is warranted because of proximity to coastal resources.</li> </ol> <p>(PC app. 2/13/12, 12/1/11, 3/16/09)  <i>[Adapted from Unit II New Development and Land Use Policy 8.f(1), p. 216]</i></p>	<p>New Development and Land Use  Location and density of new development  Policy 8. f.  p. 216</p> <p><del>Standards for development in all zoning districts on the shoreline of Tomales Bay:  (1) Existing dwellings shall be permitted to be rebuilt if damaged or destroyed by natural disaster, provided that the floor area, height and bulk of the new structure shall not exceed that of the destroyed structure by more than 10%. Any proposed improvement to an existing house which results in an increase of internal floor area of more than 10% shall require a coastal permit in order to ensure that such improvement is sited and designed to minimize impacts on Tomales Bay.  (2) New residential construction shall be limited in height to 15 feet, as measured from natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom. Exceptions to this height limit may be permitted where the topography, vegetation, or character of existing development is such that a higher structure would not create additional interference with coastal views either to, along, or from the water.  (3) A finding shall be made that all new development shall meet all other UP policies, including those on Public Access, Natural Resources and wetland protection, Shoreline Structures, Diking/ Filling/Dredging, Public</del></p>	
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	<del>Services, Hazards, Visual Resources, and New Development, prior to issuance of a coastal permit.</del>	
<p><b>C-EH-25 Vegetation Management in Environmentally Sensitive Habitat Area.</b></p> <p>Minimize risks to life and property in ESHAs from uncontrolled fire and disease by allowing for the management or removal of major vegetation. Site and design new development to minimize the need for initial and future fire safety clearance or other ongoing maintenance activities that would significantly impact ESHAs or ESHA buffers. (See also C-BIO-3, C-BIO-19 and C-BIO-24 (ESHA, Wetland, Stream Buffers), and C-DES-11 (Minimization of Fuel Modification).)</p> <p>[BOS app. 1/15/2013]  [PC app. 1/23/12]  <i>[New policy, not in Unit I or II]</i></p>	No comparable provision in Unit II	No comparable provision in Unit I
	<p>New Development and Land Use  Hazards  Policy 5.e  p. 208</p> <p><del>e. The County encourages PG&amp;E to utilize materials for overhead utility lines which minimize fire hazards to surrounding areas.</del></p> <p>Note: This policy is not a land use policy and has not been carried forward to the LCP.</p>	