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**Public Access** ..... 1  
**Recreation and Visitor Serving Facilities** ..... 10  
**State and Federal Parklands** ..... 12  
**Stream Protection** ..... 16  
**Lagoon Protection** ..... 24  
**Natural Dune and Sandy Beach Protection** ..... 31  
**Habitat Protection** ..... 33  
**Agriculture** ..... 36  
**Shoreline Protection and Hazard Areas** ..... 38  
**Public Services** ..... 43  
**New Development and Land Use** ..... 50  
**Location and Density of New Development** ..... 58

The following chart compares policies from the existing Local Coastal Program Unit I to those in the Land Use Plan of the July 2013 Board of Supervisors-Adopted Local Coastal Program Amendment (LCPA) document. The column on the left shows the existing LCP Unit I policy and its respective status. The column on the right shows the proposed LCPA policy that was adapted from the Unit I policy. The policies are grouped by topic in numerical order as they appear in Unit I.

| <b>Unit I<br/>Public Access</b>   |  |
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| <b>Unit I - Existing Policy</b>   | <b>LCPA - Proposed Policy</b>  |
| <p><b><u>Policy 1, pg. 7</u></b></p> <p>The County's policy is to require provisions for coastal access in all development proposals located between the sea and the first public road. This policy recognizes, however, that in certain locations public access may not be appropriate. Upon specific findings, that public access would be inconsistent with the protection of 1) public safety, 2) fragile coastal resources or 3) agricultural production or, upon specific findings that public use of an accessway would seriously interfere with the privacy of existing homes, provision for coastal access need not be required. In determining whether access is inconsistent with the above, the findings shall specifically consider whether mitigation measures such as setbacks from sensitive habitats, trail or stairway development, or regulation of time, seasons, or types of use could be developed which would adequately mitigate any potential adverse impacts of public access. A finding that an access way can be located 10 feet or more from an existing single family residence or be separated by a landscape buffer or fencing if necessary should be considered to provide adequately for the privacy of existing homes.</p> | <p><b>C-PA-11 Privacy of Neighbors.</b> In determining appropriate management measures for public coastal accessways, including hours of operation, the Marin County Parks department or other managing entity should take into account the need to respect the privacy of neighboring residents.</p> <p>[BOS app. 12/11/2012]<br/>           (PC app. 9/19/11, 11/23/09)<br/> <i>[Adapted from Unit I Public Access Policy 1, p. 7]</i></p> |

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| <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been adapted and carried forward as LCPA Policy <b>C-PA-11</b>.</p>  |  |
| <p><b><u>Policy 2, pg. 7</u></b></p> <p>The provision of coastal access may include any of the following types of easements, either singularly or in a combination:</p> <ol style="list-style-type: none"> <li>a. Vertical easements to the ocean</li> <li>b. Lateral easements along the dry sand adjacent to tidelands</li> <li>c. Bluff top easements along bluffs for public viewing or trail purposes or where no continuous sandy beach exists.</li> </ol> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward as LCPA Policy <b>C-PA-9</b>, which also draws language from Unit II Public Access Policy 2.b (p. 14).</p>  | <p><b>C-PA-9 Variety of Public Coastal Accessways.</b> When requiring public coastal access, include any of the following types of accessways, either singularly or in combination:</p> <ol style="list-style-type: none"> <li>1. Vertical accessways to the ocean or shoreline;</li> <li>2. Lateral accessways that extend from the ambulatory mean high tide line landward to a defined line, such as the intersection of the sand with the toe of a revetment, vertical face of a seawall, toe of a bluff, or other feature;</li> <li>3. Bluff top accessways along bluffs for public viewing or trail purposes or where no continuous sandy beach exists.</li> </ol> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policy 2, p. 7, and Unit II Public Access Policy 2.b, p. 14]</i></p>  |
| <p><b><u>Policy 3, pg. 7</u></b></p> <p>Where evidence of prescriptive rights (historic public use) on a project site is determined to exist as a result of permit application review, public easements to protect the types, intensity and areas of historic use shall be established as a condition of project approval. Development may be allowed in an area which has been historically used by the public for vertical access to the beach only when equivalent access which will accommodate the same types and intensity of use has have existed on the subject site, has been assured in the same vicinity.</p> <p><b><u>Policy Status</u></b></p> <p>Language from this policy was used to formulate LCPA Policy <b>C-PA-7</b>. The new policy also draws language from Unit II Public Access Policy 2.a (p. 13) and Coastal Act Section 30211.</p> | <p><b>C-PA-7 Protection of Prescriptive Rights.</b> Ensure that development does not interfere with the public’s right of access to the sea where acquired through use. Where evidence (including historic public use) of prescriptive rights is found in reviewing a coastal permit application, take one or more of the following actions:</p> <ol style="list-style-type: none"> <li>1. Consider approval of the coastal permit application, while siting development to avoid the area potentially subject to prescriptive rights and by requiring public easements to protect the types and intensity of use and areas of historic interest as a condition of project approval.</li> <li>2. If requirement of an access easement to protect areas of historic use would preclude all reasonable private use of the project site, the County or the Coastal Commission and the Attorney General at the request of the County shall, subject to the availability of staff and funds, seek a court determination and confirmation of such public rights.</li> <li>3. In the absence of a final court determination, the County may proceed to consider approval of development on areas potentially subject to prescriptive rights (except those used for lateral access), provided that all impacts on public access are mitigated in the same vicinity substantially in accordance with the LCP’s Access policies. Such mitigation may include securing an accessway on another property in the same vicinity, or providing an in-lieu fee to a public agency or private association approved</li> </ol> |

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|  | <p>by the County and Coastal Commission for acquisition, improvement, or maintenance of access in the same vicinity. Same vicinity is considered to be within 1,000 feet of the project site (parcel).</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit I Public Access Policy 3, p. 7, Unit II Public Access Policy 2.a, p. 13, and Coastal Act Section 30211]</i></p>  |
| <p><b><u>Policy 4, pg. 7</u></b></p> <p>Construction of shoreline protection measures otherwise permitted by LCP policies shall accommodate previously existing shoreline access.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward as LCPA Policy <b>C-PA-21</b>.</p>  | <p><b>C-PA-21 Shoreline Structures on or Near Public Coastal Accessways.</b> Ensure that construction of shoreline protection measures otherwise permitted by LCP policies maintains the same or similar shoreline access as previously existed.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policy 4, p. 7]</i></p>  |
| <p><b><u>Policy 5, pg. 7</u></b></p> <p>Where appropriate and feasible, parking areas should be provided in conjunction with access easements. The need for parking areas shall be evaluated based upon the parking and/or public transit opportunities available in the area. As transit service becomes available, parking capacities should be reduced or eliminated since transit opportunities reduce reliance on the private automobile.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PA-18</b>, which also draws language from Unit I Public Access Policy 9 (p. 8) and Unit II Public Access Policy 2.c (p. 14).</p> | <p><b>C-PA-18 Parking and Support Facilities at Public Coastal Accessways.</b> Where appropriate and feasible, provide parking areas for automobiles and bicycles and appropriate support facilities in conjunction with public coastal accessways. The location and design of new parking and support facilities shall minimize adverse impacts on adjacent residential areas. The need for parking shall be determined based on existing parking and public transit opportunities in the area, balanced with resource protection policies. Consider opportunities for reducing or eliminating parking capacities if transit service becomes available or increases.</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit I Public Access Policies 5 and 9, pp. 7-8, and Unit II Public Access Policy 2.c, p. 14]</i></p>   |
| <p><b><u>Policy 6, pg. 8</u></b></p> <p>The County will accept, and as resources permit, open access easements in the following situations:</p> <ul style="list-style-type: none"> <li>(a) When the offer to dedicate an easement is made pursuant to evidence of prescriptive rights, or</li> <li>(b) Where the offered easement is in a developed area (density of one unit per acre or higher) where a substantial amount of the use could be expected to be made by local residents.</li> </ul> <p>In all other situations the County shall attempt to find appropriate agencies, including County agencies, to accept and maintain the public access easements.</p>           | <p><b>C-PA-5 Accept Offers to Dedicate Public Coastal Accessways.</b> Accept offers to dedicate easements or fee title interests in coastal accessways and, as resources permit, place first priority on opening such accessways when the offer to dedicate is made pursuant to evidence of prescriptive rights or where the offer to dedicate is in a developed area. The County shall accept an offer to dedicate within 9 months of recordation. If the County does not accept an easement within this time period, it shall attempt to find an appropriate public or private agency to do so. Notwithstanding the above, the County may at any time accept a valid offer to dedicate an easement that has not been accepted by another entity.</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit I Public Access Policy 6, p. 8, and Unit II Public Access Policy 2.c, p. 14]</i></p> |

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| <p>Whenever the County agrees to accept an access easement, the County will be responsible for maintenance and signing of the accessway. If no agency or association is immediately available to accept the grant of an easement, a 20-year irrevocable offer to dedicate the easement shall be recorded by the applicant prior to the commencement of project construction. The County shall immediately notify the California Coastal Conservancy of the existence of such offers to dedicate.</p> <p><b><u>Policy Status</u></b></p> <p>This policy was carried forward to LCPA Policy <b>C-PA-5</b>, which also draws language from Unit II Public Access Policy 2.c (p. 14) and Coastal Act Section 30212(a)(3).</p> | <p>14]</p>  |
| <p><b><u>Policy 7, pg. 8</u></b></p> <p>The County shall post all County owned shoreline accessways which are open and available to the public.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy was carried forward to LCPA Policy <b>C-PA-19</b>, which also draws language from Unit I Public Access Policy 8 (p. 8) and Unit II Public Access Policy 2.c (p. 14).</p>   | <p><b>C-PA-19 Explanatory Signs at Public Coastal Accessways.</b> Sign existing and new public coastal accessways, trails, and parking facilities where necessary, and use signs to minimize conflicts between public and private land uses. Signs posted along the shoreline shall indicate appropriate restrictions, such as that no fires or overnight camping are permitted, and that the privacy of homeowners shall be respected. Where public access trails are located adjacent to agricultural lands, signs shall indicate appropriate restrictions against trespassing, fires, camping, and hunting. Where only limited public access or use of an area can be permitted in order to protect resource areas from overuse, such signing should identify the appropriate type and levels of use which are consistent with resource protection. The County and CALTRANS shall as resources permit, post informational signs at appropriate intersections and turning points along visitor routes, in order to direct coastal visitors to public recreation and nature study areas in the Coastal Zone.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p>[Adapted from Unit I Public Access Policies 7 and 8, p. 8, and Unit II Public Access Policy 2.c, p. 14]</p> |
| <p><b><u>Policy 8, pg. 8</u></b></p> <p>The County and CALTRANS shall, as resources permit, post informational signs at appropriate intersections and turning points on Highway 1, the Bolinas-Olema Road, and Mesa Road, in order to direct coastal visitors to public recreation and nature study areas in the Unit I coastal zone. Where only limited public access or use of an area can be permitted in order to protect resource areas from overuse, such signing should identify the appropriate type and levels of use which is consistent with resource protection.</p>  | <p><b>C-PA-19 Explanatory Signs at Public Coastal Accessways.</b> Sign existing and new public coastal accessways, trails, and parking facilities where necessary, and use signs to minimize conflicts between public and private land uses. Signs posted along the shoreline shall indicate appropriate restrictions, such as that no fires or overnight camping are permitted, and that the privacy of homeowners shall be respected. Where public access trails are located adjacent to agricultural lands, signs shall indicate appropriate restrictions against trespassing, fires, camping, and hunting. Where only limited public access or use of an area can be permitted to protect resource areas from overuse, such signing should identify the</p>   |

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| <p><b>Policy Status</b></p> <p>The concept of this policy was carried forward to LCPA Policy <b>C-PA-19</b>, which also draws language from Unit I Public Access Policy 7 (p. 8) and Unit II Public Access Policy 2.c (p. 14).</p>   | <p>appropriate type and levels of use consistent with resource protection. The County and CALTRANS shall, as resources permit, post informational signs at appropriate intersections and turning points along visitor routes, in order to direct coastal visitors to public recreation and nature study areas in the Coastal Zone.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policies 7 and 8, p. 8, and Unit II Public Access Policy 2.c, p. 14]</i></p>  |
| <p><b>Policy 9, pg. 8</b></p> <p>Adequate public access to Stinson Beach currently exists across Federal park lands, County land at Calle Del Sierra and private land at the Calles and Walla Vista. To encourage the continuance of access availability in these areas the County shall post the existing pedestrian access easements along Calle Del Arroyo. However, should the current levels of usage be jeopardized in the future, the County shall open and maintain at least two additional pedestrian access easements on Calle Del Arroyo. One of these will be at Walla Vista; the other would be situated where appropriate in the Calles. On street parking along the northerly side of Calle Del Arroyo shall continue to be available for day-use beach access.</p> <p><b>Policy Status</b></p> <p>This policy was carried forward to LCPA Policy <b>C-PA-18</b>, which also draws language from Unit I Public Access Policy 5 (p. 7) and Unit II Public Access Policy 2.c (p. 14). The concept of this policy was also carried forward to LCPA Policy <b>C-PA-6</b>.</p> | <p><b>C-PA-6 Acquisition and Location of New Public Coastal Accessways through Suitable Means.</b> Acquire additional public coastal accessways in order to enhance opportunities to reach public tidelands, to link publicly accessible beaches via lateral trails, and to avoid impacts of overuse of any single area. Acquisition shall be pursued through available means including, public purchase, tax default acquisitions, agreements with nonprofit management entities, voluntary donation, or, when permissible, dedication as a condition of a coastal project permit. When available funds or other acquisition opportunities are limited, accessways listed in the Appendix shall receive first priority. Acquisition and location of accessways shall take into account the need to protect public safety, military security, fragile coastal resources, and agriculture.</p> <p>[BOS app. 12/11/2012]</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policies 9, 11, 12, and 13, pp. 8-9, and Unit II Public Access Policies 3, 4, and 5, pp. 15-22]</i></p> <p><b>C-PA-18 Parking and Support Facilities at Public Coastal Accessways.</b> Where appropriate and feasible, provide parking areas for automobiles and bicycles and appropriate support facilities in conjunction with public coastal accessways. The location and design of new parking and support facilities shall minimize adverse impacts on adjacent residential areas. The need for parking shall be determined based on existing parking and public transit opportunities in the area, balanced with resource protection policies. Consider opportunities for reducing or eliminating parking capacities if transit service becomes available or increases.</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit I Public Access Policies 5 and 9, pp. 7-8, and Unit II Public Access Policy 2.c, p. 14]</i></p> |
| <p><b>Policy 10, pg. 8</b></p>   |  |

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| <p>Public access to Duxbury Reef shall continue to be protected consistent with current State laws prohibiting the collecting of most intertidal animals.</p> <p><b><u>Policy Status</u></b></p> <p>The policy is out of date and has not been carried forward to the LCPA. Duxbury Reef is included in the Duxbury Reef State Marine Conservation Area, which prohibits the take of all living marine resources, except the recreational take of finfish from shore only and the recreational take of abalone. However, California's marine protected areas encourage recreational and educational uses of the ocean. Activities such as kayaking, diving, snorkeling, and swimming are allowed unless otherwise restricted. The Duxbury Reef SMCA is one of 21 marine protected areas adopted by the California Fish and Game Commission in August 2009, during the second phase of the Marine Life Protection Act Initiative.</p>   | <p>n/a</p>   |
| <p><b><u>Policy 11, p. 9</u></b></p> <p>Historic public use of the two access trails across Bolinas Mesa to the RCA beach and of the beach area itself shall be protected in accordance with the access program approved by the North Central Coast regional Commission in its action on Permit No. 31-78 (Commonweal). As provided by the conditions of the Commonwealth permit approval, use of the access trails and beach areas shall be limited to the level and character of the historic use of the property (including but not limited to use for beach access, hiking, swimming, and horseback riding) in order to protect the natural resources of Duxbury Reef. Upon acceptance by a public agency of easements over the access trails, trailheads, and beach areas which are to be offered as a condition of the Commonwealth permit approval, limited signing shall be provided to identify the access trails and caution trail users of the fragile coastal resources of the area.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PA-8</b>. The concept of this policy has also been carried forward to LCPA Policy <b>C-PA-6</b>.</p> | <p><b>C-PA-6 Acquisition of New Public Coastal Accessways through Suitable Means.</b> Acquire additional public coastal accessways in order to enhance opportunities to reach public tidelands, to link publicly accessible beaches via lateral trails, and to avoid impacts of overuse of any single area. Acquisition shall be pursued through available means including, public purchase, tax default acquisitions, agreements with nonprofit management entities, voluntary donation, or, when permissible, dedication as a condition of a coastal project permit. When available funds or other acquisition opportunities are limited, accessways listed in the Appendix shall receive first priority. Acquisition of accessways shall take into account the need to protect public safety, military security, fragile coastal resources, and agriculture.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policies 9, 11, 12, and 13, pp. 8-9, and Unit II Public Access Policies 3, 4, and 5, pp. 15-22]</i></p> <p><b>C-PA-8 Bolinas Mesa.</b> Public use of the two access trails across Bolinas Mesa to the RCA beach and the beach area itself shall be protected and shall be limited to the level and character of the historic use of the property (including use for beach access, hiking, swimming, and horseback riding) to protect the natural resources of Duxbury Reef. Limited signing shall be provided to identify the access trails and caution trail users of the fragile coastal resources of the area.</p> <p>(PC app. 11/7/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policy 11, p. 9]</i></p> |
| <p><b><u>Policy 12, p. 9</u></b></p>   | <p><b>C-PA-6 Acquisition and Location of New Public Coastal Accessways</b></p>   |

A determination of the necessity to provide additional access trails across other large agricultural holdings on the Bolinas Mesa should be deferred pending a review of the adequacy of public access opportunities to be provided in the vicinity as part of the Golden Gate National Recreation Area General Management Plan. The necessity for additional access will be reconsidered during the Unit II planning process when appropriate land use designations for the large agricultural holdings in the Bolinas Mesa area will be developed as part of a Countywide approach to the protection of large agricultural holdings.

**Policy Status**

The policy is no longer relevant and has not been carried forward. LCPA Policy **C-PA-6** (p. 121) recommends that acquisitions for public accessways shall take into account the needs to protect public safety, military security, fragile coastal resources, and agriculture.

**through Suitable Means.**

(See policy language above)

**Policy 13, p. 9**

The provision of public access to and use of the Seadrift Beach for low-intensity recreational uses shall be assured (1) by requiring, as part of the coastal development permit process for new development projects on ocean front parcels in Subarea I, dedications of public access consistent with the standards of the suggested settlement agreement as set forth below, and (2) by establishing an overall solution to obtaining access at Seadrift Beach through either (a) an access agreement with the property owners, (b) litigation to establish the public's prescriptive rights gained by historic use, or (3) public purchase. In order to minimize the public costs involved in acquisition or in litigation of the prescriptive rights issue, in addition to requiring dedications, obtaining an access agreement presents the preferred approach to achieving access to the Seadrift Beach.

In order to facilitate an agreement between the County of Marin, the Coastal Commission, and beachfront property owners, the County or Coastal Commission shall offer a settlement- agreement incorporating the following provisions to the above parties for a period of 18 months from the final certification of the Unit I LCP. These provisions establish the minimum standards necessary to assure public access to Seadrift, but are not intended to represent all of the proposed terms of the agreement in its final form. Minimum standards shall be interpreted to mean that the offered agreement may provide additional access along the beach and additional amenities within the Easement area but may not in any way diminish the public rights which would be established as a result of an agreement incorporating the following provisions.

- a. A grant to the County of Marin on behalf of the public by the agreeing property owners of a non-exclusive easement for access to and use of the

**C-PA-6 Acquisition and Location of New Public Coastal Accessways through Suitable Means.**

(See policy language above)

beach. This easement shall include the beach area between the ocean and a line 25 feet seaward of the toe of the Seadrift sand dunes, provided, however, that the easement shall not extend any closer than 100 feet to the rear building setback line on each ocean front lot. In addition to the above easement, the grant shall also include provision for a floating five-foot wide lateral access easement to be located landward for any wave run-up where such run-up extends further inland than the above easement. In no case, however, shall the five-foot floating easement extend inland beyond the rear building setback line or the toe of the dunes, whichever point is the farthest seaward.

In return for the grant, the agreement shall include an assurance by the state that the existence of public prescriptive rights over any portion of the property affected by the agreement will not be litigated further while the agreement is in effect.

- b. Use of the easement area shall be limited to low-intensity recreational activities, such as strolling, sunbathing, birding, picnicking, fishing, and general viewing. Structures, camping, group sports, fire, private recreational vehicles, and horses shall be prohibited in the easement areas. Use of the five-foot lateral access easement as described above shall be limited to strolling and viewing purposes only.
- c. The agreement shall become effective upon its signing by representatives of the Coastal Commission, the State Lands Commission, and the Attorney General on behalf of the State of California, and by no less than seventy-five (75) percent of the beachfront property owners.
- d. The Attorney General or District Attorney may pursue litigation to establish the existence of public prescriptive rights over the beach, should the agreement not become effective within 18 months from the final certification of the Unit I LCP. Should the agreement become effective, the Attorney General may pursue such litigation on lots which have not been made a party to the agreement.
- e. Nothing in this policy or the agreements or easements described shall be interpreted as affecting the right of the public to use any portion of the beach subject to the public trust.
- f. In the absence of an overall agreement providing access and use along the Seadrift beach, the County, as part of coastal permit review, shall require dedications of such access per the standards of the suggested agreement.

**Policy Status**

This policy as well as Unit I Location and Density of New Development Policy 33



(p. 80), have been superseded by the Seadrift settlement agreement adopted after the LCP was certified [see *LCPA Appendix 9*], and thus have not been carried forward to the LCPA. The acquisition of new public coastal accessways is addressed by LCPA Policy **C-PA-6**.

**Unit I**  
**Recreation and Visitor-Serving Facilities**

| Unit I - Existing Policy  | LCPA - Proposed Policy   |
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| <p><b><u>Policy 14, pg. 13</u></b></p> <p>Commercial facilities shall be channeled into the existing properties in Bolinas and Stinson Beach zoned for VCR and commercial uses. In order to maintain the established character of the village commercial areas-, a mixture of residential and commercial uses shall be permitted within the VCR zone. The principal permitted use of the VCR zone in the two village centers shall include commercial and residential uses, provided that new residential uses shall be permitted only if they are incidental to the commercial use. Exclusive residential uses shall also be permitted as a conditional use be a permitted use subject to coastal permit review; however, in no case shall such use be permitted on more than 25 percent of the lots that are now vacant in each community as of the certification date of LCP I (4-I-80). Replacement of any existing residential use destroyed by natural disaster shall be exempt from the above provision and shall be permitted. The development of motels and hotels in the VCR zone shall require a conditional use permit and is therefore not identified as a principal permitted use in that District.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PK-3</b>. Language specific to the <i>25% of the vacant lots in Bolinas and Stinson Beach</i> has been deleted. The policy language has been modified to require a Use Permit for residential uses on the ground floor of a new or existing structure on the road-facing side of the property.</p> | <p><b>C-PK-3 Mixed Uses in the Coastal Village Commercial/Residential Zone.</b> Continue to permit a mixture of residential and commercial uses in the C-VCR zoning district to maintain the established character of village commercial areas. Principal permitted use of the C-VCR zone shall include commercial and residential uses. Require a Use Permit for residential uses proposed on the ground floor of a new or existing structure on the road-facing side of the property. Replacement, maintenance and repair of any legal existing residential use shall be exempt from the above provision and shall be permitted.</p> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I Recreation and Visitor-Serving Facilities Policy 14, p. 13.]</i></p>   |
| <p><b><u>Policy 15, pg. 14</u></b></p> <p>The current Bed and Breakfast program Bolinas shall be continued, and the program shall be encouraged in the following manner:</p> <ol style="list-style-type: none"> <li>a. The County shall encourage the National Park Service and State Parks and Recreation Department to make available advertising space to those homeowners who wish to participate in the Bed and Breakfast program.</li> <li>b. The County shall encourage the Marin Coast Chamber of Commerce to make available advertising space to those homeowners who wish to participate in the Bed and Breakfast program.</li> </ol>   | <p><b>C-PK-6 Bed and Breakfast Inns.</b> Support bed and breakfast facilities in the Coastal Zone as a means of providing visitor accommodations, while minimizing their impacts on surrounding communities. Restrict the conversion of second units and affordable housing to bed and breakfast inns. In addition, support the location of bed and breakfast inns in areas that are easily and directly accessible from usual tourist travel routes and where there is adequate off-street parking for guests and where the problem of nearby residents being inconvenienced by noise and increased transient traffic is minimized. Bed and breakfast inns shall be permitted to host or provide facilities for gatherings, such as weddings, receptions, private parties, or retreats if located in the C-APZ, C-ARP or C-R-A. Each bed and breakfast inn must be operated by a householder who is the sole proprietor</p> |

**Policy Status**

The concept of this policy has been carried forward to LCPA Policy **C-PK-6**, which also draws language from Unit II Recreation and Visitor Serving Facilities Policy 3.h (p. 52).

of the enterprise and whose primary residence is on the premises where the inn accommodations are located.

(PC app. 9/19/11, 1/24/11)

*[Adapted from Unit I Recreation and Visitor-Serving Facilities Policy 15, p. 14, and Unit II Recreation and Visitor-Serving Facilities Policy 3.h, p. 52]*

| <b>Unit I<br/>State and Federal Parklands</b>   |   |
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| <b>Unit I - Existing Policy</b>   | <b>LCPA - Proposed Policy</b>   |
| <p><b><u>Policy 16, page 14</u></b><br/> <u>Role and Relationship of Federal Parklands to LCP Policies.</u> The extensive amount of federal parkland within the coastal zone of Unit I provides significant opportunities for development of coastal access, recreational facilities and visitor support services. Such development opportunities reduce the need to plan for and provide such facilities on the private lands within the coastal zone. The LCP assumes that a major proportion of the access and visitor service needs within Unit I would and can be successfully integrated into federal park development and management programs.</p> <p><b><u>Policy Status</u></b><br/> This policy has not been carried forward to the LCPA, since it does not provide any policy direction to guide decision-making bodies. However, language to encourage appropriate uses of federal parks and to guide development of state parks has been included in LCPA Policy C-PK-10 (p. 112).</p> | <p>n/a</p>  |
| <p><b><u>Policy 17, pg. 14</u></b><br/> <u>Mt. Tamalpais State Park and Lands.</u> The development of additional recreational and visitor services on those portions of the Mount Tamalpais State Park within the coastal zone, including hiking trails, equestrian trails, a "primitive" hostel at the Steep Ravine cabins and improved parking and support facilities at Red Rock are consistent with the LCP policies. Such facilities shall be similar in design, size and/or location as those proposed by the Mount Tamalpais State Park Plan. Consistent with the protection of significant resources, additional trail development to improve access to public tidelands is encouraged.</p> <p><b><u>Policy Status</u></b><br/> This policy was unintentionally left out of the LCPA (as of February 2012). Staff will propose that it be incorporated into LCPA Policy C-PK-11 (p. 113) during the LCPA review with the Board of Supervisors in Spring 2012.</p>                           | <p><b>C-PK-11 State Parks.</b> The State Department of Parks and Recreation has numerous holdings in the Coastal Zone, several of which have not been developed. Collectively, these holdings form Tomales Bay State Park and limited portions of Mount Tamalpais State Park. The Department has prepared a general Plan for both Tomales Bay State Park, which includes most of the state park lands in Marin County's Coastal Zone, as well as Mount Tamalpais State Park. Development within the state parks should be consistent with their adopted General Plans as described below.</p> <p><b>Mount Tamalpais State Park.</b> The development of additional recreational and visitor services on those portions of the Mount Tamalpais State park within the coastal zone, including hiking trails, equestrian trails, a "primitive" hostel at the Steep Ravine Cabins and improved parking and support facilities at Red Rock are consistent with the LCP policies. Such facilities shall be similar in design, size and/or location as those proposed by the Mount Tamalpais State Park Plan. Consistent with the protection of significant resources, additional trail development to improve access to public tidelands is encouraged.</p> <p><b>Tomales Bay State Park.</b> The Tomales Bay State Park General Plan states that it</p> |

“aims to preserve what works well now in the park and only recommends changes to park management, activities, and recreational and administrative facilities that can harmonize with the area’s sensitive values and support valuable visitor experiences of Tomales Bay and its surrounding landscape.” Support development at Tomales Bay State Park consistent with the adopted General Plan:

1. Focus and anchor east shore recreation at Marconi Cove and west shore recreation at Heart’s Desire area.
2. Manage the greater part of park areas for their habitat, watershed, and aesthetic values and for low-impact and low-density recreation opportunities such as trail use, nature observation, and picnicking.
3. Enhance trail connections with Point Reyes National Seashore in the Heart’s Desire and Inverness areas.
4. Improve recreational opportunities along the Highway One corridor where recent acquisitions present new opportunities.
5. Formalize small-scale camping opportunities in previously developed areas.
6. Provide watercraft and sailboard launching opportunities at Marconi Cove and provide hiking and mountain biking recreational opportunities at the proposed trail in the Millerton Uplands.
7. Use sustainable design in siting, construction, and maintenance of park facilities. Furthermore, the following guidelines shall be applied as standards for coastal project permit review for proposed development in the park:

**Heart’s Desire Area**

1. Preserve and enhance the forest structure and age classes of the Jepson Grove/Bishop pine forest and forest growth by improving *Pinus muricata* growth.
2. Continue to manage Heart’s Desire Beach as the only “drive-up” beach access in the park.
3. Preserve and enhance the Indian Beach estuary and protect its cultural

attributes including the midden site.

4. Restore the natural outlet of the estuary that was lost when the parking lot was built at Heart's Desire Beach in the 1960s.
5. Redesign and relocate picnic facilities to better blend with the natural environment and to provide a sense of seclusion where appropriate.
6. Adapt former hike-bike campground to a group campground.
7. Develop small walk-in campground (maximum of 15 sites) above the entrance station provided, however, that accommodation may be made for vehicles to provide any necessary disability access.
8. Encourage the Point Reyes National Seashore to extend its trail system to help complete the California Coastal Trail in two locations: connect the Indian Beach Trail to Marshall Beach Trail, and connect the Johnstone Trail to the Mount Vision Road and Inverness Ridge Trail.

**Inverness Area**

1. Manage these parcels as natural watershed, viewshed and wildlife habitat.
2. On the North Dream Farm property, consider developing a day-use trailhead, a self-guided nature trail loop, and an extension of the nature trail which would connect with the ridgetop trails of Point Reyes National Seashore.
3. Consider acquisitions from willing sellers, land exchanges, or land-use agreements to consolidate the park's three discontinuous Inverness Area parcels and make them more usable for public hiking both on the Tomales Bay side and to connect with trails in the Point Reyes National Seashore.
4. Encourage the State Department of Parks and Recreation to consider transferring to the Inverness Public Utility District the management or ownership of the three Assessors Parcels located around the District's watershed lands.

**Millerton Area**

1. Preserve and protect the Tomasini Point estuary area as habitat for native plants and animals.
2. Create a Millerton Uplands trail as part of a new segment of the California Coastal Trail.
3. Consider establishment of two trailheads to support the proposed Millerton Uplands trail—a southern trailhead near Millerton Point and a northern trailhead at Tomasini Point, including, if necessary for safety, a modest-sized and sensitively located and screened parking lot and restroom facilities on the east side of the highway near the

entrance to Sheep Ranch Road.

4. Encourage the State Department of Parks and Recreation to maintain existing agricultural operations on acquired lands on the east shore of Tomales Bay until such time as the lands are developed for recreational purposes.

**Marconi Cove Area**

1. Provide day-use picnicking and boating facilities, including boat launch ramp, at this former marina/campground site.
2. Provide environmental campsites which could accommodate, but would not be limited to, camping needs of bicyclists, boaters, and future hikers of the California Coastal Trail.
3. Consider adaptation of the bathhouse (potentially historic) along Highway One to use as staff or campground host housing or for another park use.
4. Provide parking facilities, park entrance, restrooms, landscaping, interpretive signage, pathways, fencing, lighting, and campground amenities such as fire rings, tables, and food lockers.
5. Retain natural values, especially where the property is narrowest, on the south end.
6. Ensure that development and operation of recreational facilities at Marconi Cove consider potential impacts to freshwater and baywater quality, wildlife, and to existing state water bottom leases utilized for commercial shellfish aquaculture.

**North Marshall Area**

1. Preserve the natural resources and open space character of this property and consider future potential for low-intensity public access and use.
2. Since this property is remote from the park's other holdings and has limited recreational potential, explore the environmental and operational benefits that may be available through land exchanges, memoranda of understandings, or other arrangements with interested organizational stakeholders to achieve common goals of protecting and managing the natural resources and open space of this area.

[BOS app. 12/11/2012]

(PC app. 11/7/11, 9/19/11, 2/8/10)

[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 2.b, p. 42]

**Unit I  
Stream Protection**

**Unit I - Existing Policy**

**LCPA - Proposed Policy**

**Policy I, pg. 19**

Stream impoundments and diversions shall be limited to necessary water supply projects, 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 developments where the primary function is the improvement of fish and wildlife habitat. Before any such activities are permitted, minimum flows necessary to maintain fish habitat and existing water quality, and to protect downstream resources (e.g. riparian vegetation, groundwater recharge areas, receiving waters, estuarine habitats, spawning areas) and other downstream users shall be determined by the Department of Fish and Game and the Division of Water Rights of the State Water Resources Control Board. New impoundments or diversions which, individually or cumulatively, would decrease streamflows below the minimum shall not be permitted.

**Policy Status**

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).

**C-BIO-24 Coastal Streams and Riparian Vegetation.**

1. Stream alterations. Limit channelizations, diversions, dams, or similar substantial alterations of coastal streams to the following purposes:
  - a. Necessary water supply projects where no other less environmentally damaging method of water supply is feasible;
  - 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
  - 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.

2. 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.
3. Conditions. 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.

[BOS app. 10/2/2012, 11/13/2012]

(PC app. 12/1/11, 1/24/11)



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|   | <p><i>[Adapted from Unit I Stream Protection Policies 1 and 2, p. 19, and Unit II Natural Resources Policy 3, p. 72]</i></p>   |
| <p><b><u>Policy 2, pg. 19</u></b></p> <p>The alteration of stream channels and banks shall be allowed only for the developments identified in Policy II-1 in order to protect streamwater quality and the volume and rate of streamflow. All such developments shall incorporate the best mitigation measures feasible, including erosion and runoff control measures and revegetation of disturbed areas with native species.</p> <p><b><u>Policy Status</u></b></p> <p>Language from this policy is carried forward to LCPA Policy <b>C-BIO-24</b>, which also draws language from Unit I Stream Protection Policy I (p. 19), and Unit II Natural Resources Policy 3 (p. 72).</p>                           | <p><b>C-BIO-24 Coastal Streams and Riparian Vegetation.</b></p> <p>(See policy language above)</p>   |
| <p><b><u>Policy 3, pg. 19</u></b></p> <p>A riparian protection area and a stream buffer area shall be established for all streams within Unit I. The riparian protection area shall include all existing riparian vegetation on both sides of the stream. The stream buffer area shall extend a minimum of 50 feet from the outer edge of the riparian vegetation, but in no case shall be less than 100 feet from the banks of the stream.</p> <p><b><u>Policy Status</u></b></p> <p>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-“TBD” Coastal Stream and Riparian Vegetation Buffers.</b></p> <p>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).</p> <p>[BOS app. 10/2/2012, 11/13/2012]<br/> [PC app. 12/1/11, 1/24/11]</p> <p><i>[Adapted from Unit I Stream Protection Policy 3, p. 19, and Unit II Natural Resources Policy 3, p. 72]</i></p> |
| <p><b><u>Policy 4, pg. 19</u></b></p> <p>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 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</p> | <p><b>C-BIO-24 Coastal Streams and Riparian Vegetation.</b></p> <p>(See policy language above)</p> <p><b>C-BIO-25 Stream Buffer Adjustments and Exceptions.</b></p> <ol style="list-style-type: none"> <li>1. A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and: <ol style="list-style-type: none"> <li>a. It is proposed on a legal lot of record located entirely within the buffer; or</li> </ol> </li> </ol>  |

found on the site.

**Policy Status**

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.”

- b. It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or
- c. 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.

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.
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:
  - 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 stormwater);
  - b. Elimination of on-site invasive species;
  - c. Increasing native vegetation cover (e.g., expand continuous riparian vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);
  - 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;
  - e. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);
  - f. Other measures that reduce overall similar site-related environmental impacts.
4. The buffer shall not be adjusted to a distance of less than 50 feet in width

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|  | <p>from the edge of the stream/riparian ESHA.<br/> [BOS app. 10/2/2012, 11/13/2012, 1/15/2013, 2/26/2013]<br/> (PC app. 2/13/12, 12/1/11, 6/28/10)<br/> <i>[Adapted from Unit 1 Stream Protection Policy 4, p. 19]</i></p> |
| <p><b><u>Policy 5, pg. 20</u></b><br/> <u>Pine Gulch Creek.</u> The USGS should install a stream gaging station as part of the Army Corps study of Lagoon to measure creek flow below the last significant stream diversion or at a location selected by the Department of Fish and Game, This station shall be monitored by the County Employee who patrols the Duxbury Reef/Bolinas Lagoon area.</p> <p><b><u>Policy Status</u></b><br/> Beginning in 1998, the National Parks Service has maintained a water monitoring station with gauges located down stream of Olema-Bolinas Road bridge to document low flow conditions. This effort has been undertaken to support the Pine Gulch Creek Watershed Enhancement Project that was proposed through the Coho Salmon and Steelhead Trout Restoration Project.</p> <p>The stream monitoring program implemented by the National Parks Service is consistent with the goals of this policy, although the actual government agency conducting the monitoring is not the USGS or Marin County. The National Parks Service has collaborated with the Department of Fish and Game, Marin County, and local property owners in conducting this water monitoring. Staff considers this policy to have been implemented and is not carried forward.</p> | <p>n/a</p>   |
| <p><b><u>Policy 6, pg. 20</u></b><br/> <u>Pine Gulch Creek.</u> The Department of Fish and Game should begin studies to empirically determine the instream flow requirements of Pine Gulch Creek necessary to maintain the steelhead and silver salmon resource. In the event no funding is available for this work, Coastal Conservancy funds should be sought.</p> <p><b><u>Policy Status</u></b><br/> Beginning in 1998, the National Parks Service has maintained water monitoring station with gauges located down stream of Olema-Bolinas Road bridge to document low flow conditions. This effort has been undertaken to support the Pine Gulch Creek Watershed Enhancement Project that was proposed through the Coho Salmon and Steelhead Trout Restoration Project, and has empirically determined the instream flow requirements for anadromous fish in Pine Gulch</p>  | <p>n/a</p>   |

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| <p>Creek.</p> <p>The stream monitoring program implemented by the National Parks Service is consistent with the goals of this policy, although the actual government agency conducting the monitoring is not the Department of Fish and Game. The National Parks Service has collaborated with the Department of Fish and Game, Marin County, and local property owners in conducting this water monitoring. Staff considers this policy to have been implemented and has not been carried forward.</p>  |            |
| <p><b><u>Policy 7, pg. 20</u></b></p> <p><u>Pine Gulch Creek.</u> The County, landowners within the Pine Gulch Creek watershed, and the Soil Conservation Service should undertake a joint study to recommend agricultural uses and practices which will protect the water quality of the creek and also Bolinas Lagoon. The report should be prepared by the Soil Conservation Service. This report should also recommend alternative methods of supply water to agricultural users in the event stream diversions must be halted to protect anadromous resources. The report shall be distributed to all landowners within the watershed. SCS will be contacted to undertake the study upon adoption of this LCP. Where necessary, the findings of the study should be incorporated into the LCP as amendments. Recommended restoration techniques appropriate to permit applications should be included as conditions of permit approval.</p> <p><b><u>Policy Status</u></b></p> <p>The Soil Conservation Service did not conduct this study and there were no amendments to the LCP to address this issue. However, as indicated above in the discussion under policies 5 and 6, the Pine Gulch Creek Enhancement Project has been undertaken to maintain minimum stream flows for anadromous fish. The principal scientist for the project was Brannen Ketchum, a biologist working for the National Parks Service, but it involves private landowners, the California Water Resources Board, the California Department of Fish and Game, and Marin County. The Pine Gulch Creek Enhancement Project is achieving the intended purpose of this policy. Staff considers this policy to have been implemented and is not carried forward.</p> <p>The Pine Gulch Creek Enhancement Project is predicated on the approach that farmers can normally withdraw water from Pine Gulch Creek during the wet season without reducing instream flows below the level needed by anadromous fish, while water withdrawals during the dry season could adversely affect fish habitat. Water withdrawals are governed by State law, and may require permits from the California Water Resources Board and the Department of Fish and Game, but do not require permits from Marin County. However, for a farmer to</p> | <p>n/a</p> |

develop water reservoirs large enough to store sufficient water from the wet season to irrigate crops during the dry season, a Coastal Permit would be required.

The Pine Gulch Creek Enhancement Project is a model of statewide importance because it effectively balances the water needs of both farmers and anadromous fish. Funding from the Coastal Conservancy is critical to the project's full implementation. Staff recommends a policy in the LCP amendment that would apply to all coastal stream courses that support anadromous fish which would encourage farmers to shift their water withdrawals from the dry season to the wet season, and support grant requests to the Coastal Conservancy for implementation.

**Policy 8, pg. 20**

Redwood Creek. The biotic resources of Redwood Creek shall be protected from intense development by the redesignation of the privately owned parcels along the Creek from 10,000 square feet lot size zoning to a 1 acre lot size zoning (See Policy IV-27).

**Policy Status:** The table below indicates information regarding the lots referred to in this policy, represented as Assessor's Parcels. As indicated, with the exception of lots zoned for exclusive open space uses and owned by the National Parks Service, subsequent to the adoption of the LCP all the lots were rezoned to have a 1-acre minimum lot size by Board of Supervisors Ordinance 2638. Staff considers this policy to have been implemented, and thus the policy language is not carried forward to the LCPA.

| APNs       | Zoning               | Minimum Size | Lot | Actual Lot Size                    | Ordinance No. |
|------------|----------------------|--------------|-----|------------------------------------|---------------|
| 199-150-30 | OA, C-OA (USA owned) | none         |     | 8,285,528 sq. ft.<br>190.2 acres   | 2292<br>2638  |
| 199-181-06 | C-RA-B4              | 1 acre       |     | 41,806 sq. ft.<br>0.9597 acre      | 2638          |
| 199-181-13 | C-RA-B4              | 1 acre       |     | 32,362.75 sq. ft.<br>0.743 acre    | 2638          |
| 199-181-14 | C-RA-B4              | 1 acre       |     | 9,039.87 sq. ft.                   | 2638          |
| 199-191-13 | C-RA-B4 (USA owned)  | 1 acre       |     | 260,676.54 sq. ft.<br>5.9843 acres | 2638          |
| 199-192-17 | C-RA-B4              | 1 acre       |     | 28,451.8 sq. ft.<br>0.653 acre     | 2638          |
| 199-192-18 | C-RA-B4              | 1 acre       |     | 22,294.7 sq. ft.<br>0.512 acre     | 2638          |
| 199-192-19 | C-RA-B4              | 1 acre       |     | 21,172.55 sq. ft.<br>0.486 acre    | 2638          |
| 199-192-20 | C-RA-B4              | 1 acre       |     | 18,723.3 sq. ft.<br>0.43 acre      | 2638          |

n/a

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| 199-192-21  | C-RA-B4             | 1 acre          | 47,302.47 sq. ft.<br>1.086 acres  | 2638         |     |
| 199-211-02  | C-RA-B4             | 1 acre          | 9,718.48 sq. ft.                  | 2638         |     |
| 199-213-05  | C-RA-B4 (USA owned) | 1 acre          | 71,292.66 sq. ft.<br>1.6366 acres | 2638         |     |
| 199-213-06  | C-ARP-60            | 1 unit/60 acres | 45,774.9 sq. ft.<br>1.0508 acres  | 2638         |     |
| 199-241-03  | C-OA (USA owned)    |                 | 923,884.55 sq. ft.<br>21.21 acre  | 2292<br>2638 |     |
| <p><b><u>Policy 9, pg. 20</u></b></p> <p><u>Redwood Creek.</u> The USGS should install a stream gaging station to measure creek flow below the last significant stream diversion at a location selected by the National Park Service and California Department of Fish and Game. This station should be monitored by the Park Service.</p> <p><b><u>Policy Status</u></b></p> <p>On May 13, 2008, the Board of Supervisors Certified the “Wetland and Creek Restoration at Big Lagoon, Muir Beach, Marin County EIR/EIS” prepared under the joint sponsorship of Marin County and the National Parks Service. The EIR/EIS contains a level of analysis that far exceeds the level of analysis encouraged in this policy with respect to Redwood Creek including the maintenance and monitoring of stream gauge stations. Staff considers this policy to have been implemented, and thus the policy language is not carried forward to the LCPA.</p>                       |                     |                 |                                   |              | n/a |
| <p><b><u>Policy 10, pg. 20</u></b></p> <p><u>Redwood Creek.</u> The Department of Fish and Game should begin studies to empirically determine the instream flow requirements of Redwood Creek necessary to maintain the steelhead and silver salmon resource. In the event no funding is available for this work, Coastal Conservancy funds shall be sought.</p> <p><b><u>Policy Status</u></b></p> <p>On May 13, 2008, the Board of Supervisors Certified the “Wetland and Creek Restoration at Big Lagoon, Muir Beach, Marin County EIR/EIS” prepared under the joint sponsorship of Marin County and the National Parks Service. The EIR/EIS contains a level of analysis that far exceeds the level of analysis encouraged in this policy with respect to Redwood Creek including the maintenance and monitoring of stream gauge stations. Staff considers this policy to have been implemented, and thus the policy language is not carried forward to the LCPA.</p> |                     |                 |                                   |              | n/a |
| <p><b><u>Policy 11, pg. 20</u></b></p>  |                     |                 |                                   |              |     |

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| <p><u>Redwood Creek</u>. The National Park Service should be encouraged to investigate the possibility of creating artificial pools through Muir Woods National Monument to increase the streams carrying capacity of one and two year old salmonids. This would increase the number of salmonids spawning within the boundaries of the National Monument, and provide a better opportunity for the public to view salmonid reproductive behavior.</p> <p><b><u>Policy Status</u></b></p> <p>Staff has contacted the Muir Woods National Monument to determine whether their staff has created artificial pools to improve stream habitat for salmonids. Park Service staff* has indicated that the NPS has focused restoration efforts for a number of years on improving the habitat in the creek for salmonids by no longer removing woody debris from the creek, and that the NPS has placed woody debris in the creek in at least five locations to encourage the natural dynamic and complexity of the stream channel. These activities have been undertaken in part to provide the public with a view of fish habitat that has been restored to its original state, to the degree possible. Staff considers this policy to have been implemented, and thus the policy language is not carried forward to the LCPA.</p> | <p>n/a</p> |
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| <b>Unit I<br/>Lagoon Protection</b>  |                               |
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| <b>Unit I - Existing Policy</b>  | <b>LCPA - Proposed Policy</b> |
| <p><b><u>Policy 12, pg. 25</u></b></p> <p>A single, coordinated resource management plan to guide the future use and activities in and around Bolinas Lagoon shall be developed with the involvement of the various public agencies that have specific legislative and regulatory responsibilities over different activities in and around the Lagoon. This plan would identify:</p> <ul style="list-style-type: none"> <li>• The level, type and location of recreational facilities and uses;</li> <li>• The level, type and location of commercial fishing and aquaculture activities;</li> <li>• The location and types of educational and scientific programs and facilities;</li> <li>• The legal and physical programs necessary to protect and enhance specific wildlife and marine resources and habitats; and</li> <li>• The management techniques, programs and responsibilities to successfully implement such a resource management plan.</li> </ul> <p>Such a joint agency/organization resource planning program shall be established within 12 months of final certification of the LCP. The County of Marin would seek Coastal Commission or Conservancy funding to establish this management program.</p> <p><b><u>Policy Status</u></b></p> <p>The majority of the area comprising the wetlands of Bolinas Lagoon are owned and managed by the Marin County Department of Parks and Open Space (which includes the Open Space District). Portions of Bolinas Lagoon are also owned by the National Parks Service, and a portion of Kent Island, which is in Bolinas Lagoon, is owned by Audubon Canyon Ranch. Bolinas Lagoon is included in the Gulf of the Farallones National Marine Sanctuary and is within the original jurisdiction of the Coastal Commission.</p> <p>In conformance with this policy, the Bolinas Lagoon Technical Advisory Committee was first established as a standing committee of the Parks, Open Space and Cultural Commission on February 21, 1974, and then reestablished as a Committee of the Board of Supervisors on May 6, 2008, and meets on a periodic basis to provide advice to Parks and Open Space staff regarding lagoon management decisions. The Technical Advisory Committee consists of thirteen representatives from public agencies and other stake holders, including the</p> | <p>n/a</p>                    |



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| <p>National Parks Service, the Army Corps of Engineers, Gulf of the Farallones National Marine Sanctuary, Audubon Canyon Ranch, PRBO Conservation Science, and others.</p> <p>Several planning and environmental review documents have been prepared subsequent to the original Bolinas Lagoon Plan of 1972. Among these are the Bolinas Lagoon Management Plan Update of 1996 and, most recently, the Bolinas Lagoon Ecosystem Restoration Project Recommendations for Restoration and Management, which was adopted by the Marin County Board of Supervisors (which also serves as the Open Space District Board) in August, 2008.</p> <p>The Bolinas Lagoon Management Plan update and the Lagoon Ecosystem Restoration Project Recommendations for Restoration and Management were developed with the input of a wide variety of public agencies, including the National Parks Service, the National Oceanic and Atmospheric Agency (NOAA), the Army Corp of Engineers, the California Department of Fish and Game, Audubon Canyon Ranch, PRBO Conservation Science, and others. These policy documents are based on substantial scientific study over the course of many years and contain management guidelines and recommend restoration priorities. These policies address the items listed in the policy. Staff considers this policy to have been implemented, and thus the policy language is not carried forward to the LCPA.</p> |            |
| <p><b><u>Policy 13, pg. 26</u></b></p> <p>Prior to the completion of the joint agency resource planning program described in Policy 11-12, above, the following policies shall apply:</p> <ul style="list-style-type: none"> <li>a. Except where modified below, the Bolinas Lagoon Plan's Policies are incorporated by reference as the LCP policies governing uses and development in and around the Lagoon.</li> <li>b. The diking, filling, dredging and other alterations of these wetlands shall occur only for minor public works projects and shall be in conformance with Coastal Act Section 30233. The construction of physical improvements along the Bolinas Lagoon parklands is not consistent with these Lagoon policies.</li> <li>c. Maintenance dredging of existing boating channels may occur prior to final recommendations of the present Army Corps of Engineers study. Additional alteration of these wetlands will be considered as an LCP amendment following review of this study's recommendations.</li> <li>d. Commercial extraction of marine species should be prohibited pending completion of adequate base studies and the management program. Recreational fishing activities should be monitored by the Department of Fish and Game to establish any necessary modifications in open areas or take</li> </ul>  | <p>n/a</p> |

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| <p>limits.</p> <p>e. The Lagoon's waters continue to experience significant pollution and degraded quality from past and present adjoining land use activities. The correction of those factors contributing to poor water quality shall continue. However, until tests substantiate conclusive improvements in water quality, the health, safety and welfare of the general public require continuation of existing health quarantine for the Lagoon.</p> <p>f. A five mile per hour speed limit will be established within the Lagoon in order to protect wildlife habitat from disturbances and to minimize conflicts between swimmers, fishermen, naturalists, boaters, and other lagoon users. An ordinance that, at the minimum, includes such a speed limit shall be presented to the State Coastal Commission for certification within 120 days of the adoption of the land use plan.</p> <p><b><u>Policy Status</u></b></p> <p>As indicated in the discussion above for Policy 12, joint agency management plans for Bolinas Lagoon have been developed, including the Bolinas Lagoon Management Plan Update and the Bolinas Lagoon Ecosystem Restoration Project Recommendations for Restoration and Management. Marin County Code section 11.32.030, Harbors and Waterways Bolinas Lagoon Nature Preserve, established a speed limit of 5 miles per hour in Bolinas Lagoon. Staff considers this policy to have been implemented, and thus the policy language is not carried forward to the LCPA.</p> |     |
| <p><b><u>Policy 14, pg. 26</u></b></p> <p>The use of toxic substances to control algae growth in any body of water which is discharged into a public waterway shall be subject to a discharge permit from the Regional Water Quality Control Board.</p> <p><b><u>Policy Status</u></b></p> <p>This policy simply describes a state agency's regulatory requirement, rather than stating an objective that could guide the actions of the County or State agencies. Therefore, this policy is not carried forward to the LCPA.</p>   | n/a |
| <p><b><u>Policy 15, pg. 26</u></b></p> <p>The possibility of a publicly-sponsored restoration project to eliminate all vacant lots along the north side of Calle del Arroyo through acquisition or the transfer of what limited development potential such parcels may have to another area is encouraged. The Coastal Conservancy, the Audubon Society and other potentially</p>   | n/a |

interested agencies or organizations should be advised of the importance of pursuing such a restoration project.

**Policy Status**

The area referred to in this policy is an area of deferred certification, frequently referred to as a “white hole” where the Coastal Commission maintains their original jurisdiction. As such, this policy was not incorporated into the “Development Requirements, standards, and conditions” indicated in Section 22.56.130I of the Interim Title 22 Zoning Ordinance. Pursuant to Ordinance 2638, these lots were excluded from the Coastal Zoning District designation. Coastal Permits for development in this area are reviewed and issued by the Coastal Commission rather than Marin County. Since this would continue to be an area of deferred certification, this policy is inapplicable and is not carried forward to the LCPA.

**Policy 16, pg. 27**

Pending implementation of a restoration project for the vacant lots along the north side of Calle del Arroyo, the area shall be redesignated as a "Resource Management Area" for a use or uses consistent with the maintenance of the marsh areas located both on and adjacent to the lots. The designation of the area as a "Resource Management Area" will recognize the severe development constraints affecting these properties due to their size and location in proximity to Bolinas Lagoon, and will thus assure conformity with Sections 30233 and 30240 (a) and (b) of the Coastal Act.

Permitted uses of the Resource Management Area shall include fishing, birdwatching, photography, nature study, and other similar scientific and recreational uses. In addition, other uses may be permitted by use permit which will assure that such uses are sited and designed to be of controlled intensity and location such that they will not adversely affect the adjacent marsh area. The use permit procedure shall also assure that the uses are compatible with the character of the adjacent community. Uses which may be permitted by use permit shall include: small boat and equipment storage, non-commercial private parking, apiaries, truck farming, (provided that the application of pesticides, herbicides and other toxic chemicals is prohibited), and other uses of similar type and intensity.

Existing dwellings shall be designated non-conforming uses but shall be allowed to rebuild if damaged or destroyed by natural disaster, provided however, that the floor area, height and bulk of the new structure shall not exceed that of the destroyed structure by more than 10 percent, and that the new structure is set back as far as feasible from the wetland area. Any proposed improvement to an existing home which results in more than a 10 percent increase in internal floor

n/a

area of the structure shall require a coastal permit in order to assure that such an improvement is sited and designed to minimize impacts on the adjacent marsh. Such improvements shall only be permitted if an acceptable wastewater system is provided in accordance with the applicable LCP policy, and if the improvements are located as far as feasible from the adjacent wetland area.

**Policy Status**

The area referred to in this policy is an area of deferred certification. As such, this policy was not incorporated into the “Development Requirements, standards, and conditions” indicated in Section 22.56.1301 of the Interim Title 22 Zoning Ordinance. Pursuant to Ordinance 2638, these lots were excluded from the Coastal Zoning District designation. Coastal Permits for development in this area are reviewed and issued by the Coastal Commission rather than Marin County.

Staff has conducted research into the lots affected by this policy, and provided summary information in the table below. This information was taken from the County’s GIS system layers that show orthophotographs, Assessor’s Parcel lines and numbers, ownership information, and the National Hydrographic Database. If physical structures are shown on the 2007 orthophotos, then the Assessor’s Parcel is indicated to be developed. Approximate measurements were taken from the edge of wetlands and streams to estimate apparent constraints, but this information has not been verified in the field. Therefore, in some instances it will be inaccurate. Staff believes that all of the Assessor’s Parcels listed are separate legal lots of record. All the properties are within Assessor’s Book 195.

| APN    | Ownership                | Zoning | Status      | Apparent Constraints            |
|--------|--------------------------|--------|-------------|---------------------------------|
| 132-31 | Beacock                  | C-H-1  | Undeveloped | All stream/ riparian buffer     |
| 132-30 | Harris                   | C-H-1  | Developed   | Partial stream/ riparian buffer |
| 132-29 | Harris                   | C-H-1  | Developed   | Partial stream/ riparian buffer |
| 132-28 | SB County Water District | C-H-1  | Developed   | Partial stream/ riparian buffer |
| 101-16 | Avella                   | C-H-1  | Undeveloped | Partial stream/ riparian buffer |
| 101-01 | Lanigan                  | R-1    | Developed   | Partial riparian buffer         |
| 101-02 | Lanigan                  | R-1    | Undeveloped | Partial riparian buffer         |
| 101-03 | Lanigan                  | R-1    | Undeveloped | Partial riparian buffer         |
| 101-04 | Lanigan                  | R-1    | Undeveloped | Partial riparian buffer         |
| 101-05 | Christesen               | R-1    | Developed   | Partial riparian buffer         |
| 101-06 | Gilman                   | R-1    | Developed   | Partial riparian buffer         |
| 101-07 | Lynch                    | R-1    | Developed   | Partial riparian buffer         |
| 101-18 | Roberts                  | R-1    | Developed   | Partial riparian buffer         |
| 101-10 | Brooke                   | R-1    | Developed   | Partial riparian buffer         |
| 101-11 | Streitfeld               | R-1    | Developed   | Partial riparian buffer         |
| 101-12 | Yuill-Thornton           | R-1    | Developed   | Partial riparian buffer         |

|   |                         |     |                           |                             |     |
|---|-------------------------|-----|---------------------------|-----------------------------|-----|
| 101-13  | Wood                    | R-1 | Developed                 | Partial riparian buffer     |     |
| 101-17  | Raymond                 | R-1 | Developed                 | Partial riparian buffer     |     |
| 101-05  | County of Marin         | R-1 | Undeveloped<br>Open Space | All wetland/ stream/ buffer |     |
| 061-01  | County of Marin         | R-1 | Undeveloped<br>Open Space | Partial wetland buffer      |     |
| 061-12  | County of Marin         | R-1 | Undeveloped<br>Open Space | Partial wetland buffer      |     |
| 061-13  | County of Marin         | R-1 | Undeveloped<br>Open Space | Partial wetland buffer      |     |
| 061-15  | County of Marin         | R-1 | Undeveloped<br>Open Space | Partial wetland buffer      |     |
| 061-16  | Shauf                   | R-1 | Developed                 | Partial wetland buffer      |     |
| 061-16  | Shauf                   | R-1 | Developed                 | Partial wetland buffer      |     |
| 061-17  | Shauf                   | R-1 | Developed                 | Partial wetland buffer      |     |
| 061-18  | Shauf                   | R-1 | Developed                 | All wetland buffer          |     |
| 061-22  | Audubon<br>Canyon Ranch | R-1 | Undeveloped               | Partial wetland buffer      |     |
| 061-21  | County of Marin         | R-1 | Undeveloped               | Partial wetland buffer      |     |
| 090-54  | Seadrift<br>Association | R-1 | Undeveloped               | Partial wetland buffer      |     |
| <p>As indicated in the table above, many of the Assessor's Parcels are developed, and all of them are potentially constrained by streams, riparian areas, wetlands and buffers. The LCPA policies that protect streams, riparian areas, wetlands and buffers would adequately protect these resources where they occur in this area. Further, much of this area has been purchased for permanent protection by the Marin County Department of Parks and Open Space or Audubon Canyon Ranch. Since this area would remain within the permitting jurisdiction of the Coastal Commission, this policy is inapplicable and is not carried forward to the LCPA.</p>  |                         |     |                           |                             |     |
| <p><b><u>Policy 17, pg. 27</u></b></p> <p>The eleven-acre Henry Wilkins property (Assessor Parcel Numbers 195290-13 and 24) is the only remaining hightide roost for shorebirds and water fowl in Bolinas Lagoon that is protected from significant disturbance, and is the only habitat adjacent to the lagoon for snipe (<i>Capella gallinago</i>), with a population of about 100 individuals. In addition, it is one of the few locations around the lagoon where there is a transition from salt marsh to freshwater marsh habitats and thereby adds to the total diversity of habitat areas around the lagoon. In order to protect the wetland and upland habitat values of the parcel, changes in existing grazing use of the site shall be preceded by detailed environmental investigation and shall assure protection of the habitat values of the site in accordance with other policies in the LCP. Public acquisition of the site is encouraged.</p> |                         |     |                           |                             | n/a |

**Policy Status**

This policy is related to the same issue that is addressed in Natural Resources policy 26 (need a correct reference), which also refers to upland bird habitat near Bolinas Lagoon. By tracing the history of this policy through previous documents, including a 1975 study conducted by the PRBO entitled “Aspects of the Ecology of Shorebirds on Bolinas Lagoon” and the subsequent Bolinas Community Plan, it is evident that the central concern regarding this property and the other properties located on the west shore of Bolinas Lagoon south of Pine Gulch Creek was structural development, rather than changing use between grazing and other forms of agriculture. Further, development in general is subject to Coastal Permit requirements, so it is not necessary to impose a different standard for this property then would be required for any other property that may have upland bird habitat near Bolinas Lagoon. Staff does not recommend incorporating this policy into the LCP amendment.

**Policy 18, pg. 28**

To the maximum extent feasible, a buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands 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. No uses other than those dependent upon the resources shall be allowed within the buffer strip.

**Policy Status**

This policy has been carried forward to policy **C-BIO-19**, which also draws language from Unit II Natural Resources Policy 4 (p. 74).

**C-BIO-19 Wetland Buffers.** Consistent with Policy C-BIO-3.I (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 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)

[Adapted from Unit I Lagoon Protection policy 18, p. 28, and Unit II Natural Resources Policy 4.d, p. 74]

**Unit I  
Natural Dune and Sandy Beach Protection**

| <b>Unit I - Existing Policy</b>  | <b>LCPA - Proposed Policy</b>  |
|--|--|
| <p><b><u>Policy 19, pg. 29</u></b></p> <p>In order to preserve the natural sand dune formation and sandy beach habitat, and to protect potential prescriptive rights over the dry sand areas west of the Patios, 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.</p> <p>The County shall continue to pursue a land trade between the lots seaward of Mira Vista and the street right-of-way as proposed in the Stinson Beach Community plan, in order to more clearly establish and define the boundaries between public and private beach areas.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-BIO-9</b>, which also draws language from Unit I Natural Dune and Sandy Beach Protection Policy 20 (p. 29).</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.</p> <p>[BOS app. 11/13/2012, 1/15/2013]</p> <p>(PC app. 12/1/11, 6/28/10)</p> <p><i>[Adapted from Unit I Natural Dune and Sandy Beach Protection Policies 19 and 20, p. 29]</i></p> |
| <p><b><u>Policy 20, pg. 29</u></b></p> <p>Development of other shorefront lots within the Stinson Beach and Seadrift areas shall assure preservation of the natural sand dune formations in order to protect environmentally sensitive dune habitat and vegetation and to maintain the natural protection from wave runup that such natural dunes provide. 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, to protect sandy beach habitat, and to provide a buffer area between private and public use areas in order 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><b><u>Policy Status</u></b></p>   | <p><b>C-BIO-9 Stinson Beach Dune and Beach Areas.</b></p> <p>(See policy language above)</p>   |

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| <p>This policy has been carried forward to LCPA Policy <b>C-BIO-9</b>, which also draws language from Unit I Natural Dune and Sandy Beach Protection Policy 19 (p. 29).</p>  |   |
| <p><b><u>Policy 21, pg. 30</u></b></p> <p>No additional subdivision of beachfront lots shall be permitted in recognition of the cumulative negative impacts such divisions would have on both public and private use of the beach, except if a finding is made that such a subdivision will be consistent with the above policy. Similarly, the erection of fences, signs, or other structures seaward of any existing or proposed development and the modification of any dune or sandy beach area shall not be permitted except as provided in Chapter III of the LCP in order to protect natural shoreline processes, the scenic and visual character of the beach, and the public and private use of dry sand areas in accordance with Section 30211 of the Coastal Act.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-CD-10</b>.</p> | <p><b>C-CD-10 Subdivision of Beachfront Lots.</b> No additional subdivision of beachfront lots shall be permitted in recognition of the cumulative negative impacts such divisions would have on both public and private use of the beach, except if a finding is made that such a subdivision will be consistent with the development of shoreline lots within the Stinson Beach and Seadrift areas in Biological Resources Policy C-BIO-9. Similarly, the erection of fences, signs, or other structures seaward of any existing or proposed development and the modification of any dune or sandy beach area shall not be permitted except as provided in the Environmental Hazards policies in order to protect natural shoreline processes, the scenic and visual character of the beach, and the public and private use of dry sand areas in accordance with Section 30211 of the Coastal Act.</p> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I Natural Dune and Sandy Beach Protection Policy 21, p. 30]</i></p> |



| <b>Unit I<br/>Habitat Protection</b>  |   |
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| <b>Unit I - Existing Policy</b>   | <b>LCPA - Proposed Policy</b>   |
| <p><b><u>Policy 22, pg. 34</u></b><br/>Butterfly trees and other trees or vegetation identified on the natural resource maps on file with the Marin County Planning Department, 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.</p> <p><b><u>Policy Status</u></b><br/>This policy has been carried forward to LCPA Policies <b>C-BIO-4</b> and <b>C-BIO-10</b>.</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 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).<br/>[BOS app. 10/2/2012]<br/>(PC app. 2/13/12, 1/23/12, 6/28/10)<br/><i>[Adapted from Unit I Habitat Protection Policy 22, p. 34, and Interim County Code Section 22.56.055]</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.<br/>[BOS app. 10/2/2012]<br/>(PC app. 12/1/11, 6/28/10)<br/><i>[Adapted from Unit I Habitat Protection Policy 22, p. 34]</i></p> |
| <p><b><u>Policy 23, pg. 34</u></b><br/>Development adjacent to wildlife nesting and roosting areas shall be set back a sufficient distance to minimize impacts on the habitat area. Such development activities shall be timed so that disturbance to nesting and breeding wildlife is minimized and shall, to the extent practical, use native vegetation for landscaping.</p> <p><b><u>Policy Status</u></b><br/>This policy has been carried forward to LCPA Policy <b>C-BIO-11</b>.</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.<br/>(PC app. 12/1/11, 6/28/10)<br/><i>[Adapted Unit I Habitat Protection Policy 23, p. 34]</i></p>  |
| <p><b><u>Policy 24, pg. 34</u></b><br/>Public access to these identified sensitive habitat areas, including the timing, intensity, and location of such access, shall be controlled to minimize disturbance</p>   | <p><b>C-BIO-1 Environmentally Sensitive Habitat Areas (ESHAs).</b></p> <ol style="list-style-type: none"> <li>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</li> </ol>  |

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| <p>to wildlife.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-BIO-I</b>, which also draws language from Unit I Habitat Protection Policy 25 (p. 34) and Unit II Natural Resources Policy 5 (p. 74).</p>  | <p>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]<br/> (PC app. 1/23/12, 12/1/11, 1/24/11)<br/> <i>[Adapted from Unit I Habitat Protection Policies 24 and 25, p. 34, and Unit II Natural Resources Policy 5, p. 74]</i></p> |
| <p><b>Policy 25, p. 34</b></p> <p>Fences, roads, and structures which significantly inhibit wildlife movement, particularly access to water, shall be avoided.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-BIO-I</b>, which also draws language from Unit I Habitat Protection Policy 25 (p. 34) and Unit II Natural Resources Policy 5 (p. 74).</p> | <p><b>C-BIO-I Environmentally Sensitive Habitat Areas (ESHAs).</b><br/> (See policy language above)</p>  |
| <p><b>Policy 26, p. 34</b></p> <p>Upland grassland feeding areas shall be protected against any significant disruption of habitat values.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Program <b>C-BIO-11.a</b>.</p>   | <p><b>Program C-BIO-11.a Grassy Uplands Surrounding Bolinas Lagoon.</b><br/> 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.<br/> [BOS app. 10/2/2012]<br/> (PC app. 12/1/11, 1/24/11)<br/> <i>[Adapted from Unit I Habitat Protection Policy 26, p. 34]</i></p>   |
| <p><b>Policy 27, pg. 34</b></p> <p>Use of Duxbury reef shall continue to be regulated in accordance with existing State laws. The area should continue to be patrolled by a representative of the County Parks and Recreation Department on a daily basis.</p>   | <p>n/a</p>   |

**Policy Status**

Marin County Park Rangers patrol and maintain the area adjacent to Duxbury Reef, including the Agate Beach Park parking lot, trail, and beach area. Park Rangers perform outreach and education activities to inform the public about existing regulations and protecting sensitive marine resources. Park Rangers patrol the Agate Beach Park area two times per week. Marin County Park Rangers do not have citation powers. Marin County Sheriff Officers have citation powers for activities under their authority. California Department of Fish and Game (DFG) is responsible for enforcing Fish and Game code

Duxbury Reef is presumably State Lands. The reef lies within the Gulf of the Farallones National Marine Sanctuary (GNFMS) Duxbury Reef is also part of the State's system of marine protected areas (MPA), the "Duxbury State Marine Park" (Duxbury SMP). GNFMS and the State, through the Duxbury SMP designation, manage the reef, ocean waters, near-shore environment, and adjacent areas to protect and conserve habitat, ecological processes, species diversity and abundance (including protected species and those of economic value), marine heritage, and to improve recreational, educational, and study opportunities. The State Water Resources Control Board (SWRCB) considers Duxbury Reef a "Critical Coastal Area", and identifies it as an "Area of Special Biological Significance" (ASBS). Therefore, multiple agencies at the County, State and Federal levels of government regulate and enforce protections at Duxbury Reef. Given the uncertainty of funding priorities for County patrols of the area, this policy is not carried forward to the LCPA. Decisions regarding patrols will be left to the Marin County Department of Parks and Open Space and to the other agencies that are responsible for protecting Duxbury Reef.

**Policy 28, pg. 34**

Invasive exotic plant species are proliferating in the 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.

**Policy Status**

This policy has been carried forward to LCPA Policy **C-BIO-6**.

**C-BIO-6 Invasive Plants.** 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)

[Adapted from Unit 1 Habitat Protection Policy 28, p. 34]

| <b>Unit I<br/>Agriculture</b>   |   |
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| <b>Unit I - Existing Policy</b>   | <b>LCPA - Proposed Policy</b>   |
| <p><b><u>Policy 29, pg. 35</u></b></p> <p>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:</p> <p style="padding-left: 40px;">188-090-02, 04, 05, 06, 09, 10, 11</p> <p style="padding-left: 40px;">188-120-09, 11, 15, 19</p> <p style="padding-left: 40px;">188-170-01, 06, 18, 56, 57</p> <p style="padding-left: 40px;">199-150-20, 21</p> <p><b><u>Policy Status</u></b></p> <p>This policy is no longer relevant and thus is not carried forward to the LCPA.</p>   | <p>n/a</p>  |
| <p><b><u>Policy 30, pg. 35</u></b></p> <p>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 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.</p> <p><b><u>Policy Status</u></b></p> <p>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-7 also draws language from Unit II Agriculture Policies 4 and 5 (pp. 98-99).</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]<br/>(PC app. 10/10/11, 1/24/11)</p> <p><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> |

**C-AG-7 Development Standards for the Agricultural Production Zone (C-APZ) Lands.**

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.

...

**B. Standards for Non-Agricultural Uses:**

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 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.

- I. 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.

...

*[Rest of policy not shown]*

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

*(PC app. 2/13/12, 1/24/11, 1/9/11)*

*[Adapted from Unit II Agriculture Policies 4 and 5, pp. 98-99. This policy also carries forward Unit I Agriculture Policy 30, p. 35.]*

**Unit I**  
**Shoreline Protection and Hazard Areas**

| <b>Unit I - Existing Policy</b>  | <b>LCPA - Proposed Policy</b>   |
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| <p><b><u>Policy 1, pg. 40</u></b></p> <p>New structure 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 sufficient distance to eliminate the need for shoreline protective works.</p> <p>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:</p> <p>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.</p> <p>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.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-EH-5</b>, which also draws language from Unit II New Development and Land Use Policy 5.b (p. 207).</p> | <p><b>C-EH-5 New Blufftop Development.</b> 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.</p> <p>(PC app. 12/1/11, 1/25/10)</p> <p><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><b><u>Policy 2, pg. 41</u></b></p> <p>Development shall continue to be required to meet the seismic safety standards of the Alquist-Priolo Act as it has been implemented by the County.</p> <p>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</p>  | <p><b>C-EH-4 Seismic Hazard Standards.</b> Require development to meet the seismic safety standards of the Alquist-Priolo Act (Calif. Public Resources Code Section 2621, et seq.).</p> <p>(PC app. 12/1/11, 5/26/09)</p> <p><i>[Adapted from Unit I Shoreline Protection and Hazard Policy 2, p. 41]</i></p>   |

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| <p>vicinity.</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-EH-4</b>.</p>  |  |
| <p><b>Policy 3, pg. 41</b></p> <p>The County shall seek public funds to contract with the State Division of Mines and Geology to initiate a study to identify 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.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to <b>Program C-EH-22.b</b>.</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.</p> <p>(PC app. 12/1/11, 1/24/11)</p> <p><i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 3, p. 41]</i></p>  |
| <p><b>Policy 4, pg. 41</b></p> <p>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 for short-term, emergency food, shelter, and said property owner prior to the issuance of a coastal development permit. Further, the County of Marin will not participate in emergency or disaster relief funding for properties so identified and would recommend such limitations on State and/or federal disaster/emergency grants and/or loans.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• Lands located in the "Alquist-Priolo" earthquake hazard zones, as said zones may be amended.</li> <li>• Development within 300 feet of the mean high tide of the sea.</li> <li>• Development on parcels with slopes averaging over 35 percent.</li> </ul> | <p><b>C-EH-2 Avoidance of Environmental Hazards.</b> 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)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 4, p. 41, and Unit II New Development and Land Use Policy 5.a, p. 207]</i></p> <p><b>C-EH-3 Applicant's Assumption of Risk.</b> 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.</p> |

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| <ul style="list-style-type: none"> <li>• All lots within the Seadrift sandspit to include the Patios, Calles and Seadrift Subdivision.</li> </ul> <p>(Those lands covered by this "geologic hazards" policy are shown on the geologic hazard maps on file in the Marin County Planning Department)</p> <p><b>Policy Status</b></p> <p>The concepts of this policy have been carried forward to <b>Policy C-EH-2</b> and <b>C-EH-3</b>, which also draw language from Unit II New Development and Land Use Policy 5.a (p. 207).</p>  | <p>(PC app. 12/1/11, 1/24/11)</p> <p><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><b>Policy 5, pg. 42</b></p> <p>The following policy from Section 30235 of the Coastal Act is incorporated into the County LCP:</p> <p>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.</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-EH-13</b>, which also draws language from Unit II Shoreline Structures Policies 1 and 2 (p. 132).</p> | <p><b>C-EH-13 Shoreline Protective Devices.</b> 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>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 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.</li> <li>7. The shoreline protective device will not restrict navigation, mariculture,</li> </ol> |



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|   | <p>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)</p> <p><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><b><u>Policy 6, pg. 42</u></b></p> <p>To minimize visual and sand transport impacts on Stinson Beach, any permit granted to construct erosion control structures shall require the re-establishment of the former dune contour and appearance. 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.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-EH-18</b>.</p>   | <p><b>C-EH-18 Re-Establishment of Dunes in Conjunction with Shoreline Protective Devices.</b> To minimize visual and sand transport impacts, 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.</p> <p>(PC app. 12/1/11, 5/26/09)</p> <p><i>[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 6, p. 42]</i></p>  |
| <p><b><u>Policy 7, pg. 42</u></b></p> <p>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.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-EH-20</b>, which draws language from Unit I Shoreline Protection and Hazard Areas Policy 8 (p. 42).</p> | <p><b>C-EH-20 Advance Planning for Emergency Shoreline Protection Needs.</b> 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.</p> <p>(PC app. 12/1/11, 5/26/09)</p> <p><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 Hazard Areas Policy 7, p. 42]</i></p>                        |
| <p><b><u>Policy 8, pg. 42</u></b></p>   | <p><b>C-EH-20 Advance Planning for Emergency Shoreline Protection</b></p>  |

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| <p>It shall be County policy to 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. 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.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-EH-20</b>, which also carries forward the concept from Unit I Shoreline Protection and Hazard Areas Policy 7 (p. 42).</p> | <p><b>Needs.</b></p> <p>(See policy language above)</p>  |
| <p><b><u>Policy 9, pg. 43</u></b></p> <p>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 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.</p> <p><b><u>Policy Status</u></b></p> <p>This policy language is more appropriate for the development code rather than the Land Use Plan. Therefore, this policy has been carried forward to Development Code Section <b>22.70.140.B.5</b>.</p>                                | <p><b>22.70.140 – Emergency Coastal Permits</b></p> <p>...</p> <p><b>B. Required information.</b> The applicant shall report to the Director the following information, either during or as soon after the emergency as possible:</p> <p>...</p> <p><b>5.</b> An application for an emergency shoreline protective device shall be accompanied by an engineering report as described in Development Code Sec. 22.64.060.A.4. If the applicant is unable to provide all such information due to the nature of the emergency, then the applicant shall provide at a minimum (a) a description of what measures, if any, were taken in advance in order to mitigate the hazard and (b) and analysis of alternatives, including the “no action” alternative.</p> <p><i>[Rest of section not shown]</i></p> |

| <b>Unit I<br/>Public Services</b>  |  |
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| <b>Unit I - Existing Policy</b>  | <b>LCPA - Proposed Policy</b>  |
| <b>General</b>   |  |
| <p><b><u>Policy 1, pg. 48</u></b><br/>Roads, flood control projects and utility service expansions shall be limited to the minimum necessary to serve development as identified by LCP land use policies. All such public works projects shall be reviewed under resource and visual policies of the LCP.</p> <p><b><u>Policy Status</u></b><br/>This policy has been carried forward to LCPA Policy <b>C-PFS-2</b>.</p>   | <p><b>C-PFS-2 Expansion of Public Services.</b> Limit new or expanded roads, flood control projects, utility services, and other public service facilities, whether publicly owned or not, to the minimum necessary to adequately serve development as identified by LCP land use policies, including existing development. Take into account existing and probable future availability of other public services so that expansion does not accommodate growth which cannot be handled by other public service facilities. All such public service projects shall be subject to the LCP.</p> <p>(PC app. 11/7/11, 9/19/11, 7/29/10)<br/><i>[Adapted from Unit I Public Services Policy 1, p. 48]</i></p>                             |
| <p><b><u>Policy 2, pg. 48</u></b><br/>Because of the unique, natural resources and recreational opportunities of the Unit I coastal zone, industrial and energy facilities are not appropriate and shall not be permitted.</p> <p><b><u>Policy Status</u></b><br/>The concept of this policy has been carried forward to LCPA Policy <b>C-EN-6</b>, which also carries forward the language of Unit II New Development and Land Use Policy 7 (p. 209) verbatim.</p>  | <p><b>C-EN-6 Energy and Industrial Development.</b> The Coastal Zone contains unique natural resources and recreational opportunities of nationwide significance. Because of these priceless resources and the very significant adverse impacts which would result if major energy or industrial development were to occur, such development, both on and offshore, is not appropriate and shall not be permitted. The development of alternative energy sources such as solar or wind energy shall be exempted from this policy.</p> <p>(PC app. 1/9/11, 11/7/11)<br/><i>[Continued from LCP Unit II New Development and Land Use Policy 7, p.209. This policy also carries forward Unit I Public Services Policy 2, p. 48]</i></p> |
| <b>Water Supply</b>  |  |
| <p><b><u>Policy 3, pg. 48</u></b><br/>Within the service area of a community or mutual system the use of individual domestic water wells to serve new construction shall be permitted provided: a) the community or mutual system is unable or unwilling to provide service, or, b) the distribution system improvements are physically and/or economically unfeasible to construct to the site. Additionally, wells or water sources shall be at least 100 feet from property lines or, a finding shall be made that no development constraints are placed on neighboring properties.</p> | <p><b>C-PFS-14 Adequacy of Water Supply Within Water System Service Areas.</b> Ensure that new development within a water system service area is served with adequate, safe water supplies. Prohibit development of individual domestic water wells or other individual water sources to serve new development, including land divisions, on lots in areas served or within the boundaries of a public or private water system, with the following exceptions:</p> <ol style="list-style-type: none"> <li>1. For agricultural or horticultural use if allowed by the water system operators;</li> <li>2. The community or mutual water system is unable or unwilling to provide</li> </ol>   |

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| <p><b>Policy Status</b></p> <p>This policy has been carried forward to <b>Policy C-PFS-14</b>, which also draws language from Unit II Public Services Policy 2.a (p. 187).</p>  | <p>service; or,</p> <ol style="list-style-type: none"> <li>3. Extension of physical distribution improvements to the project site is economically or physically infeasible.</li> </ol> <p>The exceptions specified in 1, 2, or 3 shall not be granted because of a water shortage that is caused by periodic drought. Additionally, wells or water sources shall be at least 100 feet from property lines, or a finding shall be made that no development constraints are placed on neighboring properties</p> <p>(PC app. 9/19/11, 1/24/11)</p> <p><i>[Adapted from LCP Unit I Public Services Policy 3, p. 48, and Unit II Public Services Policy 2.a, p. 187]</i></p>  |
| <p><b>Policy 4, pg. 48</b></p> <p>New community and mutual water wells serving five or more parcels shall demonstrate by professional engineering studies, including, as necessary, long-term monitoring programs, that such groundwater withdrawal will not adversely affect coastal resources, including groundwater aquifers. Such engineering studies shall provide the basis of establishing safe sustained yields from these wells.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PFS-13</b>, which also draws language from Unit II Public Services Policies 2.a (p. 187) and 2.e.3 (p. 189).</p>  | <p><b>C-PFS-13 New Water Sources Serving Five or More Parcels.</b> Professional engineering or other studies are required for coastal permit applications for new water wells or other sources serving 5 or more parcels. These studies must demonstrate that such groundwater or stream withdrawals will not have adverse direct or cumulative impacts on coastal resources, including groundwater basins, aquifers, and streams, and shall include as necessary, long-term monitoring programs, in-stream flow studies, or hydrologic studies. Such studies shall provide the basis for establishing safe sustained yields from these sources. Wells or water sources shall be at least 100 feet from property lines, or a finding shall be made that no development constraints are placed on neighboring properties.</p> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I Public Services Policy 4, p. 48, and Unit II Public Services Policies 2.a and 2.e (3), pp. 187-189]</i></p> |
| <p><b>Policy 5, pg. 48</b></p> <p>Prior to the authorization of subdivision or construction of projects utilizing individual water wells, the applicant shall demonstrate that a sustained water yield of at least 1.5 gallons per minute per residential unit. Additional requirements for fire protection, including increased yield rates, water storage facilities and fire hydrants shall be installed as recommended by the applicable fire protection agency.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PFS-16</b>, which also draws language from Unit II Public Services Policies 2.a (p. 187) and 2.e.2 (p. 189), and Section 22.56.1301.A of the Interim Title 22 Zoning Code.</p> | <p><b>C-PFS-16 Standards for Water Supply Wells and Other Water Sources.</b></p> <ol style="list-style-type: none"> <li>1. In areas where individual water wells or other individual domestic water sources are permitted, require on-site tests that demonstrate a sustained pumping rate, or equivalent, of 1.5 gpm for each residential unit or subdivided parcel. Higher yields, storage and other facilities may be required for fire protection purposes, as recommended by the appropriate fire protection agency.</li> <li>2. Require that well or water sources shall be at least 100 feet from property lines, unless a finding is made that no development constraints are placed on neighboring properties.</li> <li>3. Allow a well only where a finding is made that it will not have adverse direct or cumulative impacts on coastal resources.</li> </ol>   |

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|  | <p>4. Within the Inverness Planning Area, allow no individual wells on parcels less than 2.8 acres in size, unless a specific exception is granted based on findings required by the coastal permitting chapter of the Development Code and on a demonstration to the satisfaction of the Health Officer that a well can be developed on the substandard size parcel in a completely safe and sanitary manner.</p> <p>5. Within the Inverness Public Utility District (IPUD), permit no individual wells for domestic use in the same watershed, at an elevation higher than the IPUD surface water sources existing as of June 14, 1983.</p> <p>(PC app. 2/13/12, 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I Public Services Policy 5, p. 48, and Unit II Public Services Policies 2.a and 2.e(2), pp. 187-189; and Interim County Code Section 22.56.130.A]</i></p>            |
| <p><b><u>Policy 6, pg. 48</u></b></p> <p>In acting on any coastal project permit for expansion of the water facilities of the Bolinas Public Utility District, the County shall determine that adequate water is guaranteed from the expanded facilities to serve VCR-zoned property in the village core.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PFS-4</b>, which also draws language from Unit I Public Services Policy 12 (p. 49).</p>   | <p><b>C-PFS-4 High-Priority Visitor-Serving Land Uses.</b> In acting on any coastal project permit for the extension or enlargement of community water or community sewage treatment facilities, determine that adequate treatment capacity is available and reserved in the system to serve VCR- and RCR-zoned property and other visitor-serving uses.</p> <p>(PC app. 11/7/11, 7/29/10)</p> <p><i>[Adapted from Unit I Public Services Policies 6 and 12, pp. 48-49]</i></p>  |
| <b>Septic System Standards</b>   |  |
| <p><b><u>Policy 7, pg. 48</u></b></p> <p>All septic systems within the Coastal Zone shall conform with the Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems adopted by the Regional Water Quality Control Board on April 17, 1979. No waivers shall be permitted except where a public entity has formally assumed responsibility for inspecting, monitoring and enforcing the maintenance of the system in accordance with criteria adopted by the Regional Water Quality Control Board, or where such waivers have otherwise been reviewed and approved under standards established by the Regional Water Quality Control Board.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policies <b>C-PFS-8</b></p> | <p><b>C-PFS-8 Sewage Disposal Systems Requirements for New Lots.</b> Require all sewage disposal systems on newly created lots to comply in all respects, without variance, with applicable County and state septic system regulations.</p> <p>(PC app. 9/19/11, 1/24/11)</p> <p><i>[Adapted from Unit I Public Services Policies 7 and 9, pp. 48-49, Unit II Public Services Policy 3.a, p. 189, and County Regulations Section 301]</i></p> <p><b>C-PFS-10 Adequate On-Site Sewage Disposal Systems for Existing Development.</b> Ensure that existing on-site sewage disposal systems function properly by complying with all rules and regulations of the Regional Water Quality Control Board, including any requirements adopted pursuant to AB 885. Where repairs to existing systems are necessary, take corrective action in the following priority order as appropriate:</p> |

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| <p>and <b>C-PFS-10</b>. LCPA Policy C-PFS-8 also carries forward the concept of Unit I Public Services Policy 9 (p. 49) and Unit II Public Services Policy 3.a (p. 189).</p>   | <ol style="list-style-type: none"> <li>1. Require connection to a public sewer, if the property is within 400 feet of a public sewer main and it is physically and legally possible to connect to such main; or</li> <li>2. Require system repair using a standard drainfield; or</li> <li>3. Require construction of an alternative or innovative system.</li> </ol> <p>(PC app. 9/19/11, 7/29/10)<br/> <i>[Adapted from Unit I Public Services Policy 7, p. 48, and County Regulations Section 304]</i></p>   |
| <p><b><u>Policy 8, pg. 49</u></b></p> <p>Alternate waste disposal systems shall be approved only where a public entity has formally assumed responsibility for inspecting, monitoring and enforcing the maintenance of the system in accordance with criteria adopted by the Regional Water Quality Control Board.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-PFS-11</b>, which also draws language from County Regulations Sections 801, 802, and 803.</p> | <p><b>C-PFS-11 Alternative On-Site Sewage Disposal Systems.</b> Approve alternative on-site sewage disposal systems where the County Health Officer or designee determines that (a) sewage cannot be disposed of in a sanitary manner by a standard septic system, or (b) that an alternative system will protect the public health in a manner equal to or better than a standard system.</p> <p>Approval of an alternative system shall require, at a minimum:</p> <ol style="list-style-type: none"> <li>1. Design plans signed by a professional who is knowledgeable and experienced in the field of onsite sewage disposal;</li> <li>2. Submittal of a site-specific contingency plan which shall outline specific actions to be taken to repair, expand, or replace the system, should it fail to operate as planned;</li> <li>3. Operation, maintenance, and monitoring instructions for the system owner; and</li> <li>4. A written statement granting permission to the Health Officer to access the property to periodically assess system functioning.</li> </ol> <p>In addition to a construction permit, an operating permit shall be required for all alternative systems. The operating permit shall be renewed annually or as otherwise specified by the Health Officer. The Health Officer has discretion to exempt from the operating permit requirement alternative systems installed solely for repair of existing systems.</p> <p>(PC app. 9/19/11, 1/24/11)<br/> <i>[Adapted from Unit I Public Services Policy 8, p. 49, Unit II Public Services Policy 3.a, p. 189, and County Regulations Sections 801, 802, and 803]</i></p> |
| <p><b><u>Policy 9, pg. 49</u></b></p> <p>Where a Coastal Development permit is necessary for any enlargement or change in type or intensity in use of an existing structure, a septic system that is adequate to conform to current Regional Water Quality Control Board Guidelines or such other program and standards approved by the Board shall be installed.</p>  | <p><b>C-PFS-7 Adequately Sized Sewage Disposal Systems.</b> Require new and expanded sewage disposal systems to be sized adequately to meet the needs of proposed development, including any changes in type or intensity in use of an existing structure.</p> <p>(PC app. 9/19/11, 7/29/10)</p>  |

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| <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PFS-7</b>.</p>  | <p><i>[Adapted from Unit I Public Services Policy 9, p. 49]</i></p>  |
| <p><b><u>Policy 10, pg. 49</u></b></p> <p>In order to minimize the generation of wastewater and to encourage the conservation of Coastal water resources, the use of water saving devices shall be required in all new developments.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PFS-17</b>.</p>  | <p><b>C-PFS-17 Conservation of Water.</b> To minimize generation of wastewater and encourage conservation of Coastal water resources, require use of water saving devices as prescribed by the local water provider in all new developments.<br/>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I Public Services Policy 10, p. 49]</i></p>   |
| <p><b><u>Policy 11, pg. 49</u></b></p> <p>The existing water quality monitoring agreement between the North Central Coast Regional Commission, the Stinson Beach County Water District, and the Regional Water Quality Control Board, and conducted by the Water District, shall be continued.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Program <b>C-PFS-10.a</b>, which also draws language from Unit I Location and Density of New Development Policy 34 (p. 81).</p>          | <p><b>Program C-PFS-10.a Continue Stinson Beach Water Quality Monitoring Program.</b> Support the existing water quality monitoring program conducted by the Stinson Beach County Water District, consistent with the agreement with the Regional Water Quality Control Board.<br/>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I Public Services Policy 11, p. 49, and Unit I Location and Density of New Development Policy 34, p. 81]</i></p>                  |
| <p><b>Bolinas Sewage Disposal System</b></p>   |  |
| <p><b><u>Policy 12, pg. 49</u></b></p> <p>In acting on any coastal project permit for the extension or enlargement of the sewer treatment facilities of the Bolinas Public Utility District, the County shall determine that adequate treatment capacity is available in the system to serve VCR-zoned property in the village core.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PFS-4</b>, which also draws language from Unit I Public Services Policy 6 (p. 48).</p> | <p><b>C-PFS-4 High-Priority Visitor-Serving Land Uses.</b> In acting on any coastal project permit for the extension or enlargement of community water or community sewage treatment facilities, determine that adequate treatment capacity is available and reserved in the system to serve VCR- and RCR-zoned property and other visitor-serving uses.<br/>(PC app. 11/7/11, 7/29/10)</p> <p><i>[Adapted from Unit I Public Services Policies 6 and 12, pp. 48-49]</i></p> |
| <p><b>Transportation</b></p>   |  |

**Policy 13, pg. 49**

Highway 1 provides an important and limited access route to the coastal zone. The narrow, twisting two-lane roadway successfully complements the rugged, open character of this coastal area. Highway 1 shall remain a scenic, two-lane roadway. Roadway improvement projects shall not, either individually or cumulatively distract from the rural scenic characteristics of the present roadway. Improvements (beyond repair and maintenance) shall be limited to minor roadway improvements as identified below:

- Slope stabilization, drainage control and minor safety improvements such as guardrail placement, signing, etc.
- Expansion of roadway shoulder paving to accommodate bicycle/ pedestrian traffic along the highway shoulder.
- Creation of slow traffic and vista turnouts, as a safety and convenience improvement.

Other minor selected roadway improvements necessary to adequately accommodate public transit consistent with the goals of the following policy: no filling of streams or wetlands shall be permitted.

**Policy Status**

This policy has been carried forward to LCPA Policy **C-TR-2**, which also draws language from Unit II Public Services Policy 4.a (p. 191).

**C-TR-2 Scenic Quality of Highway One.** Ensure that Highway One shall remain a scenic two-lane roadway throughout Marin's Coastal Zone. Maintain the existing narrow, twisty two-lane roadway that successfully complements the rugged, open character unique to the coastal area from the southern boundary of Marin's Coastal Zone northward to the Bolinas Lagoon. Ensure that improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway throughout the Coastal Zone and shall be limited to improvements necessary for the continued use of the highway: slope stabilization, drainage control, and minor safety improvements such as guardrail placement, signing, etc.; expansion of shoulder paving to accommodate bicycle or pedestrian traffic; creation of slow traffic and vista turn-outs, as a safety and convenience improvement; and other minor improvements necessary to adequately accommodate public transit. Avoid incursions and other adverse impacts in ESHAs and their buffers. These improvements shall limit the site alterations to the minimum amount necessary to carry out the project and minimize environmental impacts.

[BOS app. 12/11/2012]

(PC app. 2/13/12, 9/19/11, 4/27/09)

[Adapted from Unit I Public Services Policy 13, p. 49, and Unit II Public Services Policy 4.a, p. 191]

**Policy 14, pg. 49**

Public transit service to and through Unit I is presently limited to commuter services and selected recreational service routes. The expansion of public and recreational areas and facilities in Unit I will accelerate the need to increase opportunities in providing public access to the coastal areas of Marin. The development of such programs shall rely extensively on public transit as the most appropriate and consistent method of increasing public access and recreational opportunities in Unit I. The development of new transit service routes and associated loading and turn areas is consistent with the policy to utilize public transit in meeting the increased use of coastal access and recreational areas.

**Policy Status**

The concept from this policy to support and provide adequate and affordable public transportation to the coastal zone has been carried forward to LCPA Policies **C-TR-10** and **C-TR-11**, and LCPA Program **C-TR-10.a**, which also draw

**C-TR-10 Adequate and Affordable Public Transportation.** Provide efficient, affordable public transportation service in and to the Coastal Zone and support expansion of alternative modes of transportation.

(PC app. 9/19/11, 4/27/09)

[Adapted from Unit I Public Services Policy 14, p. 49, Unit II Public Services Policy 4.c, p. 191, and CWP Goal TR-3, p. 3-162]

**Program C-TR-10.a Encourage Additional Transit Service.** Encourage programs, such as the development of new transit service routes and associated loading and turning areas, parking management and enforcement, and other programs as listed below, consistent with the goal of utilizing public transit to meet current and future increased use of coastal access and recreational areas. Develop stable funding streams for such programs, potentially including congestion or parking fees, in cooperation with appropriate county, regional, state and federal agencies.



concepts from Unit II Public Services Policy 4 (p. 191).

1. Support continuation and expansion of Marin Transit's Stagecoach service to West Marin;
2. Seek installation of transit waiting shelters as appropriate;
3. Post transit schedules at transit stops; and
4. Consider utilizing the principle of "flag stops" to receive or discharge transit patrons along the transit route as a further inducement to transit patronage.

[BOS app. 2/26/2013]

(PC app. 11/7/11, 4/27/09)

*[Adapted from Unit I Public Services Policy 14, p. 49, and Unit II Public Services Policy 4.c, p. 192]*

**C-TR-11 Reduction of Visitor Traffic Congestion in West Marin.** Consult with Caltrans, local, state, and federal parkland agencies, and local communities to provide alternatives to private automobile travel to recreational areas in the Coastal Zone.

(PC app. 9/19/11, 4/27/09)

*[Adapted from Unit I Public Services Policy 14, p. 49, Unit II Public Services Policy 4.c, p. 191, and CWP Policy TR-3.6, p. 3-163]*

| Unit I<br>New Development and Land Use   |  |
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| Unit I - Existing Policy   | LCPA - Proposed Policy   |
| <b>Historic Resources</b>  |  |
| <p><b><u>Policy 15, pg. 64</u></b></p> <p>In order to protect the unique qualities and character of coastal communities in the Unit I coastal zone, historic structures shall be preserved and restored. The following means shall be used to protect and preserve historic structures:</p> <ol style="list-style-type: none"> <li>a. “Historic areas” shall be established in Stinson Beach and Bolinas. The boundaries of these areas are described and mapped in Appendix F of the Unit I LCP. Within these historic area boundaries, all new construction shall conform in scale, design, materials and texture with the surrounding community character.</li> <li>b. Alterations and Additions. Alterations or additions to any structure built prior to 1930 shall require a coastal project permit; except that, maintenance or repair to restore any pre-1930 structure to its original architectural character shall be exempt from the requirement of a coastal permit. Alterations or additions to any pre-1930 structure shall retain the scale and original architectural features of the structure, especially for the front facade.</li> <li>c. Demolitions. Demolition of any structure built prior to 1930 shall require a Coastal Project Permit; except that, demolition of any secondary or agricultural building built prior to 1930, may be exempted from the requirement for a coastal permit upon a finding by the Planning Director or appropriate hearing body that such structure is not a significant historic resource. Issuance of a Coastal Project Permit for the demolition of any pre-1930 structure may be delayed for a period not to exceed six months. During this period, the property owner or local historic group or society may attempt to find a purchaser or alternate location for the structure. This six month period may be waived by the Planning Director or appropriate hearing body upon a finding that the structure is not historically significant or cannot be rehabilitated.</li> </ol> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policies <b>C-HAR-4</b>, <b>C-HAR-6</b>, <b>C-HAR-7</b>, and <b>C-HAR-8</b>, which also draw language from Unit II New Development and Land Use Policy I (p. 206).</p> | <p><b>C-HAR-4 Structures of Special Character and Visitor Appeal.</b> Preserve and restore structures with special character and visitor appeal in coastal communities.<br/>(PC app. 9/19/11, 2/8/10)<br/><i>[Adapted from Unit I New Development and Land Use Policy 15, p. 64, and Unit II New Development and Land Use Policy 1.a, p. 206]</i></p> <p><b>C-HAR-6 Alterations and Additions to Structures of Special Character and Visitor Appeal.</b> Require a coastal permit for substantial alterations or additions to any structure built prior to 1930 that would otherwise be exempt from a coastal permit, except for (a) maintenance or repair to any pre-1930's structure consistent with its original architectural character and (b) maintenance or repair that includes replacement-in-kind of building components. Alterations or additions to any pre-1930's structure shall retain the scale and original architectural character of the structure, especially for the front facade.<br/>(PC app. 9/19/11, 2/8/10)<br/><i>[Adapted from Unit I New Development and Land Use Policy 15.b, p. 64, and Unit II New Development and Land Use Policy 1.a(2), p. 206]</i></p> <p><b>C-HAR-7 Proposed Demolition of Structures of Special Character and Visitor Appeal.</b> Review the proposed demolition of any structure built prior to 1930 for its impacts on community character, except that demolition of any secondary or agricultural building built prior to 1930 may be exempted from this requirement upon a finding by the Planning Director or appropriate hearing body that such structure is not a significant resource. Issuance of a coastal project permit for the demolition of any pre-1930 structure may provide for such demolition to be delayed for a period not to exceed six months. During this period, the property owner or local historic group or society may attempt to find a purchaser or alternate location for the structure. This six month period may be waived by the Planning Director or appropriate hearing body upon a finding that the structure is not significant to community character or to visitor appeal or</p> |

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|   | <p>cannot be rehabilitated.<br/> (PC app. 9/19/11, 2/8/10)<br/> <i>[Adapted from Unit I New Development and Land Use Policy 15.c, p. 64, and Unit II New Development and Land Use Policy 1.a.(3), p. 206]</i></p> <p><b>C-HAR-8 Village Areas with Special Character and Visitor Appeal.</b><br/> Ensure that all new construction conforms in scale, design, materials and texture with surrounding community character within areas having special character and visitor appeal including mapped historic areas in Stinson Beach, Bolinas, Tomales, Marshall, Point Reyes Station, Olema, and Inverness.<br/> (PC app. 9/19/11, 2/8/10)<br/> <i>[Adapted from Unit I New Development and Land Use Policy 15.a, p. 64, and Unit II New Development and Land Use Policy 1.a.(1), p. 206]</i></p>                                      |
| <p><b><u>Policy 16, pg. 64</u></b><br/> All Coastal Project Permits for projects located within the boundaries of an historic area, and for projects involving pre-1930 buildings, shall be reviewed in accordance with:</p> <ol style="list-style-type: none"> <li>a. The “design Guidelines For Construction in Historic Areas and For Pre-1930 Structures” and,</li> <li>b. The “Historic Review Checklist,” both located in Appendix F of the Unit I LCP.</li> </ol> <p><b><u>Policy Status</u></b><br/> This policy has been carried forward to LCPA Policy <b>C-HAR-5</b>, which also draws language from Unit II New Development and Land Use Policy 1.b (p. 206).</p> | <p><b>C-HAR-5 Proposed Development that Affects Areas and Structures of Special Character and Visitor Appeal.</b> Review all coastal permits for projects that (1) are located within the boundaries of those areas designated as having special character and visitor appeal, including historic areas, and (2) involve pre-1930 buildings to conform to:</p> <ol style="list-style-type: none"> <li>1. "Design Guidelines for Construction in Areas of Special Character and Visitor Appeal and for pre-1930 Structures" and,</li> <li>2. "Coastal Village Community Character Review Checklist", both located in the Appendix of the LCP.</li> </ol> <p>(PC app. 9/19/11, 2/8/10)<br/> <i>[Adapted from Unit I New Development and Land Use Policy 16, p. 64, and Unit II New Development and Land Use Policy 1.b, p. 206]</i></p> |
| <p><b><u>Policy 17, pg. 64</u></b><br/> All Coastal Project Permits for historic structures shall be revised by established local planning or design review groups, where these groups exist.</p> <p><b><u>Policy Status</u></b><br/> The concept of this policy has been carried forward to LCPA Policy <b>C-HAR-8</b>, which also draws language from Unit II New Development and Land Use Policy 1.a.(1) (p. 206).</p>   | <p><b>C-HAR-8 Village Areas with Special Character and Visitor Appeal.</b><br/> Ensure that all new construction conforms in scale, design, materials and texture with surrounding community character within areas having special character and visitor appeal including mapped historic areas in Stinson Beach, Bolinas, Tomales, Marshall, Point Reyes Station, Olema, and Inverness.<br/> (PC app. 9/19/11, 2/8/10)<br/> <i>[Adapted from Unit I New Development and Land Use Policy 15.a, p. 64, and Unit II New Development and Land Use Policy 1.a.(1), p. 206]</i></p>  |

| Archaeological Resources  |   |
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| <p><b><u>Policy 18, pg. 64</u></b></p> <p>The County shall maintain a file, including maps of currently known and probable archaeological sites within the coastal zone of Unit I, in cooperation with the State Office of Historic Preservation. Additional information regarding areas of archaeological significance that becomes available through the Environmental Impact Report process or by other means shall be added to the file. The file shall be kept confidential in order to prevent vandalism of any known or probable archaeological sites that have been recorded</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-HAR-1</b>, which also draws language from Unit II New Development and Land Use Policy 2.a (p. 206).</p> | <p><b>C-HAR-1 Maintenance of Information on Archaeological and Paleontological Resources.</b> Maintain a file on known and suspected archaeological and paleontological sites in the Coastal Zone, in cooperation with the area clearinghouse, for use in carrying out Policy C-HAR-2. Additional information on such sites that becomes available through the EIR process or by other means shall be added to the file and forwarded to the Northwest Information Center (NWIC). The file shall be kept confidential in order to prevent vandalism of sites.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 18, p. 64, and Unit II New Development and Land Use Policy 2.a, p. 206]</i></p>   |
| <p><b><u>Policy 19, pg. 64</u></b></p> <p>Prior to the approval of any proposed development within an area of known or probable archaeological significance, a limited field survey by a qualified professional at the applicant's expense shall be required to determine the extent of the archaeological resources on the site. Results of such field survey shall be transmitted to the State Historical Preservation Officer or his/her designee for comment</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-HAR-2</b>, which also draws language from Unit II New Development and Land Use Policy 2.b (p. 206).</p>  | <p><b>C-HAR-2 Potential Impacts of Development on Archaeological and Paleontological Resources.</b> Prior to the approval of a coastal project permit for any development proposed within an area of known or likely archaeological or paleontological significance, including sites identified in the file described in Policy C-HAR-1, require a field survey by a state-qualified archaeologist recommended by the Sacred Sites Protection Committee of the Federated Indians of Graton Rancheria or by a qualified paleontologist at the applicant's expense to determine the extent of archaeological or paleontological resources on the site. Where development would adversely impact identified resources, require mitigation measures, as appropriate, including avoidance and permanent protection as open space, if feasible, as recommended in the field survey.</p> <p>(PC app. 11/7/11, 11/23/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 19, p. 64, Unit II New Development and Land Use Policy 2.b, p. 206, and Countywide Plan Programs HAR-1.d and HAR-1.3]</i></p> |

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| <p><b>Policy 20, pg. 65</b></p> <p>Where development would adversely impact archaeological resources or paleontological resources which have been identified, reasonable mitigation measures shall be required as may be recommended by the field survey or by the State Historic Preservation officer his/her designee. Such mitigation measures shall include acquisition of unique sites for long-term preservation where feasible, or preservation of the sites by incorporating them into open space areas protected by easement, or a requirement that the site be opened to an approved qualified professional and educational groups for scientific exploration for a specified period of time before development begins. Where construction is permitted, special construction techniques shall be employed to protect the resources intact and reasonably accessible underground.</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-HAR-2</b>, which also draws language from Unit I New Development and Land Use Policy 19 (p. 64) and Unit II New Development and Land Use Policy 2.b (p. 206).</p> | <p><b>C-HAR-2 Potential Impacts of Development on Archaeological and Paleontological Resources.</b></p> <p>(See policy language above)</p>   |
| <p><b>Visual Resources</b></p>   |  |
| <p><b>Policy 21, pg. 65</b></p> <p>Existing development standards and the design review ordinance (Chapter 22.52) shall continue to be enforced. The following explicit standards shall apply to selected areas and projects:</p> <ul style="list-style-type: none"> <li>All new construction in Bolinas, Stinson Beach and Muir Beach shall be limited to a maximum height of twenty-five (25) feet; except that in the Highlands neighborhood of Stinson Beach, the maximum height shall be seventeen (17) feet, and in the Seadrift section of Stinson Beach, the maximum height shall not exceed fifteen (15) feet.</li> <li>To the maximum extent feasible, new development shall not impair or obstruct an existing view of the ocean, Bolinas Lagoon, or the national or State parklands from Highway I or Panoramic Highway</li> </ul> <p><b>Policy Status</b></p> <p>The policy has been carried forward to LCPA Policies <b>C-DES-2</b> and <b>C-DES-4</b>. Policy C-DES-4 also carries forward the concept of Unit I Location and Density of New Development Policy 35 (p. 81).</p>   | <p><b>C-DES-2 Protection of Visual Resources.</b> Ensure appropriate siting and design of structures to protect significant views, including views both to and along the coast as seen from public viewing areas such as highways, roads, beaches, parks, coastal trails and accessways, vista points, and coastal streams and waters used for recreational purposes. The intent of this policy is the protection of significant public views rather than coastal views from private residential areas. Require development to be screened with appropriate landscaping provided that when mature, such landscaping shall not interfere with public views to and along the coast. The use of drought tolerant, native coastal plant species is encouraged. Continue to keep road and driveway construction, grading, and utility extensions to a minimum, except that longer road and driveway extensions may be necessary in highly visible areas in order to avoid or minimize other impacts.<br/>[BOS app. 7/30/2013]<br/>(PC app. 11/7/11, 1/24/11)<br/>[Adapted from Unit I New Development and Land Use Policy 21, p. 65, and Unit II New Development and Land Use Policy 3.b, p. 207]</p> <p><b>C-DES-4 Limited Height of New Structures.</b> Limit all new construction to a maximum height of twenty-five (25) feet with the following exceptions:</p> <ol style="list-style-type: none"> <li>In the Highlands neighborhood of Stinson Beach, the maximum height</li> </ol> |

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|  | <p>shall be no more than seventeen (17) feet (see Map 17 – Stinson Beach Highlands Subdivision).</p> <ol style="list-style-type: none"> <li>2. In FEMA special flood hazard (V) zones within the Seadrift Subdivision, the maximum building height of 15 feet shall be measured from the minimum floor elevation required by the flood hazard zone designation (see also <i>Environmental Hazards Policy C-EH-11: Minimum Floor Elevations in the Flood Velocity Zone at Seadrift</i>).</li> <li>3. On the shoreline of Tomales Bay, the maximum height shall be fifteen (15) feet. (See also <i>Community Development Policy C-CD-6: Standards for Development on the Shoreline of Tomales Bay</i>).</li> </ol> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 21, p. 65. This policy also carries forward the concept of Unit I Location and Density of New Development Policy 35, p. 81]</i></p> |
| <b>Housing</b>   |   |
| <p><b><u>Policy 22, pg. 66</u></b></p> <p>In order to protect housing opportunities for persons of low and moderate income (as defined by "HUD" Guidelines), as well as preserve the existing character of coastal villages, existing structures providing such housing opportunities shall be demolished only when:</p> <ul style="list-style-type: none"> <li>• The structure poses an immediate and established health or safety hazard; or</li> <li>• The Planning Commission finds, based upon established procedures, that the rehabilitation of the existing structure is not feasible. (Feasible is defined in Section 30108 of the Coastal Act.); and</li> <li>• Such demolition coupled with subsequent reconstruction would provide replacement housing of comparable rental value either on site or within the immediate coastal zone area.</li> </ul> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-HS-1</b>, which also draws the concept from Unit II New Development and Land Use Policy 4 (p. 207).</p> | <p><b>C-HS-1 Protection of Existing Affordable Housing.</b> Continue to protect and provide affordable housing opportunities for very low, low, and moderate income households. Prohibit demolition of existing deed restricted very low, low, and moderate income housing except when:</p> <ol style="list-style-type: none"> <li>1. Demolition is necessary for health and safety reasons; or</li> <li>2. Costs of rehabilitation would be prohibitively expensive and impact affordability of homes for very low, low and moderate income households; and</li> <li>3. Units to be demolished are replaced on a one-for-one basis with units of comparable rental value on site or within the immediate Coastal Zone area.</li> </ol> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 22, p. 66, and Unit II New Development and Land Use Policy 4.a, p. 207]</i></p>                              |
| <p><b><u>Policy 23, pg. 66</u></b></p> <p>Housing assistance programs that provide moderate-cost housing opportunities in existing units shall continue to be administered in the coastal zone.</p>  | <p>n/a</p>  |

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| <p><b>Policy Status</b></p> <p>The County has ongoing housing assistance programs that are applicable throughout the entire County, not just the coastal zone. Therefore, this policy is redundant and not necessary and has not been carried forward to the LCPA.</p>  |   |
| <b>Grading</b>  |   |
| <p><b>Policy 24, pg. 66</b></p> <p>Development shall be designed to fit a site's topography and existing soil, geological, and hydrological conditions so that grading, cut and fill operations, and other site preparation are kept to an absolute minimum and natural landforms are preserved. Areas of a site which are not suited to development because of known soil, geologic, flood, erosion or other hazards that exist to a degree that no amount of corrective work consistent with these policies, including but not limited to the protection of natural landforms, can eliminate or substantially reduce the hazards to the property endangered thereby shall remain in open space.</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-WR-4</b>, which also draws language from Unit II New Development and Land Use Policy 6 (p. 208).</p> | <p><b>C-WR-4 Grading and Vegetation Removal.</b> Design development to fit a site's topography, soils, geology, hydrology, and any other existing conditions. Orient development so that grading, cut and fill operations, and other site preparation are kept to an absolute minimum. Natural features, landforms, and native vegetation shall be preserved to the maximum extent feasible. Areas of a site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall be kept undeveloped.</p> <p>(PC app. 12/1/11, 3/16/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 24, p. 66, and Unit II New Development and Land Use Policy 6.a, p. 208]</i></p>   |
| <p><b>Policy 25, pg. 66</b></p> <p>For necessary grading operations, the smallest practicable area of land shall be exposed at any one time during development and the length of exposure shall be kept to the shortest practicable time. The clearing of land shall be discouraged during the winter rainy season and stabilizing-slopes-shall be in place before the beginning of the rainy season.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-WR-6</b> and <b>C-WR-7</b>, which also draw language from Unit II New Development and Land Use Policy 6.b (p. 208).</p>   | <p><b>C-WR-6 Soil Exposure.</b> Allow any necessary grading operations only such that the smallest practicable area of land shall be exposed at any one time during development and the length of exposure shall be kept to the shortest practicable time. Erosion and sedimentation control measures shall be incorporated in development plans. An erosion and sedimentation control plan, subject to approval by the Department of Public Works, shall be required for development of any site of 1 acre or more in size or, at the discretion of the Department of Public Works, for any site of less than 1 acre because of a high risk of erosion and sedimentation.</p> <p>(PC app. 12/1/11, 3/16/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 25, p. 66, and Unit II New Development and Land Use Policy 6.b, p. 208]</i></p> <p><b>C-WR-7 Wintertime Clearing and Grading.</b> Avoid land clearing and grading during the winter rainy season (October 15th through April 15th). Ensure that all measures for removing sediments and stabilizing slopes shall be in place before the</p> |

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|  | <p>beginning of the rainy season. Permit land clearing and grading during the rainy season only upon prior approval by the Department of Public Works of an erosion control plan, which shall demonstrate that at no stage of the work will there be any substantial risk of increased sediment discharge from the site.</p> <p>(PC app. 12/1/11, 3/16/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 25, p. 66, Unit II New Development and Land Use Policy 6.b., p. 208, and County Code Sections 22.70.070.C.3 and 24.04.625.]</i></p>  |
| <p><b>Policy 26, pg. 66</b></p> <p>Development plans shall include sediment, erosion, runoff controls, and revegetation measures. The following measures shall be included in all cases; additional conditions as required pursuant to Section 23.08.090 of Marin County Code shall also be included where appropriate.</p> <ul style="list-style-type: none"> <li>• Sediment basins (including debris basins, desilting basins, or silt traps), shall be installed at the beginning of grading operations and maintained throughout the development process to remove sediment from runoff waters. All sediment shall be retained on site.</li> <li>• The extent of impervious surfaces shall be minimized to the greatest degree possible. Water runoff beyond natural levels shall be retained on-site whenever possible to facilitate maximum groundwater recharge. In order to prevent on-site gullying and downstream erosion of-existing stream channels, the velocity of runoff on and off the site shall be dissipated through the application of appropriate drainage controls so that the runoff rate does not exceed the storm water runoff from the area in its natural or undeveloped state for all intensities and durations of rainfall. Grassed waterways are preferred to concrete storm drains for runoff conveyance.</li> <li>• Pollutants such as chemicals, fuels, and other harmful materials shall be collected and disposed of in an approved manner in accordance with the best engineering technology available.</li> <li>• Temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils which have been exposed during grading or development. Cut and fill slopes shall be permanently stabilized as soon as possible with native plants or other suitable landscaping techniques.</li> <li>• Where topsoil is removed by grading operations, it shall be stockpiled for reuse and shall be protected from compaction and wind or erosion during stockpiling.</li> <li>• All debris shall be removed from the site upon the completion of the project.</li> <li>• Permit applications for grading which involve cut slopes in excess of 8 feet or</li> </ul> | <p><b>C-WR-3 Storm Water Runoff.</b> Where a project would add or create a total of 10,000 square feet or more of impervious surface (collectively over the entire project site) or where altered or increased flows from a project site have the potential to accelerate erosion or affect beneficial uses downstream, incorporate drainage controls so that the post-project peak flow and velocity of runoff from the project site for 2 and 10-year intensity storms do not exceed the peak flow and velocity of runoff from the site in its pre-project (existing) state. Where a drainage problem unrelated to a proposed project already exists, the project applicant and neighboring property owners shall be encouraged to develop a solution.</p> <p>(PC app. 1/23/12, 1/25/10)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 26, p. 67, and Unit II New Development and Land Use Policy 6.f, p. 208]</i></p> <p><b>C-WR-8 Disturbed Soils.</b> Use temporary vegetation, seeding or hydroseeding with non-invasive native seeds, mulching, or other suitable stabilization methods to protect soils that have been exposed during grading or development. Stabilize cut and fill slopes immediately with plantings of native species, appropriate non-native plants, or with accepted landscaping practices.</p> <p>(PC app. 2/13/12, 12/1/11, 3/16/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 26, p. 66, and Unit II New Development and Land Use Policy 6.d, p. 209]</i></p> <p><b>C-WR-9 Topsoil.</b> Where topsoil is removed by grading operations, stockpile it for reuse and protect it from compaction and wind or erosion during stockpiling.</p> <p>(PC app. 12/1/11, 3/16/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 26, p. 66, and Unit II New Development and Land Use Policy 6.e, p. 209]</i></p> |



fill in excess of 5 feet shall include a report from a registered soils or civil engineer.

**Policy Status**

The concepts in this policy have been carried forward to LCPA Policies **C-WR-3**, **C-WR-8**, and **C-WR-9**, which also draw language from Unit II New Development and Land Use Policy 6 (p. 209).

| <b>Unit I</b><br><b>Location and Density of New Development</b>   |   |
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| <b>Unit I - Existing Policy</b>   | <b>LCPA - Proposed Policy</b>   |
| <b>Muir Beach</b>   |   |
| <p><b><u>Policy 27, pg. 79</u></b><br/>Redesignate residential lot size of parcels along Redwood Creek from 10,000 square feet to 1 acre minimum lot size. (See also Policy I I-8)</p> <p><b><u>Policy Status</u></b><br/>The recommended rezonings of this policy have been implemented by Ordinance 2638. Parcels 199-191-12 &amp; 13, 199-192-10, 11, 12, 13 and 17-20; 199-213-05; 199-212-02,12, and 15; and 199-211-02 were all rezoned from R-A:B-2 to C-R-A:B-4. Since this has already been implemented, the policy language is not carried forward to the LCPA.</p>   | n/a   |
| <p><b><u>Policy 28, pg. 79</u></b><br/>Make no LCP recommendation for agricultural lands of over 60 acres. (See also Policy II - 29)</p> <p><b><u>Policy Status</u></b><br/>This policy is no longer relevant and thus has not been carried forward to the LCPA.</p>  | n/a   |
| <b>Stinson Beach (excluding Seadrift)</b>   |   |
| <p><b><u>Policy 29, pg. 79</u></b><br/>The existing R-2 zoning designation in Stinson Beach shall be retained in order to protect and maintain the existing character of the community, provided, however, that no development other than single-family residences shall be permitted on any parcel of less than 7,500 square feet in area in order to minimize septic tank problems and the cumulative impacts of such development on public access along Calle del Arroyo. All development within these zones shall conform with LCP policies on septic systems and housing. Repair or replacement of existing duplex residential use on a parcel of less than 7,500 square feet damaged or destroyed by natural disaster shall be permitted.</p> | <p><b>C-SB-1 Community Character of Stinson Beach.</b> Maintain the existing character of residential, small-scale commercial and visitor-serving recreational development in Stinson Beach. New development must be designed to be consistent with community character and protection of scenic resources.<br/>[BOS app. 7/30/2013]<br/>(PC app. 9/19/11, 7/29/10)<br/><i>[Adapted from Unit I New Development and Land Use Policy 29, p. 79]</i></p> <p><b>C-SB-6 R-2 Zoning.</b> Maintain the existing R-2 zoning in Stinson Beach in order to protect and maintain the existing character of the community.</p> |

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| <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policies <b>C-SB-1</b>, <b>C-SB-6</b> and <b>C-SB-7</b>.</p>   | <p>(PC app. 9/19/11)<br/> <i>[Adapted from Unit I Location and Density of New Development Policy 29, p. 79]</i></p> <p><b>C-SB-7 Repair or Replacement of Structures.</b> Allow the repair or replacement of existing duplex residential uses on parcels less than 7,500 square feet in the R-2 zoning district that are damaged or destroyed by natural disaster in Stinson Beach.</p> <p>(PC app. 9/19/11)<br/> <i>[Adapted from Unit I Location and Density of New Development Policy 29, p. 79]</i></p> |
| <p><b><u>Policy 30, pg. 79</u></b></p> <p>The properties presently zoned R-3 along Shoreline Highway shall be rezoned to R-2 in order to minimize flood hazards and the adverse impacts on Easkoot Creek which would result from such development (Easkoot Creek runs across the subject properties). Redesignation of the R-3 properties to R-2 will also assure development consistent with the existing character of the community. Development shall not be permitted within the 100-year floodplain of Easkoot Creek and shall otherwise conform with LCP Policies on septic systems and stream protection</p> <p><b><u>Policy Status</u></b></p> <p>The rezonings required by this policy have already been implemented. Since this has already been implemented, the policy language is not carried forward to the LCPA.</p> | <p>n/a</p>  |
| <p><b><u>Policy 31, pg. 8</u></b></p> <p>The properties presently zoned R-1 on the east side of Calle del Arroyo should be redesignated to a "Resource Management Area" in order to assure protection of the adjacent marsh areas of Bolinas Lagoon. (See also Chapter II.)</p> <p><b><u>Policy Status</u></b></p> <p>These areas are still zoned R-1, and appear to be part of the Area of Deferred Certification. Therefore, this policy is no longer relevant and has not been carried forward to the LCPA.</p>  | <p>n/a</p>  |
| <p><b><u>Policy 32, pg. 8</u></b></p>   | <p>n/a</p>  |

The properties presently zoned R-I on the seaward side of the paper street Mira Vista should be redesignated to RSP-2.0 in order to assure preservation of the natural sand dunes and sandy beach areas located seaward of Mira Vista

**Policy Status**

All of the seaward parcels on Mira Vista that were zoned R-I have been rezoned via Ordinance 2638 to C-RSP-2.0. The following parcels were rezoned:

- 195-066-01, 02, 03
- 195-105-04, 05, 06, 07, 08
- 195-067-01, 02, 03
- 195-106-03, 04, 05, 06, 07
- 195-068-01, 02, 03, 04
- 195-109-03, 04, 05, 06, 09, 10, 11

Since this has already been implemented, the policy language is not carried forward to the LCPA.

**Seadrift**

**Policy 33, pg. 80**

Access program. The access program for the land and water surrounding the Seadrift subdivision consists of two separate sub-elements.

Ocean Beach Access. The LCP establishes continued moderate access and use of selected areas of the Seadrift Beach. Guaranteed public use of this beach and ocean area would be accomplished in one of three ways: (1) an easement agreement with the property owners, (2) public purchase or (3) litigation to establish the public's prescriptive rights gained via historic use. Option #1 presents the preferred approach for achieving this access element.

Lagoon Access. The LCP identifies this section of shoreline as an important wildlife habitat area requiring controlled public access to protect that resource. Therefore, only limited public access across those unsubdivided Seadrift subdivision lands fronting Bolinas Lagoon is proposed. Such access easement (2) shall be required as a condition of development of lands owned by the William Kent Estate Co.

As a condition of future development approval, an open space and limited pedestrian access easement over the strip of Lagoon-front land (20 acres) shall be offered to the County of Marin or other approved agency/organization. This

**C-SB-2 Limited Access in Seadrift.** Allow only limited public access across the open space area generally located north of Dipsea Road and adjacent to Bolinas Lagoon in the Seadrift subdivision to protect wildlife habitat subject to the Deed of an Open Space and Limited Pedestrian Easement and Declaration of Restrictions as recorded March 26, 1986 as Instrument No. 86-15531. This area includes parcels 195-070-35 and 36; 195-080-29; 195-090-44; 195-320-62 and 78; and 195-340-71, 72, and 73.

(PC app. 1/9/12, 9/19/11, 7/29/10)

[Adapted from Unit I New Development and Land Use Policy 33, p. 80]

easement shall provide educational and scientific access and use of these lands as subsequently approved by the County of Marin or its designee.

The developer shall deed to the County of Marin a recorded irrevocable offer of a roadway dedication over the general area of the old causeway. Said roadway offer shall have a common boundary with a public street. The developer shall also agree to financially participate in subsequent construction of the causeway, should it be built. Costs of any causeway reconstruction shall be primarily borne by new development in the area.

To provide emergency pedestrian egress from the beach and the Seadrift subdivisions, landowners possessing an interest in the roads, including the right to preclude the public from using the roads, in Seadrift shall record an agreement allowing the public emergency egress during periods of highwater or high tides when the beach is impassable. The County shall cause signing of such emergency access opportunity along the Seadrift Spit. Sign should be placed near the public use area along the Seadrift Spit. Signs should be placed near the public use area at Walla Vista adjacent to Seadrift beach and the northwest end of the Seadrift Spit. The County shall request input from the Seadrift Property Owners Association and the Village Association regarding the exact wording of the signs. The County will through applications for new development ensure emergency vertical egress from the beach to Seadrift Road at the northwest end of the beach and other locations found appropriate.

**Policy Status**

The general concept of this policy has been carried forward to LCPA Policy C-SB-2. However, this policy as well as Unit I Public Access Policy 13 (p. 9), have been superseded by the Seadrift settlement agreement adopted after the LCP was certified [see LCPA Appendix 9], and thus have not been carried forward verbatim.

**Policy 34, pg. 81**

Water Quality. The existing water quality monitoring agreement between the North Central Coast Regional Commission, the Stinson Beach County Water District, and the Regional Water Quality Control Board, and conducted by the Water District, shall be continued. Should such water quality monitoring data warrant, the County would support a moratorium on additional development pending satisfactory improvement in water quality. New septic systems at Seadrift shall be designed in accordance with Marin County Code, Section 18.06, and waivers to that Section shall comply with the technical report accepted by the Regional Water Quality Control Board, adopted January 2, 1979.

***Program C-PFS-10.a Continue Stinson Beach Water Quality Monitoring Program.*** Support the existing water quality monitoring program conducted by the Stinson Beach County Water District, consistent with the agreement with the Regional Water Quality Control Board.

(PC app. 9/19/11, 7/29/10)

*[Adapted from Unit I Public Services Policy 11, p. 49, and Unit I Location and Density of New Development Policy 34, p. 81]*

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| <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Program <b>C-PFS-10.a</b>, which also draws language from Unit I Public Services Policy 11 (p. 49).</p>   |   |
| <p><b>Policy 35, pg. 81</b></p> <p>Visual Resources. Height of new construction at Seadrift shall be restricted to one story. (See Also Policy IV-21.)</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-DES-4</b>, which also draws language from Unit I New Development and Land Use Policy 21 (p. 65).</p>  | <p><b>C-DES-4 Limited Height of New Structures.</b> Limit all new construction to a maximum height of twenty-five (25) feet with the following exceptions:</p> <ol style="list-style-type: none"> <li>1. In the Highlands neighborhood of Stinson Beach, the maximum height shall be no more than seventeen (17) feet (see Map 17 – Stinson Beach Highlands Subdivision).</li> <li>2. In FEMA special flood hazard (V) zones within the Seadrift Subdivision, the maximum building height of 15 feet shall be measured from the minimum floor elevation required by the flood hazard zone designation (see also <i>Environmental Hazards Policy C-EH-11: Minimum Floor Elevations in the Flood Velocity Zone at Seadrift</i>).</li> <li>3. On the shoreline of Tomales Bay, the maximum height shall be fifteen (15) feet. (See also <i>Community Development Policy C-CD-6: Standards for Development on the Shoreline of Tomales Bay</i>).</li> </ol> <p>(PC app. 9/19/11, 7/29/10)</p> <p>[Adapted from Unit I New Development and Land Use Policy 21, p. 65. This policy also carries forward the concept of Unit I Location and Density of New Development Policy 35, p. 81]</p> |
| <p><b>Policy 36, pg. 81-84</b></p> <p><u>Density and Location of Seadrift Development.</u> For purposes of this policy, the Subdivision is divided into sub-areas as follows: (Refer to Figure 4.)</p> <p><u>Area 1:</u> Those lots fronting on the Pacific Ocean and generally south of Seadrift Road (total lots: 123);</p> <p><u>Area 2:</u> Those lots generally between Seadrift Lagoon and Seadrift Road (total lots: 100 94, Separation of Areas 2 and 4 occurs at lot lines between AP #195-320-19 and 195-320-57 and AP #195-090-04, 28 195-051-24 and 195-090-03, 29 195-051-23).</p> <p><u>Area 3:</u> Those lots fronting on Bolinas Lagoon and generally west of Dipsea Road (total lots: 19);</p> <p><u>Area 4:</u> Those lots fronting on Dipsea Road (total lots: 103 109). Area 4 is further divided into Areas 4A and 4B with the division occurring between parcels AP #195-070-07 and 195-070-08.</p> <p><u>Area 5:</u> That unsubdivided land consisting of 26 acres adjacent to the Bolinas Lagoon and the entrance gate of Seadrift.</p> | <p><b>C-SB-3 Density and Location of Development in Seadrift.</b> Development of the approximately 327 lots within the Seadrift Subdivision shall be allowed consistent with the provisions of the July 12, 1983 Memorandum of Understanding for the settlement of the litigation between Steven Wisenbaker and the William Kent Estate Company, and the County of Marin, and consistent with the terms of the March 16, 1994, Settlement Agreement in the litigation titled Kelly et al. v. California Coastal Commission, Marin County Superior Court Case No. 152998 between the Seadrift Association and the County of Marin. Minimum lot sizes shall be as shown on the final subdivision maps approved by Marin County, as modified by the referenced settlement agreements. See Appendix 5: Seadrift Settlement Agreement.</p> <p>[BOS app. 7/30/2013]</p> <p>(PC app. 1/9/12, 9/19/11, 07/29/10)</p> <p>[Adapted from Unit I Location and Density of New Development Policy 36, p. 81]</p>  |

Based upon the present available information and after extensive public hearings and investigation, the following program policies for density reduction and/or location of development at Seadrift are enacted.

- a. Area 1. Those properties in Area 1 present the least potential for adverse impacts by new development activities because of their size, their location relative to lagoon waters, and their build-out potential. Development on existing lots in Area 1 may proceed (consistent with other LCP policies) based upon a new zoning classification of 15,000 square foot minimum lot size. Lot consolidation (of adjacent lots under like ownership) shall occur only by side-by-side lot consolidation, if necessary to achieve the minimum lot size.
- b. Area 2. Those properties in Area 2 are smaller lots with a large amount of build-out potential adjacent to the interior Seadrift Lagoon. Lots in Area 2 shall be rezoned to a 30,000 square foot minimum parcel size. Contiguous (side-by-side) lots under like ownership shall be consolidated to achieve the minimum parcel size requirement.
- c. Area 3. These properties of varying size are located immediately adjacent to Bolinas Lagoon. Development in Area 3 may proceed (consistent with other LCP policies) based upon a new zoning classification establishing 30,000 square foot minimum lot size. Contiguous (side-by-side) lots under like ownership shall be consolidated to achieve minimum building site size established by the rezoning.
- d. Area 4. Except as noted herein, properties in Area 4 shall be rezoned from the existing 75,000 square foot minimum parcel size to a 112,500 square foot (2.5 acre) minimum parcel size. Contiguous properties under the same ownership shall be merged to create building sites totaling up to this lot size, where possible. This Policy shall be implemented by means of a master plan zoning district.

Based upon a Memorandum of Understanding for the settlement of litigation between the County and, Steven Wisenbaker and the William Kent Estate Company, dated July 12, 1983, the portions of area four (4) listed below shall be subject to the following policies:

1. All of the lots listed herein shall be subject to master plan approval pursuant to Chapter 22.45. Any master plan approval shall include all of the lots listed herein and, be subject to all of the policies contained herein;
2. Lot 201 of Seadrift Lagoon Subdivision No. 2 shall be designated as a non-building site in the master plan. This lot may be combined with an adjacent developed lot or developable lot; however, the resultant

combined lot shall be used as a single lot. A lot line adjustment application pursuant to Title 20 of Marin County Code shall be required to accomplish the combining of a non-buildable lot with a developable lot.

3. Lots 167 through 175 of Seadrift Lagoon Subdivision No. 2 shall be consolidated into seven (7) building sites in the master plan. These lots shall be rezoned to C-RSPS-4.5;
4. Lots 95 through 97 of Seadrift Lagoon Subdivision No. 1 and lots 98 through 102 of Seadrift Lagoon No. 2 shall be consolidated into a maximum of five (5) lots in the master plan. These lots shall be rezoned to C-RSPS-3.5;
5. Lots 104 through 145 of Seadrift Lagoon Subdivision No. 2 shall be consolidated into 32 building sites in the master plan. These lots shall be rezoned to C-RSPS-4.39;
6. Lots 186 and 187 shall be consolidated into one (1) building site in the master plan;
7. The consolidation of all lots shall be accomplished via a tentative and final subdivision map pursuant to Title 20 of Marin County Code;
8. The master plan and tentative map approvals shall provide for a mechanism whereby all of the lots included in the master plan shall be assessed an appropriate share of the cost of developing the proposed access over the old causeway. The appropriate share shall be based upon a consideration of all of the lots that will benefit from the proposed access;
9. The master plan and tentative map approvals shall provide that the front property line for lots abutting Dipsea Road shall not be considered property lines for the purposes of establishing setbacks for leach field areas, so that the private road right-of-way or portions thereof may be used for leach field areas for lots abutting that private roadway. Additionally, the owners of such lots shall retain the right to cross the private right-of-way to the unsubdivided parcel for the installation of leach field areas. This may only be done in a manner consistent with Marin County Code 18.06 and "Septic Tank and Leach Field Waivers" dated November 27, 1978, Marin County Department of Public Works. The use of the private road right-of-way and/or the unsubdivided parcel for the installation of leach fields shall only occur if: a) each lot or user has a discrete sewage disposal system; b) each lot or user has a recorded easement over the necessary portion of the unsubdivided parcel; c) no leach fields are



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| <p>located within 100 feet of the mean high tide line of the Bolinas Lagoon; and d) after an opportunity for review and comment has been provided to the Stinson Beach County Water Board.</p> <p>e. <u>Area 5</u>. This area includes approximately 26 acres consisting of 2 parcels of approximately 6 and 20 acres respectively. This land is unsubdivided; however, portions of the property are improved with underground utility services. Although Area 5 is not an explicit part of the Seadrift Subdivision, it is included in this policy because of the physical relationship, and ownership of the land.</p> <p>Because of its location and general configuration, development of Area 5 presents potentially significant conflicts with several findings and policy objectives identified in this Seadrift Section. Therefore, proposals for development of Area 5 shall be controlled by a Master Plan development providing the following development standards:</p> <ol style="list-style-type: none"> <li>1. Additional development in Area 5 shall be limited to no more than 7 additional single-family, detached dwellings and shall be limited to the 6 acre parcel of Area 5;</li> <li>2. All improvements shall be located a minimum of 100 feet from the waters of Bolinas Lagoon;</li> <li>3. Development shall be limited to one-story in height, not to exceed 18 feet from average finished grade;</li> <li>4. Development shall be designed to provide future vehicle and pedestrian access over the site as follows: <ol style="list-style-type: none"> <li>a. Roadway dedications to provide possible future connections of the causeway;</li> <li>b. Pedestrian easements to provide limited public access to and along the Bolinas Lagoon edge.</li> </ol> </li> </ol> <p><b><u>Policy Status</u></b></p> <p>The allowed density and location of development in Seadrift is now addressed by LCPA Policy <b>C-SB-3</b>.</p> |            |
| <p><b><u>Policy 37, pg. 85</u></b></p> <p><u>Public Acquisition of Seadrift Subdivision Lands</u>. The Seadrift Subdivision is an existing, subdivided development with approximately one-third of the lots presently developed with single-family houses. Coastal policy issues connected with continued development of this subdivision center upon minimizing of geologic hazards, reducing the possible adverse impacts on water quality, public access to</p>   | <p>n/a</p> |

beach and tideland areas, protection of wildlife and habitat resources and maintenance of views along the coast.

In review of the Seadrift Subdivision, the County examined these issues and has proposed a regulatory program which successfully acknowledges and addresses the significant aspects of these issues. The County recognizes that public purchase of the lands at the Seadrift Subdivision presents a definitive vehicle for public management of the resource. However, in light of other methods available, the cost of such acquisition would be extremely high in relationship to the needs, principles and goals that have been identified at Seadrift. The proposed program for lot reduction at Seadrift successfully mitigates the coastal issues identified. Only if portions of the program cannot be achieved as envisioned, should public acquisition be considered a program option.

**Policy Status**

This policy does not provide specific policy direction, is out of date, and is no longer relevant. Therefore, it has not been carried forward to the LCPA.

**Policy 38, pg. 85**

Public trust. Portions of the Seadrift Subdivision may be subject to the doctrine of public trust, whereby easements benefiting selected public uses run with the property. The LCP adequately identifies and provides a balanced level of public use on and adjacent to the land of Seadrift. However, to assure thorough consideration of the public trust issues, the following policy is proposed:

The County of Marin will notify the State Lands Commission when an application for a coastal development permit is filed with the County on property identified as potentially subject to the public trust. Such notification shall be on lands shown on maps, supplied by the State Lands Commission, as being potentially subject to the trust easement. The State Lands Commission shall be requested to make a statement as to whether the lands are subject to the public trust, and whether a permit or lease will be required for such proposed development, prior to the issuance of the coastal permit by the County.

**Policy Status**

The contents of this policy are more appropriate for the development code rather than the land use plan. Therefore, this language has been modified and carried forward to LCPA Development Code **Section 22.68.080** (p. 96), which also

**22.68.080 – Projects Requiring a Coastal Commission Permit**

- A. Coastal Commission approval required.** Development or new land uses proposed on tidelands, submerged lands, public trust lands, or otherwise located seaward of the line of Coastal Commission jurisdiction, shall require a Coastal Permit from the Coastal Commission in compliance with Public Resources Code Section 30519(b). Also under the Coastal Commission’s continuing jurisdiction are amendments or extensions to coastal permits issued by the Coastal Commission; thermal power plants of 50 megawatts or greater along with the transmission lines, fuel supply lines, and related facilities to serve them; state university or college projects; and non-federal projects on federal land.
- B. Determination of jurisdiction.** The determination of jurisdiction shall be made by the Coastal Commission based upon maps and other descriptive information that the County, Coastal Commission and/or State Lands Commission may supply.
- C. Referral.** Before issuing a Coastal Permit, the Coastal Commission will refer the application to the State Lands Commission for a determination whether a State Lands Commission permit or lease is required for the proposed development, and whether the State Lands Commission finds it appropriate to exercise the easement over that property. The Coastal Commission shall also refer the application to the County for review and comment.

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| <p>carries forward Unit II Public Trust Lands Policy I (p. 129).</p>  | <p><b>D. County land use designations and zoning districts.</b> County land use designations and zoning districts on public trust lands and federal lands shall be advisory only for purposes of the Coastal Commission's review of a coastal permit application.</p>  |
| <p><b>Bolinas</b></p>   |  |
| <p><b><u>Policy 39, pg. 85</u></b><br/> Those lands designated A-5 and A-10 within the Bolinas Planning Area shall be redesignated to an ARP-5 and ARP-10 zone classification to encourage flexible lot patterns. (See Policy 11-30.)</p> <p><b><u>Policy Status</u></b><br/> This policy has already been implemented and the referenced parcels rezoned to C-ARP-5 and C-ARP-10 by Ordinance 2638. Since this has been implemented, the policy language has not been carried forward to the LCPA.</p> | <p>n/a</p>   |
| <p><b><u>Policy 40, pg. 86</u></b><br/> Redevelopment/rehabilitation of existing structures and new construction on the Bolinas Gridded Mesa shall be permitted in accordance with the adopted policies of the Bolinas Gridded Mesa Plan (original language superseded by Resolution 84-564 adopted by the Board of Supervisors on November 27, 1984).</p> <p><b><u>Policy Status</u></b><br/> This policy has been carried forward to LCPA Policy <b>C-BOL-3</b>.</p>                                  | <p><b>C-BOL-3 New Development on the Bolinas Gridded Mesa.</b> Permit new construction and redevelopment and rehabilitation of existing structures on the Bolinas Mesa in accordance with adopted policies of the Bolinas Gridded Mesa Plan, which has been certified by the California Coastal Commission.<br/> (PC app. 11/7/11, 7/29/10)<br/> <i>[Adapted from Unit I Location and Density of New Development Policy 40, p. 86]</i></p> |

Updated 8/15/2013

**Public Access** ..... 1  
**Recreation and Visitor-Serving Facilities** ..... 17  
**Federal Parklands**..... 34  
**Natural Resources**..... 37  
**Agriculture** ..... 45  
**Mariculture** ..... 52  
**Commercial Fishing and Recreational Boating** ..... 60  
**Public Trust Lands** ..... 61  
**Shoreline Structures**..... 63  
**Diking, Filling, and Dredging** ..... 67  
**Public Services**..... 70  
**New Development and Land Use** ..... 79

The following chart compares policies from the existing Local Coastal Program Unit II to those in the Land Use Plan of the July 2013 Board of Supervisors-Adopted Local Coastal Program Amendment (LCPA) document. The column on the left shows the existing LCP Unit II policy and its respective status. The column on the right shows the proposed LCPA policy that was adapted from the Unit II policy. The policies are grouped by topic in numerical order as they appear in Unit II.

| <b>Unit II<br/>Public Access</b>   |   |
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| <b>Unit II - Existing Policy</b>   | <b>LCPA - Proposed Policy</b>   |
| <p><b><u>Policy I, p. 13</u></b><br/>                     General policy and elements of Public Access Component. The County of Marin supports and encourages the enhancement of public access opportunities to the coast, in conformance with Sections 30210 through 30214 of the Coastal Act. There are three methods by which the policies of these sections will be implemented in the County's Public Access Component:</p> <ol style="list-style-type: none"> <li>a. <u>Existing accessways</u>. The LCP recognizes existing public accessways in Unit II, both public and private, as an integral part of the County's overall access program. These accessways, identified in Table I on page 6, should be maintained open to the public.</li> <li>b. <u>Offered easements</u>. A total of nine offers of public access easements in Unit II have been required as a condition of past permit approvals by the County-or the North Central Coast Regional Commission. The LCP recommends that certain of these easements, as specified in Policy #3</li> </ol> | <p><b>C-PA-1 Public Coastal Access.</b> Support and encourage the enhancement of public access opportunities to the coast, in conformance with Sections 30210 through 30214 of the Coastal Act.<br/>                     (PC app. 9/19/11, 11/23/09)<br/> <i>[Adapted from Unit II Public Access Policy I, p. 13]</i></p> <p><b>C-PA-2 Public Coastal Access in New Development.</b> Examine proposed new development between the shoreline and the first public road, whether or not it is mapped as the first public road for purposes of coastal permit appeals, for impacts on public access to the coast. Where a nexus exists between impacts of proposed development and provision of public access, require dedication of a lateral and/or vertical accessway, including segment(s) of the California Coastal Trail as provided by Policy C-PK-14, as a condition of development, unless Policy C-PA-3 provides an exemption. Impacts on public access include, but are not</p> |

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| <p>below, be accepted by the County or other agency and incorporated into the County's access program.</p> <p>c. <u>New accessways</u>. The County views public access easements, gained through offers of dedication as a condition of coastal permit approval, as the primary means available to increase public access opportunities in Unit II. Potential areas where such easements could be required have been evaluated based on their desirability and physical suitability, evidence of prescriptive rights, and proximity to other access points and existing uses. Based on these criteria, specific recommendations for new accessways have been developed (Policy #3). In addition to the easements recommended, the County may require additional access in the future as the need arises.</p> <p>If funds become available for acquisition of public accessways, they should be allocated according to the priority recommendations in Policy A.</p> <p><b>Policy Status</b></p> <p>The concepts of this policy have been carried forward to LCPA Policies <b>C-PA-1</b>, <b>C-PA-2</b>, and <b>C-PA-16</b>.</p>   | <p>limited to, intensification of land use resulting in overuse of existing public accessways, creation of physical obstructions or perceived deterrence to public access, and creation of conflicts between private land uses and public access.</p> <p>(PC app. 11/7/11, 2/8/10)</p> <p><i>[Adapted from Unit II Public Access Policy I, p. 13]</i></p> <p><b>C-PA-16 Protection of Existing Public Coastal Accessways.</b> Recognize existing public coastal accessways, both public and private, as an integral part of the County's overall access program. Maintain existing public accessways. Consider closure of existing County-managed accessways only if authorized by a coastal permit and only after the County has offered the accessway to another public or private entity.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit II Public Access Policy I, p. 13]</i></p>  |
| <p><b>Policy 2(a), p. 13</b></p> <p><u>General standards</u>. The following general policies and procedures shall apply to all new accessways in Unit II, including those specifically recommended in the LCP at this time, those not currently recommended but considered in the future, and those which may be acquired by public purchase.</p> <p>a. <u>Prescriptive Rights</u>. Where evidence of prescriptive rights (historic public use) is found in reviewing a coastal permit application, equivalent access easements to protect the types, intensity, and areas subject to prescriptive rights shall be required as a condition of permit approval. Development may be sited in an area of historic public use only if equivalent type, intensity and area of replacement public access is provided on or reasonably adjacent to the project site (parcel).</p> <p>If requirement of access easements to protect areas of historic use would preclude all reasonable private use of the project site, the County, in consultation with the Coastal Commission and the California Attorney General's Office, shall review the existence of prescriptive rights. If the County concludes that convincing evidence of implied dedication or prescriptive rights in favor of the public exists, the County or the Coastal Commission and the Attorney General at the request of the County shall, consistent with the availability of staff and funds, seek a court determination and confirmation of such public rights. If after 60 days the</p> | <p><b>C-PA-7 Protection of Prescriptive Rights.</b> Ensure that development does not interfere with the public's right of access to the sea where acquired through use. Where evidence (including historic public use) of prescriptive rights is found in reviewing a coastal permit application, take one or more of the following actions:</p> <ol style="list-style-type: none"> <li>1. Consider approval of the coastal permit application, while siting development in such a way as to avoid the area potentially subject to prescriptive rights and requiring a public easement to protect the types, intensity and areas of historic use as a condition of project approval.</li> <li>2. If requirement of an access easement to protect areas of historic use would preclude all reasonable private use of the project site, the County or the Coastal Commission and the Attorney General at the request of the County shall, subject to the availability of staff and funds, seek a court determination and confirmation of such public rights.</li> <li>3. In the absence of a final court determination, the County may proceed to consider approval of development on areas potentially subject to prescriptive rights (except those used for lateral access), provided that all impacts on public access are mitigated in the same vicinity substantially in accordance with the Local Coastal Program's Access policies. Such mitigation may include securing an accessway on another property in the same vicinity, or providing an in-lieu fee to a public agency or private association approved by the</li> </ol> |

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| <p>County concludes that such evidence is inconclusive, the County may approve development on such areas (except those used for lateral access), provided that all impacts on public access are mitigated in the same vicinity substantially in accordance with the Local Coastal Program's Access policies. Such mitigation may include securing an accessway on another property in the same vicinity, or providing an in-lieu fee to a public agency or private association approved by the County and Commission for acquisition, improvement, or maintenance of access in the same vicinity. Same vicinity is considered to be within 1,000 feet or less of the project site (parcel).</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PA-7</b>, which also draws language from Unit I Public Access Policy 3 (p. 7) and Coastal Act Section 30211.</p>   | <p>County and Coastal Commission for acquisition, improvement, or maintenance of access in the same vicinity. Same vicinity is considered to be within 1,000 feet of the project site (parcel).</p> <p>(PC app. 2/8/10)</p> <p><i>[Adapted from Unit I Public Access Policy 3, p. 7, and Unit II Public Access Policy 2.a, p. 13, and Coastal Act Section 30211]</i></p>   |
| <p><b>Policy 2(b), p. 14</b></p> <p>b. Types of access. The provision for coastal access through a coastal permit or by purchase may include one or more of the following easements: <u>Vertical</u> - from the first public road to the sea. Vertical easements generally should be ten feet in width unless site conditions warrant otherwise. However, in no case should the easement be closer than ten feet to the proposed-structure.</p> <p><u>Lateral</u> - along the shoreline. Lateral easements shall be a minimum of ten feet in width or shall include all of a sandy beach to the first line of terrestrial vegetation, whichever is greater, and shall parallel the mean high tideline. At a minimum, the easement shall allow lateral access during high tide.</p> <p><u>Bluff top</u> - along bluffs for public viewing or hiking. Such easements should run along the edge of the bluff and be of sufficient width to provide safe access along the bluff edge, generally twenty-five feet inland from the current edge.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-PA-9</b> and <b>C-PA-10</b>. LCPA Policy C-PA-9 also draws language from Unit I Public Access Policy 2 (p. 7), and LCPA Policy C-PA-10 also draws language from Unit II Natural Resources Policy 5.b (p. 75).</p> | <p><b>C-PA-9 Variety of Public Coastal Accessways.</b> When requiring public coastal access, include any of the following types of accessways, either singularly or in combination:</p> <ol style="list-style-type: none"> <li>1. Vertical accessways to the ocean or shoreline;</li> <li>2. Lateral accessways that extend from the ambulatory mean high tide line landward to a defined line, such as the intersection of the sand with the toe of a revetment, vertical face of a seawall, toe of a bluff, or other feature;</li> <li>3. Bluff top accessways along bluffs for public viewing or trail purposes or where no continuous sandy beach exists.</li> </ol> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policy 2, p. 7, and Unit II Public Access Policy 2.b, p. 14]</i></p> <p><b>C-PA-10 Impacts of Public Coastal Accessways on their Surroundings.</b> Site and design coastal accessways and parking and other support facilities to avoid, if feasible, and only then to minimize significant adverse impacts to sensitive environmental resources, agriculture, and the surrounding community. A vertical accessway should generally be ten feet in width unless site conditions warrant otherwise and should be located at least 10 feet from residential structures. Control public access to sensitive habitat areas, including timing, intensity, and location of such access, to minimize disturbance to wildlife.</p> <p>(PC app. 9/19/11, 2/8/10)</p> |

[Adapted from Unit II Public Access Policy 2, p. 14, and Unit II Natural Resources Policy 5.b, p. 75]

**Policy 2(c) p. 14**

c. Acceptance of public access easements or dedications. The County will accept, and as resources permit, open access easements in the following situation:

- (1) The offer to dedicate an easement is made pursuant to evidence of prescriptive rights, or
- (2) The offered easement is in a developed area (density of one unit per acre or greater) and substantial use could be expected by local residents.

Whenever the County has agreed or agrees to accept an easement, it will be responsible for maintaining that easement and signing where necessary. Signs posted along the shoreline of Tomales Bay shall indicate that no fires or overnight camping is permitted, and that the privacy of homeowners shall be respected. Where appropriate and feasible, parking areas should be provided in conjunction with access easements. The need for parking shall be determined based on existing parking and public transit opportunities in the area. As transit service becomes available, parking capacities should be reduced or eliminated.

If the County does not accept an easement, it shall attempt to find appropriate public or private agencies to do so. If no such agency is immediately available, a twenty-year irrevocable offer to dedicate the required easement(s) shall be recorded by the applicant prior to the issuance of a final County permit to commence construction. The County shall immediately notify the California Coastal Conservancy of such offers to dedicate. The County may process the irrevocable offers according to the Commission's centralized coastal access program.

**Policy Status**

The concept of this policy has been carried forward to LCPA Policy **C-PA-5**, **C-PA-18**, and **C-PA-19**, which also draw language from Unit I Public Access Policies 5 - 9 (pp. 7-8), and Coastal Act Section 30212(a)(3).

**C-PA-5 Acceptance of Offers to Dedicate Public Coastal Accessways.**

Accept offers to dedicate easements or fee title interests in coastal accessways and, as resources permit, place first priority on opening such accessways when the offer to dedicate is made pursuant to evidence of prescriptive rights or where the offer to dedicate is in a developed area. The County shall accept an offer to dedicate within 9 months of recordation. If the County does not accept an easement within this time period, it shall attempt to find an appropriate public or private agency to do so. Notwithstanding the above, the County may at any time accept a valid offer to dedicate an easement that has not been accepted by another entity.

(PC app. 9/19/11, 2/8/10)

[Adapted from Unit I Public Access Policy 6, p. 8, and Unit II Public Access Policy 2.c, p. 14]

**C-PA-18 Parking and Support Facilities at Public Coastal Accessways.**

Where appropriate and feasible, provide parking areas for automobiles and bicycles and appropriate support facilities in conjunction with public coastal accessways. The location and design of new parking and support facilities shall minimize adverse impacts on adjacent residential areas. The need for parking shall be determined based on existing parking and public transit opportunities in the area, balanced with resource protection policies. Consider opportunities for reducing or eliminating parking capacities if transit service becomes available or increases.

(PC app. 9/19/11, 2/8/10)

[Adapted from Unit I Public Access Policies 5 and 9, pp. 7-8, and Unit II Public Access Policy 2.c, p. 14]

**C-PA-19 Explanatory Signs at Public Coastal Accessways.**

Sign existing and new public coastal accessways, trails, and parking facilities where necessary, and use signs to minimize conflicts between public and private land uses. Signs posted along the shoreline shall indicate appropriate restrictions, such as that no fires or overnight camping are permitted, and that the privacy of homeowners shall be respected. Where public access trails are located adjacent to agricultural lands, signs shall indicate appropriate restrictions against trespassing, fires, camping, and hunting. Where only limited public access or use of an area can be permitted to protect resource areas from overuse, such signing should identify the appropriate type and levels of use consistent with resource protection. The

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|   | <p>County and CALTRANS shall, as resources permit, post informational signs at appropriate intersections and turning points along visitor routes, in order to direct coastal visitors to public recreation and nature study areas in the Coastal Zone.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I Public Access Policies 7 and 8, p. 8, and Unit II Public Access Policy 2.c, p. 14]</i></p>   |
| <p><b><u>Policy 2(d) p. 15</u></b></p> <p>d. <u>Access on developed lots.</u> Public access easements need not be required in a coastal permit for the replacement of, demolition or reconstruction of, or improvements to certain existing structures, as specified in Section 30212(b) of the Coastal Act.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-PA-3</b>, which also draws language from Unit II Public Access Policy 5 (p. 23).</p>                                   | <p><b>C-PA-3 Exemptions to Public Coastal Access Requirements.</b> Exempt from the public coastal access requirement of Policy C-PA-2 a coastal permit for:</p> <ol style="list-style-type: none"> <li>1. Improvement, replacement, demolition or reconstruction of certain existing structures, as specified in Section 30212 (b) of the Coastal Act, and</li> <li>2. Any new development upon specific findings under Section 30212 (a) that (1) public access would be inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected.</li> </ol> <p>Upon specific findings that public use of an accessway would seriously interfere with the privacy of adjacent residents, public access need not be required. The findings on any point above shall include a consideration of whether or not (1) design measures such as setbacks from sensitive habitats, trails, or stairways, or (2) management measures such as regulated hours, seasons, or types of use could adequately mitigate potential adverse impacts from access.</p> <p>[BOS app. 7/30/2013]</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit II Public Access Policies 2.d, p. 15, and 5, p. 23]</i></p> |
| <p><b><u>Policy 2(e) p. 15</u></b></p> <p>e. Proximity to mariculture operations. In siting access easements, the County shall consider the location of mariculture operations offshore and the potential impacts of public access on those operations in terms of vandalism and other disturbances.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policies <b>C-PA-10</b> and <b>C-MAR-3</b>. LCPA Policy C-PA-10 also draws language from Unit II Natural Resources Policy 5.b (p. 75).</p> | <p><b>C-PA-10 Impacts of Public Coastal Accessways on their Surroundings.</b> Site and design coastal accessways and parking and other support facilities to avoid, if feasible, and only then to minimize significant adverse impacts to sensitive environmental resources, agriculture, and the surrounding community. A vertical accessway should generally be ten feet in width unless site conditions warrant otherwise and should be located at least 10 feet from residential structures. Control public access to sensitive habitat areas, including timing, intensity, and location of such access, to minimize disturbance to wildlife.</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit II Public Access Policy 2, p. 14, and Unit II Natural Resources Policy 5.b, p. 75]</i></p>  |



**C-MAR-3 Apply General Standards to Mariculture Operations.** The coastal permitting agency (Coastal Commission and/or Marin County) shall apply the following standards and procedures to all mariculture operations:

1. Protection of eelgrass beds. The siting of oyster allotments, mariculture leases, and mariculture structures should avoid interference or damage to eelgrass beds in Tomales Bay, in conformance with Section 30.10, Title 14, California Code of Regulations.
2. Operator access. Public agencies should be encouraged to consider operator access to mariculture leaseholds.
3. Shoreline access. Mariculture operations and onshore support facilities shall incorporate provisions for public access to and along the shoreline unless such access would interfere with mariculture and the impacts from access cannot be mitigated to less than significant levels. In evaluating coastal permits for mariculture, the County shall consider the location of existing accessways and potential conflicts between mariculture and public use of the shoreline.
4. Boating access. The placement of structures within new or existing allotments and leases shall not interfere with public boating access at high tide to state lands within the leased areas. If boat passages are proposed, they shall be spaced at a minimum of one passage per 1/2 mile of shoreline.
5. Onshore support facilities. Applicants for a coastal permit shall specify what access points and onshore support facilities (e.g. boat launch, loading dock, etc.) are required for the proposed mariculture operation, where such facilities will be located, and the timing of use. If private lands will be used for access or support facilities, the applicant shall submit a written statement from the property owner(s) agreeing to such use. If public lands will be used for access or support facilities, the applicant shall arrange a lease with the appropriate public agency specifying the type, location, and timing of use which is acceptable.
6. Visual impacts. Mariculture structures shall be sited and designed to minimize visual impacts, especially in areas which are highly visible from public roads, parks, or other public viewing areas.

(PC app. 12/1/11, 3/8/10)

[Adapted from Unit II Mariculture Policy 2, pp. 113-116]

**Policy 3, p. 15**

Specific recommendations for new accessways in Unit II. The recommendations

**C-PA-6 Acquisition and Location of New Public Coastal Accessways through Suitable Means.** Acquire additional public coastal accessways in order

for new accessways have been divided into three geographic areas: west shore of Tomales Bay, east shore of Tomales Bay, and the area north of Walker Creek. If and when undeveloped parcels on the shoreline of Tomales Bay are purchased by the federal government, access easements by the County on those parcels will no longer be necessary.

a. West shore of Tomales Bay. Recommendations for the west shore are listed from north to south, in five segments.

(1) Location: Tomales Bay State Park to Chicken Ranch Beach.

Description: Most of the lots between these two public parks have been developed with single-family dwellings as part of the Teacher's Beach Subdivision. The terrain in this area is generally steep and heavily vegetated. Access is by a narrow winding side road off of Sir Francis Drake Boulevard, used by the public to reach the southern end of Tomales Bay State Park. There appears to be little if any public use of the shoreline in this area, except for Chicken Ranch Beach and the area adjacent to it. An offer of dedication of an easement was required as a condition of permit approval by the Regional Coastal Commission for AP #112-042-03, which abuts Chicken Ranch Beach.

LCP recommendations: Agricultural use of the public trust portion of AP# 112-042-03, included in the accepted easement, should be permitted to continue until such time as the public easement is opened for public use as determined by the County Director of Parks and Recreation.

(2) Location: Chicken Ranch Beach to the Inverness Yacht Club.

Description: Approximately 50% of the shoreline has been developed between these two points with single-family dwellings and the Golden Hinde Boatel. The Beach and the Boatel are the two formal accessways in this area; however, there is evidence of prescriptive rights on many of the undeveloped parcels, particularly those with sandy beach frontage. The three small parcels south of Chicken Ranch Beach are used by the public as an extension of the Beach, while those immediately south of the Boatel are used by visitors there. Trails and informal parking areas are evident on several undeveloped parcels. An offer of dedication of an easement was required by the Regional Coastal Commission for AP #112-101-16.

LCP recommendations: Lateral access shall be required on the three parcels south of Chicken Ranch Beach, AP #112-091-09, 04, and 06.

Lateral access shall be required on the two parcels south of the

to enhance opportunities to reach public tidelands, to link publicly accessible beaches via lateral trails, and to avoid impacts of overuse of any single area. Acquisition shall be pursued through available means including, public purchase, tax default acquisitions, agreements with nonprofit management entities, voluntary donation, or, when permissible, dedication as a condition of a coastal project permit. When available funds or other acquisition opportunities are limited, accessways listed in the Appendix shall receive first priority. Acquisition and Location of accessways shall take into account the need to protect public safety, military security, fragile coastal resources, and agriculture.

[BOS app. 12/11/2012]

(PC app. 9/19/11, 11/23/09)

[Adapted from Unit I Public Access Policies 9, 11, 12, and 13, pp. 8-9, and Unit II Public Access Policies 3, 4, and 5, pp. 15-22]

**Program C-PA-6.a Review and Revise List of Recommended Public Coastal Accessways.** Review and revise as appropriate priority coastal access sites in the List of Recommended Accessways to reflect current suitability, environmental characteristics, and ownership status.

(PC app. 9/19/11, 2/8/10)

[New program, not in Unit I or II. The current detailed list of recommended accessways is now contained in "Appendix 5" of the LCPA.]

Golden Hinde Boatel, AP #112-101-05 and 06.

Vertical access shall be provided where the existing trail is sited on AP #112-101-09, 10, or 11, or #112-123-01. Lateral access shall be required on all of these parcels to accommodate existing public use. Shoulder parking in this area shall be maintained.

Lateral access shall be required in AP #112-123-04, 05, 06, and 07 to ensure public access to the sandy beach along the shoreline in this area. AP #112-151-01 to the south, owned by Audubon Canyon Ranch, should be maintained open to the public. If the use changes, easements shall be required to accommodate existing public use.

The offered easement on AP #112-101-16 should be accepted and opened to the public, unless the adjacent undeveloped parcel is purchased by the federal government for public parkland.

(3) Location: Inverness Yacht Club to the Inverness Store.

Description: Development in this section of the shoreline is concentrated primarily around Inverness Yacht Club to the north and Drake's Highway Garage and the Inverness Store to the south. Brock's Boathouse and a number of single-family dwellings are scattered in between. The shoreline south of the Yacht Club is relatively wide and marshy, while that in the vicinity of Brock's Boathouse is narrow and sandy. Formal public access exists at Children's Beach, adjacent to the Boathouse, and the Inverness Store. The area adjacent to the Inverness Library shows heavy use for both vertical and lateral access.

LCP recommendations: Access shall be maintained at Children's Beach, AP #112-193-03, 112-256-03, and 112-310-04. If the use changes, easements shall be required to accommodate existing public use. Lateral access shall be provided on AP# 112-310-06.

Both vertical and lateral access shall be provided on AP #112-310-25, adjacent to the Inverness Library, to accommodate existing public use.

(4) Location: Inverness Store to the William Page Shields Salt Marsh.

Description: This section encompasses a very narrow portion of the shoreline between the Store and Willow Point and a wider area from the Point south. The narrow portion consists of a sandy beach, largely undeveloped, while that to the south includes numerous houses. Several informal parking areas are evident, including the parcel south of Inverness Store. Formal public access and parking are available at the William Page Shields Salt Marsh, owned and

maintained by Audubon Canyon Ranch. An offer of dedication of an easement was required by the Regional Coastal Commission for AP #114-062-11,12, a freshwater marsh now owned by Audubon Canyon Ranch.

LCP recommendations: Vertical and lateral access shall be provided on the parcel adjacent to the Inverness Store, AP #112-310-20.

The offered easement on AP #114-062-11, 12 is not suitable for access because it is located in an environmentally sensitive area, a marsh. In addition, the easement is not necessary due to the availability of public access on the adjacent parcel, Shields Salt Marsh.

- (5) Location: William Page Shields Salt Marsh to Inverness Park.

Description: This area is somewhat different from the other areas on the west shore in that it abuts the Tomales Bay Ecological Reserve, a marsh, rather than Tomales Bay itself. Most of the parcels in this section, particularly towards the northern end, are quite marshy; consequently, most of the existing structures have been built on earth fill or pilings. This development is not readily visible from Sir Francis Drake Boulevard, due to heavy roadside vegetation. An old levee, running along the marsh or back side of these parcels, forms a viewing trail which shows evidence of public use. The levee is sited well away from existing houses and separated from them by additional marsh area. There is no formal access south of the William Page Shields Salt Marsh; however, an offer of dedication of an easement was required by the Regional Coastal Commission for AP #114-072-23.

LCP recommendations: The offered easement on AP #114-072-23 should be accepted and opened to the public.

The levee trail running south from AP #114-072-23 to AP #119-040-13 should be opened to the public on a limited basis. The trail should be closed during the spring nesting season (March 1st - June 30th) to conform with the closure of the Tomales Bay Ecological Reserve. Undeveloped parcels shall be required to offer lateral easements, and such easements should be sought on developed parcels in this area.

A vertical access easement shall be provided on AP #114 -082-02 and/or on undeveloped parcels adjacent to it, to connect with the levee trail.

- b. East shore of Tomales Bay. Recommendations for the east shore are listed from north to south in seven segments.

- (1) Location: Walker Creek delta to Miller Park.

Description: The Walker Creek delta, formed by the deposition of sediment where Walker Creek meets Tomales Bay, is a wide, flat, marshy area. Adjacent parcels between the delta and Highway 1 to the south are long, narrow, and fairly heavily vegetated. Audubon Canyon Ranch owns and preserves the delta as a wildlife sanctuary while the Department of Fish and Game owns several creekside parcels upstream. Access is limited to fishing and picnicking on the upstream parcels. Immediately south of the delta is Jensen's Oyster Beds, a more open 40-acre parcel directly on Tomales Bay. This partially developed property due north of the County-owned Miller Park shows evidence of public use along the shoreline.

LCP recommendations: Vertical and lateral access should be provided by the Department of Fish and Game and Audubon Canyon Ranch on upstream parcels AP #104-030-02, 05, 08, and #104-040-08 and 12, where consistent with the protection of this sensitive resource area.

Vertical and lateral access shall be required on AP #104-110-08, Jensen's Oyster Beds, if it is developed further, to formalize existing public use of the shoreline. Parking shall be maintained in the existing parking area.

(2) Location: Miller Park to North Shore Boats.

Description: This relatively narrow section of shoreline has a variety of visitor-serving, residential, nature preserve, and marine-related uses. Development is concentrated at the northern end near Nick's Cove and at the southern end near North Shore Boats, with a few single-family dwellings scattered in between. Nick's Cove and Miller Park form a popular recreational area used by the public for clamming, boating, and fishing. In addition to public access at this point, limited access is available at North Shore Boats, a boat storage, launching, and repair facility. The undeveloped parcels along the entire shoreline in this area, including that owned by Audubon Canyon Ranch, show evidence of public use for access and parking.

LCP recommendations: Vertical and lateral access to tidelands shall be maintained in the vicinity of Nick's Cove. The developed parcels, AP #104-150-01 and 02 which constitute the Cove, shall incorporate formal provisions for public access if they are further developed. Access on the undeveloped parcels immediately to the south, AP #104-050-07 and 08 shall be required.

Vertical and lateral access and parking shall be required on the Audubon parcel, AP #104-160-01, if its use changes, to guarantee

continued public use.

Vertical and/or lateral access shall be provided on AP #104-160-15 and 16.

- (3) Location: North Shore Boats to state parkland at Cypress Grove.

Description: North Shore Boats is located on a wide peninsula of land which then narrows considerably to the south. Other than the boatworks, the only type of development is single-family residential, most of which is concentrated in the center of this shoreline section. There is no formal public access point on any parcel, but informal public use is evident on virtually all of the lots to the south, adjacent to state parkland. Numerous roadside turnouts exist along Highway 1 in this southern area. Audubon Canyon Ranch owns several undeveloped lots, one of which is due south of the North Shore Boats peninsula. The southern side of the peninsula, developed with two houses, has a long, sandy, scenic beach. An offer of dedication of an easement was made as a condition of coastal permit approval by the Regional Coastal Commission on AP #104-180-15 and 16.

LCP recommendations: Vertical and lateral access shall be provided on AP #104-190-31 and 32, the latter of which is owned by Audubon. Lateral access shall also be provided on the undeveloped parcels on the southern side of North Shore Boats peninsula, AP #104-180-13, 14, 15, and 16.

Shoulder parking for public viewing purposes shall be maintained on AP #104-190-43, 44, 45, and/or 46, and on AP #104-220-01.

At least three vertical accessways shall be provided in the section of undeveloped lots from AP #104-220-05 south through AP #104-210-09, at approximately 1/4 mile intervals. Lateral access shall be required on all of these lots. Shoulder parking shall be maintained in at least three locations. The offer of dedication of an easement on AP #104-180-15 and 16 should be accepted and opened to the public.

- (4) Location: State parkland at Cypress Grove to Marshall Tavern.

Description: At this point on the shoreline, Highway 1 turns inland, creating a relatively broad coastal terrace, approximately 1/2 mile in width. Public, nature preserve, and private uses are located in this area: the northern third forms a recently acquired state park, the central third includes a marsh and is owned and managed by Audubon Canyon Ranch, and the-southern third is a private agricultural operation. The terrain is fairly level, open and covered

with grass. Public access will be available at the park in the future when it is opened. Access is presently available to Audubon lands by appointment. Audubon carefully controls access to and around its marshlands due to their environment sensitivity and value as wildlife habitat.

LCP recommendations: Limited access should continue to ACR properties. Coordination between ACR programs at Cypress Grove and those on adjacent public parklands to the north should be explored.

(5) Location: Marshall Tavern to Marshall Boat Works.

Description: This portion of the shoreline constitutes most of the “town” of Marshall. It is extremely narrow and largely built out with single-family residential dwellings on pilings. The few undeveloped lots, used by the public for parking, viewing, and clamming, serve a very important visual access function by providing a break in the long row of developed lots. The state owns two parcels in this section, AP #106-020-31 and 32.

LCP recommendations: Lateral access shall be maintained on AP #106-020-33, 12, and 17, the first of which is owned by Audubon. Vertical access shall be provided on at least one of these parcels.

Vertical and lateral access shall be required on AP #106-030-16, 106-040-01, 02, 03, and 06.

Shoulder parking on all of the undeveloped parcels in this section shall be maintained.

(6) Location: Marshall Boat Works to Marconi Cove Marina.

Description: Except for the boatworks area, the shoreline between the boatworks and the Marina is extremely narrow. Single-family development is grouped in three locations, with long, narrow, undeveloped parcels in between. These undeveloped parcels are regularly used by the public for parking, viewing, clamming, and walking, and provide important visual access to the bay. The three formal access points in this section are located at Marshall Boat Works, Tony’s Seafood, and Marconi Cove Marina. An offer of dedication of an easement was required as a condition of coastal permit approval by the Regional Coastal Commission on AP #106-210-41, adjacent to the Marconi Cove Marina, to protect prescriptive rights. This offer has not yet been made.

LCP recommendations: Lateral access shall be provided on AP#106-050- 10, to accommodate existing public use. No parking is

recommended due to the very limited shoulder area.

Vertical and lateral access and parking shall be required on AP #106-210-46 and 33 to accommodate existing public use.

The required easement on AP #106-210-41 need not be accepted, if offered, due to the availability of access on the adjacent property, Marconi Cove Marina.

- (7) Location: Marconi Cove Marina to state parklands on Tomasini Point.

Description: There are sixteen parcels between the Marina and the park, only three of which are developed. The immediate shoreline on all of these lots is quite narrow but sandy in places and suitable for walking. The upland area is fairly steep south of the Marina but towards the park, widens out and shows potential for further development. Ideally, a shoreline trail could connect Marconi Cove Marina with the park on Tomasini Point; however, the presence of two houses on pilings seems to preclude this option. Evidence of prescriptive rights exists on most of the undeveloped parcels. Shoulder parking is available at several points towards the southern end of this section.

LCP recommendations: Lateral access shall be extended south from Marconi Cove Marina onto AP #106-270-09, 10, 07, 08, and 04

Lateral access shall be required on AP #106-280-14, 10, 02, and 03. Although these four lots are located between existing house lateral access easements will maintain the option for a shoreline trail connecting the Marina and the park.

Lateral access shall be required on AP #106-280-05, 06, and 07 and on AP #106-290-01. Vertical access shall also be provided on this latter parcel.

Shoulder parking at existing locations shall be maintained.

- c. North of Walker Creek. Recommendations for the area north of Walker Creek are listed from south to north in two segments.

- (1) Location: Walker Creek to Dillon Beach.

Description: This area includes extensive agricultural holdings and the popular recreational areas at Lawson's Landing and Dillon Beach. Public access is available to and along the shoreline north of Tom's Point for recreational clamming, boating, fishing, and walking. Public use south of Tom's Point is less but the shoreline is suitable for walking. There are several small marshes in the vicinity of the Point and three large oyster allotments offshore. An offer of dedication of



a lateral easement was required as a condition of coastal permit approval by the Regional Coastal Commission on AP #104-040-25.

LCP recommendations: The offered easement on AP #104-040-25 should be accepted and opened to the public.

Lateral access shall be required on all undeveloped parcels on the shoreline between Dillon Beach, AP #100-100-46, and the Walker Creek delta, AP #104-040-03.

(2) Location: Dillon Beach to Estero Americano.

Description: The Oceana Marina subdivision is located immediately north of the village area in Dillon Beach. There is public use of the shoreline in this area; however, low bluffs make access somewhat difficult. North of the subdivision, the terrain becomes quite steep and vertical access to the water is not possible except in a few places. High coastal bluffs offer impressive views of the ocean and the Esteros. Public pedestrian use has been made of an existing dirt road to reach the Estero de San Antonio. North of this Estero, the land is quite inaccessible.

LCP recommendations: Lateral and/or bluff top access easements shall be required on all parcels including and north of AP #100-100-46 at Dillon Beach.

Vertical access shall be provided on AP #100-100-30, adjacent to the Oceana Marin subdivision.

Public pedestrian access to the Estero de San Antonio shall be maintained on the existing dirt road through AP #100-100-57 and 100-040-33.

### **Policy Status**

The concept of this policy has been carried forward to LCPA Policy **C-PA-6** and Program **C-PA-6.a**. LCPA Policy C-PA-6 also draws language from several other Unit I and II policies, as noted in the column to the right. The current detailed list of recommended accessways is now contained in "Appendix 5" of the LCPA.

**Policy 4 p. 22**

Priorities for acquisition. If funds become available with which to purchase public access easements, such easement shall be purchased first on the parcels listed below. These parcels were designated because they are heavily used by the public and/or are very important for visual access.

- a. East shore of Tomales Bay, undeveloped parcels. Public access easements are recommended on the following parcels:

| <u>Area</u>            | <u>AP Number</u>   |
|------------------------|--------------------|
| North of Cypress Grove | 104-210-09         |
| North of Cypress Grove | 104-230-03, 04     |
| Marshall               | 106-040-01, 02, 03 |
| Marshall               | 106-030-16         |
| Marshall               | 106-020-12, 17     |
| Marconi Cove Marina    | 106-210-33, 46     |

- b. West shore of Tomales Bay, undeveloped parcels. Public access easements are recommended on the following parcels:

| <u>Area</u>         | <u>AP Number</u>   |
|---------------------|--------------------|
| Chicken Ranch Beach | 112-091-04, 06, 09 |

- c. Developed parcels. The one developed parcel most desirable for public access is Jensen's Oyster Beds, AP #104-110-08. The southerly portion of the property, adjacent to Miller Park, is particularly suitable for access.

**Policy Status**

The concept of this policy has been carried forward to LCPA Policy **C-PA-6** and *Program C-PA-6.a*. LCPA Policy C-PA-6 also draws language from several other Unit I and II policies, as noted in the column to the right. The current detailed list of recommended accessways is now contained in "Appendix 5" of the LCPA.

**Policy 5, p. 23**

Exceptions for parcels not recommended for access at this time. When the County reviews coastal permits for development on parcels not specifically listed in Policy #3, the general standards in Policy #2 shall apply as well as the following exception:

Public access may not be required upon specific findings by the County that,

- (1) It is inconsistent with public safety or the protection of fragile coastal resources, or.
- (2) Agriculture would be adversely affected, or

**C-PA-6 Acquisition and Location of New Public Coastal Accessways through Suitable Means.**

Acquire additional public coastal accessways in order to enhance opportunities to reach public tidelands, to link publicly accessible beaches via lateral trails, and to avoid impacts of overuse of any single area. Acquisition shall be pursued through available means including, public purchase, tax default acquisitions, agreements with nonprofit management entities, voluntary donation, or, when permissible, dedication as a condition of a coastal project permit. When available funds or other acquisition opportunities are limited, accessways listed in the Appendix shall receive first priority. Acquisition and location of accessways shall take into account the need to protect public safety, military security, fragile coastal resources, and agriculture.

[BOS app. 12/11/2012]

(PC app. 9/19/11, 11/23/09)

[Adapted from Unit I Public Access Policies 9, 11, 12, 13, pp. 8-9, and Unit II Public Access Policies 3, 4, and 5, pp. 15-22]

**Program C-PA-6.a Review and Revise List of Recommended Public Coastal Accessways.**

Review and revise as appropriate priority coastal access sites in the List of Recommended Accessways to reflect current suitability, environmental characteristics, and ownership status.

(PC app. 9/19/11, 2/8/10)

[New program, not in Unit I or II. The current detailed list of recommended accessways is now contained in "Appendix 5" of the LCPA.]

**C-PA-6 Acquisition and Location of New Public Coastal Accessways through Suitable Means.**

(See policy language above)

|  |            |
|--|------------|
| <p>(3) Public use of an accessway would seriously interfere with the privacy of existing homes.</p> <p>The County's findings on any point above shall include a consideration of whether or not measures such as setbacks from sensitive habitats, trail or stairway development, or regulated hours, seasons, or types of use, could adequately mitigate potential adverse impacts from access.</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-PA-6</b>, which also draws language from several other Unit I and II policies as noted in the column to the right.</p> |            |
| <p><b>Policy 6, p. 23</b></p> <p><u>Bike and pedestrian trails.</u> Requirements for access easements to provide for hiking/biking trails in Unit II are described in Policy #4 under Recreation and Visitor-Serving Facilities.</p> <p><b>Policy Status</b></p> <p>Since this policy only refers to another policy and does not provide policy direction, it has not been carried forward to the LCPA. However, the policy referenced here (Unit II Recreation and Visitor-Serving Facilities Policy 4, p. 52) has been carried forward to LCPA Policy C-PK-14.</p>   | <p>n/a</p> |

| <b>Unit II<br/>Recreation and Visitor-Serving Facilities</b>  |  |
|---|--|
| <b>Unit II - Existing Policy</b>  | <b>LCPA - Proposed Policy</b>  |
| <p><b><u>Policy 1, p. 42</u></b></p> <p><u>General policy.</u> The County of Marin supports and encourages the enhancement of public recreational opportunities and the development of visitor-serving facilities in its coastal zone. Such development must, however, be undertaken in a manner which preserves the unique qualities of Marin's coast and which is consistent with the protection of natural resources and agriculture. Generally, recreational uses shall be low-intensity, such as hiking, camping, and fishing, in keeping with the character of existing uses in the coastal zone. New visitor-serving commercial development shall be compatible in style, scale, and character with that of the community in which it is located and shall be sited and designed to minimize impacts on the environment add on other uses in the area. The County encourages that a diversity of recreational opportunities and facilities be provided, especially those of moderate cost. Facilities for water-oriented recreational uses, such as clamming and boating, are preferred to those which do not require a coastal location.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policies <b>C-PK-1</b>, <b>C-PK-2</b> and <b>C-PK-8</b>. LCPA Policy C-PK-2 also draws language from Unit II Recreation and Visitor-Serving Facilities Policy 3.a (p. 43).</p> | <p><b>C-PK-1 Opportunities for Coastal Recreation.</b> Provide high priority for development of visitor-serving and commercial recreational facilities designed to enhance public opportunities for lower-cost coastal recreation. On land designated for visitor-serving commercial and/or recreational facilities, ensure that higher priority shall be given to such uses over private residential or general commercial development. New visitor-serving uses shall not displace existing lower-cost visitor-serving uses unless an equivalent replacement is provided.</p> <p>(PC app. 9/19/11, 10/26/09)</p> <p><i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 1, p. 42, and Malibu LCP Policy 2.33]</i></p> <p><b>C-PK-2 Compatible Commercial Recreation Facilities.</b> Ensure that new visitor-serving and commercial development is compatible in architectural character, scale, and function with the character of the community in which it is located to preserve the integrity and special qualities of coastal villages in the Coastal Zone. Site and design visitor-serving and commercial development to minimize impacts on the environment and other uses in the area, and evaluate it for its conformance with LCP policies on natural resources, agriculture, visual quality, public access, and public services, among others.</p> <p>(PC app. 9/19/11, 10/26/09)</p> <p><i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policies 1, p. 42, and 3.a, p. 43]</i></p> <p><b>C-PK-8 Appropriate Public Recreation Opportunities.</b> Ensure that public recreational development is undertaken in a manner which preserves the unique qualities of Marin's coast and is consistent with the protection of natural resources and agriculture. Generally, recreational uses shall be low-intensity, such as hiking, camping, and fishing, in keeping with the character of existing uses in the Coastal Zone.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 1, p. 42]</i></p> |
| <p><b><u>Policy 2, p. 42-43</u></b></p>   | <p><b>C-PK-11 State Parks.</b> The State Department of Parks and Recreation has numerous holdings in the Coastal Zone, several of which have not been</p>  |

Public parklands.

- a. Role of public parklands. Federal, state, and county parks provide most of the existing opportunities for public recreation in Unit II, for both local residents and coastal visitors. The LCP assumes that most future recreational needs of the public will be met by these parks as well. The potential for additional recreational development on parklands is substantial and would, in concept, be consistent with the goals of the LCP. The policies listed below provide a framework within which such future development is to be evaluated. (Policies on federal lands are given in a separate section of the LCP on page 61.)
- b. State parks. The State Department of Parks and Recreation has numerous holdings in Unit II, several of which have not yet been developed. The State will prepare detailed master plans for the development of these parks which shall be subject to review according to the following standards:
- (1) Inverness Ridge. Development of the 1200-acre Inverness Ridge project should be limited to low-intensity uses such as hiking and nature study. Primitive hike-in campsites are also appropriate in select locations, where the constraints of slope, fire hazard, and water quality impacts can be adequately-addressed. Extreme caution should be taken in siting campsites to minimize fire danger to nearby residential areas. Development of the Inverness Ridge project should be integrated with that of Tomales Bay State Park and the Point Reyes National Seashore. The County encourages the transfer of state parklands on the Inverness Ridge, located between Paradise Ranch Estates and the Inverness Valley Inn, to the federal government for management as part of the Point Reyes National Seashore, as authorized in Public Law 96-199.
  - (2) Tomasini/Millerton Points. This area should be developed both for day and overnight use. Recommended facilities for this park include picnic sites, fishing areas, trails, nature study areas, and campsites. The campsites should be located on the upland side of Highway I where they can be screened from view and sited so as not to interfere with adjacent agricultural uses or create, a fire hazard. The existing mariculture operation on the property should remain and, if possible, be incorporated into the interpretive facilities of the park. The five existing single-family dwellings on Millerton Point should be removed so that the natural beach landscape in this area can be restored. A bike trail connecting with Highway I should be included in the development plan and the construction of a boat launch should be considered. All development on the Points should be carefully sited and designed to protect views to and along Tomales Bay.
  - (3) Cypress Grove project. This property should be a day use area only, due to its small size, high visibility, and exposure. Picnicking, hiking, fishing, and

developed. Collectively, these holdings form Tomales Bay State Park and limited portions of Mount Tamalpais State Park. The Department has prepared a general Plan for both Tomales Bay State Park, which includes most of the state park lands in Marin County's Coastal Zone, as well as Mount Tamalpais State Park. Development within the state parks should be consistent with their adopted General Plans as described below.

**Mount Tamalpais State Park.** The development of additional recreational and visitor services on those portions of the Mount Tamalpais State park within the coastal zone, including hiking trails, equestrian trails, a "primitive" hostel at the Steep Ravine Cabins and improved parking and support facilities at Red Rock are consistent with the LCP policies. Such facilities shall be similar in design, size and/or location as those proposed by the Mount Tamalpais State Park Plan. Consistent with the protection of significant resources, additional trail development to improve access to public tidelands is encouraged.

**Tomales Bay State Park.** The Tomales Bay State Park General Plan states that it "aims to preserve what works well now in the park and only recommends changes to park management, activities, and recreational and administrative facilities that can harmonize with the area's sensitive values and support valuable visitor experiences of Tomales Bay and its surrounding landscape." Support development at Tomales Bay State Park consistent with the adopted General Plan:

1. Focus and anchor east shore recreation at Marconi Cove and west shore recreation at Heart's Desire area.
2. Manage the greater part of park areas for their habitat, watershed, and aesthetic values and for low-impact and low-density recreation opportunities such as trail use, nature observation, and picnicking.
3. Enhance trail connections with Point Reyes National Seashore in the Heart's Desire and Inverness areas.
4. Improve recreational opportunities along the Highway One corridor where recent acquisitions present new opportunities.
5. Formalize small-scale camping opportunities in previously developed areas.
6. Provide watercraft and sailboard launching opportunities at Marconi Cove

nature study would be appropriate activities for this park. The possibility of incorporating interpretive facilities on this site with those on Cypress Grove properties to the south, owned by Audubon Canyon Ranch, should be explored.

- c. County parks. The three county parks in Unit II, Miller Park, Whitehouse Pool, and Chicken Ranch Beach, offer boating, fishing, and swimming opportunities in key locations and should remain in operation. If possible, water should be supplied to Miller Park for the benefit of those who use the facility. Existing roadside parking for Chicken Ranch Beach on Sir Francis Drake Boulevard should be maintained in its present configuration. If parcels to the south are purchased as an addition to the Beach, modest expansion of the parking area should be considered.
- d. Acquisitions. The undeveloped shoreline on both sides of Tomales Bay has great value for public recreation, public physical and visual access to the water, and natural resource protection. The County strongly encourages public acquisition of these lands so that they may be preserved for public use and protected from the impacts of development. To this end, the County supports recent federal legislation, HR 3757, authorizing purchase of undeveloped lots on Tomales Bay and recommends that purchase be completed as soon as possible. The County also supports the acquisition of all or a portion of the-property known as Jensen's Oyster Beds, AP #104-110-08, as an extension of Miller Park if it is not developed for some other visitor-serving use and the acquisition of Tom's Point, AP #104-040-20,21, to protect the significant archaeological and geological resources on the site.

**Policy Status**

This policy has been carried forward to LCPA Policies **C-PK- 11** and **C-PK-12**.

and provide hiking and mountain biking recreational opportunities at the proposed trail in the Millerton Uplands.

- 7. Use sustainable design in siting, construction, and maintenance of park facilities. Furthermore, the following guidelines shall be applied as standards for coastal project permit review for proposed development in the park:

**Heart's Desire Area**

- 1. Preserve and enhance the forest structure and age classes of the Jepson Grove/Bishop pine forest and forest growth by improving *Pinus muricata* growth.
- 2. Continue to manage Heart's Desire Beach as the only "drive-up" beach access in the park.
- 3. Preserve and enhance the Indian Beach estuary and protect its cultural attributes including the midden site.
- 4. Restore the natural outlet of the estuary that was lost when the parking lot was built at Heart's Desire Beach in the 1960s.
- 5. Redesign and relocate picnic facilities to better blend with the natural environment and to provide a sense of seclusion where appropriate.
- 6. Adapt former hike-bike campground to a group campground.
- 7. Develop small walk-in campground (maximum of 15 sites) above the entrance station provided, however, that accommodation may be made for vehicles to provide any necessary disability access.
- 8. Encourage the Point Reyes National Seashore to extend its trail system to help complete the California Coastal Trail in two locations: connect the Indian Beach Trail to Marshall Beach Trail, and connect the Johnstone Trail to the Mount Vision Road and Inverness Ridge Trail.

**Inverness Area**

- 1. Manage these parcels as natural watershed, viewshed and wildlife habitat.
- 2. On the North Dream Farm property, consider developing a day-use trailhead, a self-guided nature trail loop, and an extension of the nature trail which would connect with the ridgetop trails of Point Reyes National Seashore.
- 3. Consider acquisitions from willing sellers, land exchanges, or land-use agreements to consolidate the park's three discontinuous Inverness Area parcels and make them more usable for public hiking both on the

Tomales Bay side and to connect with trails in the Point Reyes National Seashore.

4. Encourage the State Department of Parks and Recreation to consider transferring to the Inverness Public Utility District the management or ownership of the three Assessors Parcels located around the District's watershed lands.

**Millerton Area**

1. Preserve and protect the Tomasini Point estuary area as habitat for native plants and animals.
2. Create a Millerton Uplands trail as part of a new segment of the California Coastal Trail.
3. Consider establishment of two trailheads to support the proposed Millerton Uplands trail—a southern trailhead near Millerton Point and a northern trailhead at Tomasini Point, including, if necessary for safety, a modest-sized and sensitively located and screened parking lot and restroom facilities on the east side of the highway near the entrance to Sheep Ranch Road.
4. Encourage the State Department of Parks and Recreation to maintain existing agricultural operations on acquired lands on the east shore of Tomales Bay until such time as the lands are developed for recreational purposes.

**Marconi Cove Area**

1. Provide day-use picnicking and boating facilities, including boat launch ramp, at this former marina/campground site.
2. Provide environmental campsites which could accommodate, but would not be limited to, camping needs of bicyclists, boaters, and future hikers of the California Coastal Trail.
3. Consider adaptation of the bathhouse (potentially historic) along Highway One to use as staff or campground host housing or for another park use.
4. Provide parking facilities, park entrance, restrooms, landscaping, interpretive signage, pathways, fencing, lighting, and campground amenities such as fire rings, tables, and food lockers.
5. Retain natural values, especially where the property is narrowest, on the south end.
6. Ensure that development and operation of recreational facilities at Marconi Cove consider potential impacts to freshwater and baywater quality, wildlife, and to existing state water bottom leases utilized for commercial shellfish aquaculture.

|   |  |
|---|--|
|   | <p><b>North Marshall Area</b></p> <ol style="list-style-type: none"> <li>1. Preserve the natural resources and open space character of this property and consider future potential for low-intensity public access and use.</li> <li>2. Since this property is remote from the park's other holdings and has limited recreational potential, explore the environmental and operational benefits that may be available through land exchanges, memoranda of understandings, or other arrangements with interested organizational stakeholders to achieve common goals of protecting and managing the natural resources and open space of this area.</li> </ol> <p>[BOS app. 12/11/2012]<br/> (PC app. 11/7/11, 9/19/11, 2/8/10)<br/> <i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 2.b, p. 42]</i></p> <p><b>C-PK-12 Existing County Parks in the Coastal Zone.</b> Continue to operate the six Marin County Parks facilities in the Coastal Zone, Miller Park, Whitehouse Pool, Chicken Ranch Beach, Bolinas Park, Upton Beach, and Agate Beach, which offer boating, fishing, and swimming opportunities in key locations. If possible, supply water to Miller Park for the benefit of those who use the facility. Maintain existing roadside parking for Chicken Ranch Beach on Sir Francis Drake Boulevard, and add handicapped parking, if feasible.</p> <p>(PC app. 9/19/11, 11/23/09)<br/> <i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 2.c, p. 43]</i></p> |
| <p><b><u>Policy 3(a), p. 43</u></b></p> <p>(a) <u>General standards and zoning.</u> In order to preserve the integrity and special qualities of coastal villages in Unit II, visitor-serving and commercial development shall be compatible in architectural style, scale, and function with the character of the community in which it is located. Such development shall also be evaluated for its conformance with LCP policies on natural resources and agriculture, visual quality, public access, and public services, among others. Existing commercial zoning shall be modified in accordance with policies 3(b) through 3(g) below. Additional LCP rezonings, not related to commercial development, are given in the LCP section on new development, page 209.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PK- 2</b>, which also draws language from Unit II Recreation and Visitor-Serving Facilities Policy I (p. 42).</p> | <p><b>C-PK-2 Compatible Commercial Recreation Facilities.</b> Ensure that new visitor-serving and commercial development is compatible in architectural character, scale, and function with the character of the community in which it is located to preserve the integrity and special qualities of coastal villages in the Coastal Zone. Site and design visitor-serving and commercial development to minimize impacts on the environment and other uses in the area, and evaluate it for its conformance with LCP policies on natural resources, agriculture, visual quality, public access, and public services, among others.</p> <p>(PC app. 9/19/11, 10/26/09)<br/> <i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 1, p. 42 and 3.a, p. 43]</i></p>   |



**Policy 3(b), p. 44**

(b) Olema. The town of Olema consists of a small enclave of privately owned lands surrounded by federal parkland, located at the junction of two major coastal access roads. Due to its location and function, Olema is an appropriate site for the expansion of visitor-serving facilities. Specifically, an increase in campsites or trailer sites at the Olema Ranch Campground would be appropriate, provided that sewage disposal and other constraints can be met and that suitable landscaping is provided to screen the trailer storage area. New motel construction and/or the conversion of existing structures to hotels or hostels, as well as the development of other commercial services, is also encouraged.

In order to concentrate development, provide for the expansion of visitor-serving facilities, and preserve agriculture, the following rezonings' shall be adopted:

- (1) The two large agricultural parcels on the east side of Highway 1 currently zoned for strip RCR development, AP #166-030-15 and AP #166-010-27, shall be rezoned to APZ-60. *(Staff note: Parcel 166-030-15 has been rezoned to C-OA and is now owned by the GGNRA; Parcel 166-010-27 is also owned by the GGNRA and was rezoned to C-APZ-60.)*
- (2) The parcels bounded by Bear Valley Road to the south, Highway 1 to the east, Olema Creek to the west, and adjacent to the Olema Ranch Campground but which are -not a part of the campground, shall be rezoned from A-2:B-2 and RCR to VCR.

These parcels include:

| AP number     | Zoning: Existing | Zoning: LCP |
|---------------|------------------|-------------|
| 166-181-01,03 | RCR              | VCR         |
| 166-181-04    | A-2:B-2          | VCR         |
| 166-192-01    | A-2:B-2          | VCR         |
| 166-192-02    | RCR              | VCR         |
| 166-220-15,16 | RCR              | VCR         |

*Staff note: the parcels in the above table were rezoned to C-VCR via Ordinance 2704. In addition, parcel 166-192-02 is now 166-192-06. Parcel 166-220-15 is now 166-220-18 and 19.*

- (3) The parcels in the center of town bounded by Bear Valley Road to the north, Highway 1 to the east, Olema Creek to the west, and a private road to the south, currently zoned H-1 or A-2:B-2, shall be rezoned to VCR. Two small inholdings south of Sir Francis Drake Boulevard on the

**C-OL-I Community Character of Olema.** Maintain Olema's existing mix of residential, small-scale commercial and visitor-serving, and open space land uses and small-scale, historic community character. Minimize impacts of future development in the hillside area of Olema with the following design standards:

1. Cluster structures on more level areas away from steep road cuts on Highway One and off upper grassy slopes, which shall be maintained open to protect their visual character.
2. Incorporate and reflect the historic character of Olema and existing recreational uses in project design. The height of structures shall be in keeping with the character and scale of the surrounding community to minimize visual impacts on adjacent federal parklands, Highway One, and Sir Francis Drake Boulevard.
3. Provide pedestrian paths as appropriate to nearby federal park activity areas.

[BOS app. 12/11/2012]

(PC app. 9/19/11, 7/29/10)

[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 3.b(5), p. 45]

east side of Highway I zoned H-1 shall also be rezoned to VCR. These parcels include:

| AP number           | Zoning: Existing | Zoning: LCP |
|---------------------|------------------|-------------|
| 166-191-03,04       | H-1              | VCR         |
| 166-201-06,09,10,13 | H-1              | VCR         |
| 166-201-02,07,08    | A-2:B-2          | VCR         |
| 166-203-02,03       | H-1              | VCR         |
| 166-212-03,04       | A-2:B-2          | VCR         |
| 166-213-01,02       | A-2:B-2          | VCR         |

*Staff note: the parcels in the above table were rezoned to C-VCR via Ordinance 2704. In addition, parcel 166-166-201-09 and 10 are now combined into 166-201-14. Also, AP #166-191-04; 166-201-06 and 14; 166-203-02 an, 03; and 166-213-01 and 02 are all inside the Historic Preservation Boundary.*

- (4) The row of four parcels on the northeast corner of Sir Francis Drake Boulevard and Highway I, uphill from the Old Olema Hotel, shall be rezoned from H-1 and A-2:B-2 to VCR. These parcels include:

| AP number        | Zoning: Existing | Zoning: LCP |
|------------------|------------------|-------------|
| 166-202-01       | H-1              | VCR         |
| 166-202-02,03,04 | A-2:B-2          | VCR         |

- (5) The large 13+ acre parcel upland and north of the Old Olema Hotel, AP #166-193-01, 02, and #166-230-05, shall be rezoned from H-1 and A-2:B-2 to RCR. This parcel has potential for development as a motel/resort complex, the only parcel with this potential in Olema. The site is large enough for a 20 to 40 unit motel or cottages, a major addition to the town. In order to minimize the impacts of development on this site, the following design standards shall be met:

- Structures shall be clustered on the more level areas of the property, away from the steep road cuts on Highway I and off of the upper grassy slopes. These upper slopes shall be maintained open to protect their visual character.
- Development shall be designed to minimize visual impacts on adjacent federal parklands, Highway I, and Sir Francis Drake Boulevard. The height of permitted structures shall be in keeping with the character and scale of surrounding development.
- Pedestrian paths shall be established from the site to nearby federal

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| <p>park activity areas. Minor improvements may be required to Highway I in order to safely accommodate such paths.</p> <ul style="list-style-type: none"> <li>• The character of the project shall incorporate and reflect the historic character of Olema and existing recreational uses in the area. Comments from the National Park Service shall be solicited in the process of development plan review by the County.</li> <li>• Development shall include adequate on-site sewage disposal</li> </ul> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-OL-I</b>.</p>  |  |
| <p><b>Policy 3(c), p. 46</b></p> <p>Point Reyes Station. Point Reyes Station is recognized as the commercial center of the Unit II coastal zone because of its available land area, existing commercial services, and location. The development of additional visitor-serving and commercial facilities in the community is encouraged, especially the development of overnight accommodations, of which the town has none. The LCP supports the recommendations of the community plan that overnight accommodations be established in the Grandi Building, AP #119-234-01, and on AP 1f 119-240-05. Because relatively few parcels in town zoned for commercial uses remain undeveloped, the following zoning changes shall be adopted to ensure that adequate land area is available for future commercial development:</p> <ol style="list-style-type: none"> <li>(1) Village Commercial use shall be expanded to include the southeasterly half of the block bounded by A and B Streets and 5th and 6th Streets. This defined commercial area will help to promote commercial infilling within and adjacent to existing commercial uses as recommended by the Community Plan. When the LCP is reviewed in 5 years, further expansion to include the four blocks bounded by B, C, 3rd, and 7th Streets shall be considered if it is determined that additional areas are necessary for visitor servicing and commercial uses. This area of the town constitutes the most suitable area for commercial expansion because it is level, has adequate space, is located adjacent to the existing commercial area, and is several blocks removed from Highway I, thus reducing the potential for substantial traffic impacts as development proceeds.</li> <li>(2) The six acres south of town currently zoned RMPC shall be rezoned to VCR. Because of the lack of a community sewer, additional multiple unit development in this area is not appropriate. Existing multiple units can remain and, if destroyed by natural disaster, may be rebuilt. <i>Staff note: These parcels appear to be 166-170-12 and 24, which were rezoned to C-</i></li> </ol> | <p><b>C-PRS-2 Commercial Infill.</b> Promote commercial infill within and adjacent to existing commercial uses.<br/>[BOS app. 2/26/2013]<br/>(PC app. 2/13/12, 9/19/11, 7/29/10)<br/><i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 3.c, p. 46]</i></p> <p><b>C-PRS-3 Visitor-Serving and Commercial Facilities.</b> Encourage development of additional visitor-serving and commercial facilities, especially overnight accommodations. Continue to support the recommendations of the Point Reyes Station Community Plan to establish overnight accommodations in the Grandi Building (Assessor Parcel Number 119-234-01) and Assessor Parcel Number 119-240-55, located at the junction of Highway One and Point Reyes – Petaluma Road (See also C-PRS-4 below).<br/>(PC app. 9/19/11, 7/29/10)<br/><i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 3.c, p. 46]</i></p> <p><b>C-PRS-4 Junction of Highway One and Point Reyes – Petaluma Road.</b> Permit visitor-serving and commercial uses on APN 119-240-55, located at the junction of Highway One and the Point Reyes – Petaluma Road, which has development potential for a small 20-unit motel, cottages, hostel, or similar facility. This site is also a suitable location for up to 15 units of affordable housing. To protect the site’s visual and environmental qualities, new development shall be sited and designed to minimize view and traffic impacts on nearby public roads, protect Lagunitas Creek and adjacent riparian vegetation from the impacts of erosion and water quality degradation, and minimize slope disturbance. Development shall be clustered, limited in height and scale to that which is compatible with the surrounding area, and shall provide adequate waste disposal</p> |

VCR:B2 via Ordinance 2704.

(3) The 12.7 acre parcel located at the junction of Highway 1 and the Point Reyes-Petaluma Road, AP# 119-240-55, shall be rezoned to permit visitor-serving and commercial uses as a principle permitted use. Under the parcel's current RMP-4 zoning, motels and similar commercial uses are permitted by use permit. The site does appear to have potential for a small 20-unit motel, cottages, hostel, or similar facility. To protect the site's visual and environmental qualities, new development shall be sited and designed to minimize view and traffic impacts on nearby public roads, protect Lagunitas Creek and adjacent riparian vegetation from the impacts of erosion and water quality degradation, and minimize slope disturbance. Development shall be clustered, limited in height to that which is compatible with the surrounding area and scale of development, and shall provide adequate waste disposal on-site. *Staff note: This parcel was rezoned to C-RMPC via Ordinance 2704.*

(4) The 248-acre parcel known as Martinelli Farms provides a unique opportunity for the development of visitor-serving uses. The parcel has adequate land area, a desirable location, and magnificent views on Tomales Bay. A motel or cottages are recommended along with campsites and day use picnic facilities. The site also has potential for other visitor-serving uses such as a restaurant, on-site fishing area, nature study area, or stables. Due to the large amount of land available in other parts of Point Reyes Station for residential development, Martinelli Farms is not considered a prime residential site. Limited residential development may be permitted, however, in conjunction with visitor facilities, as a secondary use. Currently, the site is zoned RSP-0.33 for planned residential development. This zoning allows an overall density of 1 unit per 3 acres, or a total of 82 units. The LCP recommends that this density be retained, although the actual density of permitted development may be substantially less, depending on site constraints. To encourage visitor use, the zoning shall be changed to permit mixed commercial and residential use. In addition, a minimum of 50% of the total units constructed shall be visitor-serving. The provisions for visitor-serving units may serve as a trade-off for any inclusionary residential units required by County ordinance.

Prior to the commencement of any project designed for this site, an environmental assessment shall be conducted to identify the environmental resources and constraints of the site. In addition to any development standards proposed as a result of that assessment, the following development standards shall apply:

- Development shall be located out of the most environmentally

on site.

(PC app. 9/19/11, 7/29/10)

[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 3.c, p. 46]

sensitive areas of the site and shall minimize visual impacts on Highway I and other public viewing points. Structures shall be limited in height to that which is compatible with the character of the surrounding area. The site is particularly sensitive visually and must be developed with careful attention to visual factors.

- The option for construction of community sewer facilities on the property shall be retained until an alternative site is selected or until the first review of the LCP in five years. North Marin County Water District shall be consulted on this aspect of the project during the review of development plans by the County.
- Setbacks shall be maintained from the Tomales Bay Ecological Reserve which are adequate to protect wildlife and marsh habitat, as recommended by the State Department of Fish and Game.
- Setbacks from the bluff above the old railroad right of way shall also be required, consistent with LCP policies on bluff-top development.
- The development of an internal vehicular access route to downtown Point Reyes Station to reduce traffic impacts on Highway I should be investigated.

*Staff note: The Martinelli Farms property has been purchased for inclusion in the Golden Gate National Recreation Area.*

#### **Policy Status**

This policy has been carried forward to LCPA Policies **C-PRS-2**, **C-PRS 3**, and **C-PRS-4**. Section 3.c(2) of this policy has been implemented so this language has not been carried forward to the LCPA. Section 3.c(4) of this policy has not been carried forward to the LCPA because this parcel, known as Martinelli Farms, has since been purchased for inclusion in the Golden Gate National Recreational Area and the language is no longer relevant.

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| <p><b><u>Policy 3(d), p. 47</u></b></p> <p><u>Inverness Ridge/west shore of Tomales Bay.</u> This area currently provides 70 of the 82 motel rooms or 90% of all such overnight accommodations in the Unit II coastal zone, as well as numerous other commercial services. Very little commercially zoned land is available for further visitor-serving development; however, because of existing visitor-serving uses on the Inverness Ridge and the space provided in Point Reyes Station and Olema for such development, no significant expansion of commercial zoning on the Ridge is recommended. Expansion shall be limited to adjusting the boundaries of commercial zones in Inverness and Inverness Park to coincide with parcel boundaries. These zones shall be changed to planned commercial in order to allow master plan review in addition, the Golden Hinde Boatel and Inverness Motel shall be rezoned to RCR so that any possible future expansion of these facilities will be subject to master plan review.</p> <p><b><u>Policy Status</u></b></p> <p>The recommended rezonings of this policy have been implemented. Therefore, this policy is no longer relevant and has not been carried forward to the LCPA.</p>   | <p>n/a</p>  |
| <p><b><u>Policy 3(e), p. 48</u></b></p> <p><u>Marshall/east shore of Tomales Bay.</u> There are very few undeveloped parcels on the east shore of Tomales Bay with the potential for visitor-serving or commercial development, and lack of adequate water supply is a major constraint. However, existing uses on several developed or previously developed parcels could be expanded or modified to allow additional opportunities for coastal visitors, provided that such expanded uses are compatible with the small scale and character of existing development along the Bay. Areas with expansion potential include the property known as Jensen's Oyster Beds, Nick's Cove, Synanon, and Marconi Cove Marina. The town of Marshall, C-CP and the Marshall Boatworks are recommended for local serving and limited visitor serving facilities allowed by C-VCR zoning. Recommendations for these parcels are given below, along with recommendations for commercially zoned parcels in the town of Marshall.</p> <p>(1) <u>Jensen's Oyster Beds.</u> The 40-acre parcel north of Miller Park, AP #104-110-08, is currently developed with small cottages and a parking area. This property would be a logical addition to Miller Park or the GGNRA, and/or a suitable location for overnight camping. Zoning on the property, currently A-2, shall be changed to permit low-intensity recreational uses. Any new development shall allow for continued mariculture operations off-shore. <i>Staff note: This parcel has been acquired by the GGNRA and the small cottages have been demolished. This language is not carried forward as it</i></p> | <p><b>C-ES-1 Community Character of the East Shore of Tomales Bay.</b> Maintain the existing character of low-density, residential, agriculture, mariculture, visitor-serving, and fishing or boating-related uses. Allow expansion or modification of development for visitor-serving or commercial development on previously developed lots along the east shore of Tomales Bay, provided that such expanded uses are compatible with the small scale and character of existing development along the Bay.</p> <ol style="list-style-type: none"> <li>1. <u>Nick's Cove.</u> Continue to support visitor-serving uses on this site, which includes a restaurant and overnight guest accommodations. Overnight accommodations, such as bed and breakfast facilities, are encouraged consistent with availability of water supply, sewage disposal, and parking facilities. Any expansion or reconstruction of Nick's Cove restaurant shall be designed to minimize visual impacts and provide maximum public physical and visual access to the shoreline. Structures on the upland property shall be limited in height to that which is compatible with the scale and character of surrounding development, while those on the bayside of Highway One shall not exceed the height of the existing restaurant.</li> <li>2. <u>Marshall.</u> Maintain and encourage the present residential/commercial mixed use and encourage locally serving commercial uses.</li> <li>3. <u>Marshall Boatworks.</u> Continue to support the Marshall Boatworks area as</li> </ol> |

is no longer relevant.

- (2) Nick's Cove. Visitor-serving uses on this site should be continued, upgraded, and possibly expanded. Overnight accommodations, such as bed and breakfast facilities, on the contiguously owned parcel on the upland side of Highway 1 are encouraged, consistent with the availability of water supply, sewage disposal, and parking facilities. Existing A-2 zoning on this parcel, AP #104-140-02, shall be changed to allow visitor-serving uses. Any expansion or reconstruction of Nick's Cove restaurant shall be designed to minimize visual impacts and provide maximum public physical and visual access to the shoreline. Structures on the upland property shall be limited in height to that which is compatible with the scale and character of surrounding development, while that on the bayside of Highway 1 shall not exceed the height of the existing restaurant.
- (3) Marshall. Existing commercial zoning in Marshall, C-CP, shall be changed to C-VCR to maintain and encourage the present residential/commercial mixed use and to encourage locally serving commercial uses. The boundaries of the zones shall be adjusted to coincide with parcel boundaries. Reconstruction of the old Marshall Hotel is encouraged, provided that adequate water supply, sewage disposal, and parking facilities can be provided. Commercial zoning on the Tony's Seafood parcel, AP #106-050-05, shall be changed to a planned commercial zone. Commercial zoning on AP #106-040-03, a parcel sited amidst residential uses, shall be changed to a planned residential district. *Staff note: The recommended rezonings have been implemented.*
  - (a) Marshall Boatworks. The Marshall Boatworks/Post Office are shall be rezoned from C-VCR with the Boatworks as a permitted use. This will encourage continuation of this area as a residential/commercial mixed use while supporting its potential as a community activity center and gathering place.
- (4) Synanon. The 62-acre Tomales Bay Ranch property, owned by the Synanon Foundation, is operated as a drug rehabilitation institution under the auspices of a use permit. The present use or similar institutional uses may continue on the property and are encouraged. If such uses are discontinued, then visitor-serving uses shall be supported. The Tomales Bay Ranch offers the best opportunity for major new visitor-serving uses on the entire east side of Tomales Bay. The site has generally had adequate water supply, and has sewage disposal facilities, direct access on Highway 1, and numerous existing structures. Recommended uses include overnight accommodations, a restaurant, and other uses which benefit the traveling public. Additionally, the site offers opportunities for local "cottage" industries such as boatbuilding, arts and crafts, and agriculturally

a residential/commercial mixed use area and as a potential community activity center and gathering place.

4. Marconi Conference Center State Historic Park. Continue to support the Marconi Conference Center and State Historic Park to provide meeting and retreat services for the Bay Area, consistent with historic and natural resource protection guidelines in the Marconi Conference Center State Historic Park General Plan.
5. Marconi Cove Marina. Support visitor- and local-serving, as well as marine-related, facilities at the Marconi Cove property. Expanded marina facilities, including additional boat slips, fishing pier, and storage space may also be desirable.

[BOS app. 12/11/2012]

(PC app. 9/19/11, 1/24/11)

[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 3.e, pp. 48-51]

related uses, as well as opportunities for community services and limited residential uses, especially those for low and moderate income households. To encourage visitor-serving and other uses on the property, the existing ARP-2 zoning shall be changed to a planned district permitting mixed commercial and residential uses. No further intensification of uses on the property shall be permitted.

Any conversion or modification of existing facilities shall meet the following development standards:

- The historic Marconi Hotel building shall be preserved, renovated, and restored to accommodate uses for which it was originally built, i.e. a hotel. Designation of the hotel as an historic structure by the state or federal government shall be investigated. If and when an Historic Coastal Preservation Commission is established by the County, as recommended in the Unit I LCP, the Marconi Hotel shall be recommended for designation to the Commission.
- Existing accessory buildings on the site may be retained or eliminated upon private redevelopment as deemed appropriate in the planning review process.
- Development shall minimize potential impacts on adjacent agricultural operations.
- Facilities shall be sited and designed to minimize impacts on public views from Highway 1 and public parklands across Tomales Bay.
- Adequate water supply and sewage disposal shall be demonstrated.
- If shoreline parcels bayward of the Ranch are acquired in combination with the Ranch, water oriented public recreational uses which complement the Ranch should be explored.

*Staff note: this property has since been purchased by the State of California and is now the Marconi Conference Center, which offers a full service meeting and retreat facility and lodging. It has three meeting rooms and the lodging facilities have 40 rooms. The facility is available for business meetings and retreats and for overnight tourists. This parcel was rezoned to C-RMPC via Ordinance 2704. Restoration of the historic Marconi Hotel is still in progress. When complete it will provide administration facilities, gift shop, conference services rooms, lounges, and a museum. The entire site has been designated historic. Due to budget constraints it is unclear when the planned restoration will occur. This language is not carried forward and has been updated with language regarding the Marconi State Historic Park.*

- (5) Marconi Cove Marina. The Marconi Cove Marina property is split by Highway 1 into two parts: a 6.5 acre bay front area and a 350+ acre upland area. The bay front portion of the marina has potential for



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| <p>considerable expansion of visitor-serving and marine-related facilities. The site would be suitable for a 20 to 40 unit motel, restaurant, and a small store. Expanded marina facilities, including additional boat slips, fishing pier, and storage space would also be desirable. To allow for these various uses, the bay front parcels, AP #106-260-02 and 03 shall be rezoned from A-2 to RCR. The upland portion of the marina property is presently used for agriculture. The development of campsites in the wooded canyon on the parcel would provide low-cost overnight accommodations to complement uses on the bay front lands and shall be encouraged. Limited residential development, compatible with continued agricultural use of the property, would be acceptable. Existing A-60 zoning shall be changed to APZ-60 to allow continued agricultural use and low-intensity recreational development in the canyon area.</p> <p>Prior to the commencement of any project designed for this site, an environmental assessment shall be conducted to identify the environmental resources and constraints of the site. In addition to any development standards proposed as a result of that assessment, the following development standards shall apply.</p> <ul style="list-style-type: none"> <li>• This site is particularly sensitive visually and must be developed with careful attention to visual factors. Structures shall be limited in height to that which is compatible with the scale and character of the area, and shall be sited to minimize impacts on visual access from Highway I to the water. Views from Tomales Bay shall also be considered.</li> <li>• Landscaping materials shall be selected and planted so as not to significantly interfere with views to and along the water, even when such vegetation is fully grown.</li> <li>• Adequate waste disposal for the project must be demonstrated. Waste disposal facilities shall also be provided for boats in the marina.</li> <li>• Expanded berthing facilities shall be sited to minimize potential impacts in this area, including impacts on stream habitats, riparian vegetation, water quality, and mariculture.</li> </ul> <p><b>Policy Status</b><br/>This policy has been modified and carried forward to LCPA Policy <b>C-ES-I</b>.</p> |   |
| <p><b>Policy 3 (f), p. 51</b><br/><u>Tomales</u>. The town of Tomales has adequate undeveloped land zoned for visitor-serving and commercial development to provide for anticipated future needs. No</p>  | <p><b>C-TOM-I Community Character of Tomales.</b> Maintain the existing character of residential and small-scale commercial and visitor-serving development in the community of Tomales. No expansion of commercial zoning is</p> |

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| <p>expansion of commercial zoning is recommended. The development of overnight accommodations such as a motel, cottages, and a hostel, is encouraged, given the limited facilities which currently exist in the community. New development shall reflect the historic character of the town's architecture and shall be set back from the creek which flows through the commercially zoned area. The 1 acre of C-I-H shall be rezoned to a planned commercial district to allow flexibility in siting and design.</p> <p><b>Policy Status</b><br/>This policy has been carried forward to LCPA Policy <b>C-TOM-1</b>.</p>  | <p>recommended since there is adequate undeveloped land zoned for visitor-serving and commercial development for anticipated future needs. Encourage +development of overnight accommodations such as a motel, cottages, and a hostel. New development shall reflect the historic character of the town's architecture and shall be set back from the creek which flows through commercially zoned areas.</p> <p>[BOS app. 12/11/2012]<br/>(PC app. 9/19/11, 1/24/11)<br/><i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 3.f, p. 51]</i></p>  |
| <p><b>Policy 3(g), p. 51</b></p> <p><b>Dillon Beach.</b> Lawson's Dillon Beach Resort, located immediately south of old Dillon Beach, and Lawson's Landing, located on Sand Point, shall be retained as public recreational areas. Both facilities have the potential for expanded visitor-serving development, although providing for adequate water supply and sewage disposal may be problematical.</p> <p>(1) <b>Lawson's Dillon Beach Resort.</b> Lawson's Dillon Beach Resort, including all properties zoned C-RCR and C-RMPC between Dillon Beach Road and Dillon Creek, would be an appropriate site for new development of a modest scale, including a small motel; cafe, delicatessen, or restaurant; and day-use facilities. Due to the proximity of the site of the former Pacific Marine Station to the shoreline, it is an especially suitable area for facilities where many people can enjoy its prime location. The site offers opportunities, for example, for community services, a conference center, and youth hostel. Limited residential development would be appropriate in Lawson's Dillon Beach Resort, provided it is developed as a secondary use in conjunction with visitor-serving uses. All development shall demonstrate adequate water supply and sewage disposal, and shall be sited out of sand dunes and other environmentally-sensitive areas. Building heights shall be limited to that which is compatible with the scale and character of the area. Existing C-RCR and C-RMPC zoning shall be maintained.</p> <p>(2) <b>Lawson's Landing.</b> Lawson's Landing is an appropriate site for limited expansion of boating facilities and overnight accommodations. Any such expansion shall be based on thorough planning studies which identify the environmental resources and constraints of the site, including wildlife, vegetation, and archeological resources, geologic and wave hazards, and public service constraints. Measures to protect the site's resources, particularly sand dunes and dune tansy vegetation, shall be included in any</p> | <p><b>C-DB-1 Community Character of Dillon Beach.</b> Maintain the existing character of residential and small-scale commercial and visitor-serving development in Dillon Beach and Oceana Marin. Dillon Beach Resort, including all properties zoned C-RCR and C-RMPC between Dillon Beach Road and Dillon Creek, would be an appropriate site for new development of a modest scale, including a small motel, cafe, delicatessen, or restaurant, and day-use facilities. Due to its proximity to the shoreline, the former Pacific Marine Station is an especially suitable area for facilities where many people can enjoy its prime location. The site offers opportunities, for example, for community services, a conference center, and youth hostel. Limited residential development would be appropriate at the Dillon Beach Resort, provided it is developed as a secondary use in conjunction with visitor-serving uses. All development shall demonstrate adequate water supply and sewage disposal, and shall be sited out of sand dunes and other environmentally-sensitive areas. Building heights shall be limited to that which is compatible with the scale and character of the area. Existing C-RCR and C-RMPC zoning shall be maintained. Maintain existing C-RCR and C-APZ-60 zoning at Lawson's Landing.</p> <p>[BOS app. 12/11/2012]<br/>(PC app. 11/7/11, 7/29/10)<br/><i>[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 3.g(1) &amp; (2), pp. 51–52]</i></p> <p><b>C-DB-2 Lawson's Landing.</b> Retain Lawson's Landing as an important source of lower cost visitor serving access and recreational opportunities, including coastal-dependent water oriented activities such as boating and fishing. Pursuant to the Dillon Beach Community Plan and project approvals, require Sand Haul Road to be evaluated as a means to provide primary vehicular access to Lawson's Landing and to provide relief from traffic congestion in Dillon Beach Village, subject to full environmental review.</p> |

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| <p>development plan. Any such plan shall also include improvements in sewage disposal facilities, in accordance with the recommendations of the Regional Water Quality Control Board. Existing C-RCR and C-APZ-60 zoning shall be maintained.</p> <p><i>[Amended pursuant to BOS Resolution No. 88-333 (Attachment 1, pp. 5-6) [12/20/88], approved by CCC with suggested modifications 4/12/89, 2nd BOS Resolution No. 89-216 [8/8/89], CCC ED Checkoff 4/13/90]</i></p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-DB-1</b>. Lawson’s Landing is now addressed by LCPA Policy <b>C-DB-2</b>.</p>  | <p>(PC app. 11/7/11, 09/19/11)</p> <p><i>[Not in Unit I or II; adapted from the Coastal Commission staff report for Lawson’s Landing Appeal No. A-2-MAR-08-028]</i></p>   |
| <p><b>Policy 3(h), p. 51</b></p> <p><u>Bed and Breakfast Program.</u> The County encourages the continuation and expansion of bed and breakfast facilities in the Unit II coastal zone. A listing of such facilities should be provided at the headquarters of the Point Reyes National Seashore, as information to visitors. In addition, the establishment of a centralized information program is recommended, to coordinate listings of all types of overnight accommodations and provide information on recreational opportunities to coastal visitors.</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-PK-6</b>, which now establishes regulations for B&amp;Bs. This policy also carries forward the concept of Unit I Recreation and Visitor-Serving Facilities Policy 15 (p. 14). A comprehensive list of overnight accommodations will be provided in LCPA Appendix 6 – Inventory of Visitor-Serving Facilities, which will be updated and provided with the eventual submittal of the LCPA to the CCC.</p> | <p><b>C-PK-6 Bed and Breakfast Inns.</b> Support bed and breakfast facilities in the Coastal Zone as a means of providing visitor accommodations, while minimizing their impacts on surrounding communities. Restrict the conversion of second units and affordable housing to bed and breakfast inns. In addition, support the location of bed and breakfast inns in areas that are easily and directly accessible from usual tourist travel routes and where there is adequate off-street parking for guests and where the problem of nearby residents being inconvenienced by noise and increased transient traffic is minimized. Bed and breakfast inns shall be permitted to host or provide facilities for gatherings, such as weddings, receptions, private parties, or retreats if located in the C-APZ, C-ARP or C-R-A. Each bed and breakfast inn must be operated by a householder who is the sole proprietor of the enterprise and whose primary residence is on the premises where the inn accommodations are located.</p> <p>(PC app. 9/19/11, 1/24/11)</p> <p><i>[Adapted from Unit I Recreation and Visitor-Serving Facilities Policy 15, p. 14, and Unit II Recreation and Visitor-Serving Facilities Policy 3.h, p. 52]</i></p> |
| <p><b>Policy 4, p. 52</b></p> <p><u>Recreation and Transportation.</u></p> <p>a. <u>Bike Paths.</u> The County supports the concept of a bike/pedestrian trail network in Unit II, connecting the villages and providing access to public parks. Several proposed routes have been discussed by West Marin residents and planning groups but no final recommendation has been developed. In the absence of such a recommendation, the LCP assumes that the most likely location for a bike trail is along Highway 1 and Sir Francis Drake Boulevard. Therefore, to maintain the option for a roadside trail, coastal development permits for projects on either side of these roads shall require offers of</p>  | <p><b>C-PK-14 Appropriate Alignment of the California Coastal Trail.</b> Support completion of the California Coastal Trail through Marin County as shown generally on Map 25, working with willing sellers or donors and other entities. To the extent that an interim inland bypass is necessary for the route from Tomales north to the County line, that route should follow Dillon Beach Road and Valley Ford-Franklin School Road, as appropriate. This is a preferable alternative to using Highway One as the interim route.</p> <p>Acquisition, siting, and design of the California Coastal Trail should reflect the following standards:</p> <p>1. Seek needed trail segments from willing sellers at fair market value, by</p>  |

dedication of easements 10 feet in width. When a final route for the bike/trail is agreed upon by the County, community, and concerned agencies and organizations, requirements for offers of roadside easements shall be modified to account for the new route.

**Policy Status**

The concept of this policy has been carried forward to LCPA Policy **C-PK-14**.

donation, or through the regulatory process pursuant to Policy C-PA-2;

2. Locate the trail along or as close to the shoreline as feasible;
3. Incorporate a “braided trail” concept, if necessary, in which there are separate routes for different non-motorized users;
4. Make the trail continuous and link it to other public trail systems;
5. Where not feasible to locate the trail along the shoreline due to natural landforms, sensitive natural resources, or agricultural operations, locate inland bypass segments as close to the shoreline as possible;
6. Consider use of an inland bypass trail, including braided trail segments where opportunities exist to create them, that assures a continuous coastal trail in the short-term, while providing for potential realignment to better locations as conditions change in the future. Seek opportunities over time to move such segments closer to the coastline where willing landowners agree;
7. Wherever possible, avoid locating the trail along roads with motorized vehicle traffic. If it is necessary to site the trail along roads, provide for separation of the trail from traffic.

(PC app. 11/7/11, 2/8/10)

*[Adapted from Unit II Recreation and Visitor-Serving Facilities Policy 4, p. 52, and Malibu LCP Policy 2.57, pp. 27-8]*

| <b>Unit II<br/>Federal Parklands</b>   |   |
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| <b>Unit II - Existing Policy</b>   | <b>LCPA - Proposed Policy</b>   |
| <p><b><u>Policy 1, p. 61</u></b><br/><u>Public access and transportation.</u></p> <p>a. Additional coastal access trails and bike paths should be provided where feasible and where consistent with the protection of the parks natural resources. Non-vehicular accessways should connect to points accessible by both automobile and transit.</p> <p>b. Frequent and convenient transit service from outside the parks to the most heavily used areas in the parks should be given priority in transit planning and funding. The National Park Service should develop a shuttle system to serve points within the parks.</p> <p><b><u>Policy Status</u></b><br/>This policy has been carried forward to LCPA Policy <b>C-PK-10</b>, which also draws language from Unit II Federal Parkland Policies 2 through 6, pp. 61-62.</p>     | <p><b>C-PK-10 Appropriate Uses of Federal Parks.</b> The following policies shall be advisory for development on federal parklands within the Coastal Zone.</p> <p>1. Public access and transportation.</p> <p>a. Provide additional coastal access trails and bike paths where feasible and consistent with protection of the park’s natural resources. Non-vehicular accessways should connect to points accessible by both automobile and transit.</p> <p>b. Give priority to frequent and convenient transit service from outside the parks to the most heavily used areas in the parks in transit planning and funding. Encourage the National Park Service to expand shuttle services within the parks.</p> <p>...</p> <p><i>[See rest of policy below]</i><br/>(PC app. 2/13/12, 9/19/11, 2/8/10)<br/><i>[Adapted from Unit II Federal Parkland Policies 1 - 6, pp. 61-62]</i></p> |
| <p><b><u>Policy 2, p. 61</u></b><br/><u>Recreation and visitor-serving facilities.</u></p> <p>a. Priority should be given to the development of new facilities in the most heavily used areas of the parks which are close to park interpretive, educational, and other programs and which are easily accessible by transit. The construction of a new visitor center in Bear Valley is encouraged.</p> <p>b. Existing unused buildings within the parks, such as military structures, should be carefully reviewed for potential overnight accommodations before they are converted to other cultural or institutional uses.</p> <p><b><u>Policy Status</u></b><br/>This policy has been carried forward to LCPA Policy <b>C-PK-10</b>, which also draws language from Unit II Federal Parkland Policies 1, and 3 - 6, pp. 61-62.</p> | <p><b>C-PK-10 Appropriate Uses of Federal Parks.</b> The following policies shall be advisory for development on federal parklands within the Coastal Zone.</p> <p>...</p> <p>2. Recreation and visitor-serving facilities.</p> <p>a. Give priority to development of new facilities in the most heavily used areas of the parks which are close to park interpretive, educational, and other programs and which are easily accessible by transit.</p> <p>b. If any unused buildings within the parks, such as military structures, still exist, review their potential for overnight accommodations before they are converted to other cultural or institutional uses.</p> <p>...</p> <p>(PC app. 2/13/12, 9/19/11, 2/8/10)<br/><i>[Adapted from Unit II Federal Parkland Policies 1 - 6, pp. 61-62]</i></p>   |
| <p><b><u>Policy 3, p. 61</u></b><br/><u>Natural resources.</u> Federal projects which involve the modification or alteration of</p>  | <p><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</p>  |

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| <p>natural resources should be evaluated by the Coastal Commission through the consistency review process.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policies <b>C-BIO-27</b> and <b>C-PK-10</b>. LCPA Policy C-PK-10 also draws language from Unit II Federal Parkland Policies 1, 2, and 4 - 6, pp. 61-62.</p>   | <p>through the consistency review process.<br/>(PC app. 12/1/11, 6/28/10)<br/><i>[Adapted from Unit II Federal Parklands Policy 3, p. 61]</i></p> <p><b>C-PK-10 Appropriate Uses of Federal Parks.</b> The following policies shall be advisory for development on federal parklands within the Coastal Zone.</p> <p>...</p> <p>3. Natural resources.</p> <p style="padding-left: 40px;">Encourage evaluation of federal projects which involve the modification or alteration of natural resources by the Coastal Commission through the consistency review process using the LCP as a guide.</p> <p>...</p> <p>(PC app. 2/13/12, 9/19/11, 2/8/10)<br/><i>[Adapted from Unit II Federal Parkland Policies 1 - 6, pp. 61-62]</i></p>  |
| <p><b><u>Policy 4 p. 61</u></b></p> <p><u>Agriculture and mariculture.</u></p> <p>a. The continuation of agricultural land uses in the GGNRA and PRNS is strongly encouraged, where and at a level which is compatible with the protection of natural resources and public recreational use. Agricultural operations should be monitored to ensure that they are compatible with resource carrying capacity. Where conflicts arise between agriculture and resource protection or public access or recreational uses, they should be resolved in such a way as to protect resources and public safety while still allowing the continuation of the agricultural operation.</p> <p>b. Existing agricultural leases and special use permits should be reviewed five years prior to their expiration for their 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. Automatic lease renewal provisions should be considered if all terms and conditions of a lease are met. The County encourages the National Park Service to develop uniform procedures and standards to use in dealing with all agricultural tenants. Such procedures and standards should provide for long-term lease arrangements.</p> <p>c. Existing mariculture operations are encouraged and should be permitted to continue in the parks. Additional mariculture activities should be considered provided that they do not conflict with public access, recreation, or the protection of visual resources. New mariculture activities should be subject to</p> | <p><b>C-PK-10 Appropriate Uses of Federal Parks.</b> The following policies shall be advisory for development on federal parklands within the Coastal Zone.</p> <p>...</p> <p>4. Agriculture and mariculture.</p> <p>a. Encourage continuation of agricultural land uses in the Golden Gate National Recreation Area and Point Reyes National Seashore, at locations and levels compatible with protection of natural resources and public recreational use. Agricultural operations should be monitored to ensure that they are compatible with resource carrying capacity. Where conflicts arise between agriculture and resource protection or public access or recreational uses, they should be resolved to protect resources and public safety while still allowing the continuation of the agricultural operation.</p> <p>b. Encourage the National Park Service to develop uniform procedures and standards to use in dealing with all agricultural tenants, including use of long-term lease arrangements of at least ten years. Encourage review of existing agricultural leases and special use permits for compatibility with park goals five years prior to their expiration. 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. Provisions for automatic lease renewals should be supported.</p> <p>...</p> |

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| <p>consistency review by the Coastal Commission.</p> <p><b>Policy Status</b></p> <p>The first two parts of this policy have been carried forward to LCPA Policy <b>C-PK-10</b>, which also draws language from Unit II Federal Parkland Policies 1 – 3, 5 and 6, pp. 61-62. Part (c) of this policy has not been carried forward to the LCPA per the request of the Planning Commission on 12/1/11.</p>  | <p>(PC app. 2/13/12, 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit II Federal Parkland Policies 1 - 6, pp. 61-62]</i></p>  |
| <p><b>Policy 5, p. 62</b></p> <p><u>Development/historic preservation.</u> New or expanded development should utilize existing structures and be directed to existing developed areas whenever possible. Historic structures should be preserved, restored, and formally designated as historic resources where appropriate. The County should work with the National Park Service to coordinate historic preservation activities in the coastal zone. The majority of park development should be concentrated in the southern GGNRA due to its close proximity to urban population centers, easy accessibility, and availability of existing facilities. New backcountry campgrounds should be developed with minimum impacts on visual and habitat resources.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PK-10</b>, which also draws language from Unit II Federal Parkland Policies 1 – 4, and 6, pp. 61-62.</p> | <p><b>C-PK-10 Appropriate Uses of Federal Parks.</b> The following policies shall be advisory for development on federal parklands within the Coastal Zone.</p> <p>...</p> <p>5. Development/historic preservation.</p> <p>Whenever possible, utilize existing structures and existing developed areas for new or expanded development. Historic structures should be preserved, restored, and formally designated as historic resources where appropriate. Work with the National Park Service to coordinate historic preservation activities in the Coastal Zone. The majority of park development should be concentrated in the southern GGNRA due to its proximity and accessibility to urban population centers, and availability of existing facilities. New backcountry campgrounds should be developed with minimum impacts on visual and habitat resources.</p> <p>(PC app. 2/13/12, 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit II Federal Parkland Policies 1 - 6, pp. 61-62]</i></p> |
| <p><b>Policy 6, p. 62</b></p> <p><u>Public emergency services.</u> The County supports continued financial assistance from the National Park Service for emergency services in coastal areas heavily impacted by visitors to the federal parks. A review of the procedures used by the County to allocate such funds is recommended, along with the establishment of clear priorities and criteria for the granting of funds.</p> <p><b>Policy Status</b></p> <p>This policy is no longer relevant and thus has not been carried forward to the LCPA.</p>  | <p>n/a</p>   |

**Unit II  
Natural Resources**

| Unit II - Existing Policy  | LCPA - Proposed Policy  |
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| <p><b>Policy 1, p. 72</b></p> <p><u>Marine environment.</u> Tomales Bay is currently being considered for inclusion in a proposed Point Reyes - Farallones Federal Marine Sanctuary. The County of Marin strongly supports the objectives of the proposed Marine Sanctuary which would protect valuable habitat for marine species, and recommends that local Marin County organizations and qualified citizens be represented in any citizens advisory committee that may be established for the Sanctuary.</p> <p><b>Policy Status</b></p> <p>Tomales Bay is now part of the Gulf of the Farallones National Marine Sanctuary, which includes Bolinas Bay, Bolinas Lagoon, most of Tomales Bay, Estero Americano, Estero de San Antonio, and Bodega Bay, but not Bodega Harbor. This area of special significance was designated as a national marine sanctuary because these waters provide important marine and nearshore habitats for a diverse array of marine mammals and marine birds, as well as fishery, plant, algae, and benthic resources. This policy is no longer relevant and thus has not been carried forward to the LCPA.</p> | <p>n/a</p>  |
| <p><b>Policy 2, p. 72</b></p> <p><u>Water quality.</u> The County encourages the Regional Water Quality Control Board, State Department of Health, and other responsible agencies to continue working on identifying sources of pollution in Tomales Bay and to take steps to eliminate them. LCP policies which address specific development-related water quality problems, such as septic system discharges, are contained in the LCP sections on Public Services and New Development. Other LCP policies on the location and concentration of development and protection of riparian habitats address water quality concerns from a broader perspective.</p> <p><b>Policy Status</b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-WR-I</b> and Program <b>C-WR-14.a</b>.</p>   | <p><b>C-WR-I Water Quality Protection and Biological Productivity.</b> Monitor, protect, and enhance the quality of coastal waters for the benefit of natural communities, human health, recreational users, and the local economy. Maintain and, where feasible, restore the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health through means such as minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p> <p>(PC app. 2/13/12, 12/1/11, 1/25/10)</p> <p><i>[New policy, not in Unit I or II]</i></p> <p><b>Program C-WR-14.a Participate in Broad-Based Efforts to Improve Coastal Water Quality.</b> Provide information to applicants and the public, including materials prepared by the Marin County Stormwater Pollution</p> |



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|   | <p>Prevention Program (MCSTOPPP), to address developments both large and small for potential impacts to the quality of coastal waters. Applicants shall be encouraged to incorporate in proposed developments measures to minimize effective impervious area and landform alteration and to maximize use of natural vegetation, along with other measures as provided by Marin County programs and codes. The Community Development Agency shall encourage retrofit of existing development through measures such as the removal of existing impermeable surfaces and replacement with permeable surfaces and the creation of drainage features or landscaping that incorporate natural infiltration mechanisms, with the goal of enhancing water quality in existing developed areas.</p> <p>(PC app. 12/1/11, 1/25/10)</p> <p><i>[New program, not in Unit I or II]</i></p>  |
| <p><b>Policy 3, p. 72</b></p> <p><u>Streams and riparian habitats.</u> 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.</p> <p>a. Stream alterations. Stream impoundments, diversions, channelizations, or other substantial alterations shall be limited to the following purposes:</p> <ol style="list-style-type: none"> <li>(1) Necessary water supply projects, including those for domestic or agricultural purposes;</li> <li>(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</li> <li>(3) Developments where the primary function is the improvement of fish and wildlife habitat.</li> </ol> <p>Before any such activities 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 Game and the Division of Water Rights of the State Water Resources Control Board. New impoundments which, individually or cumulatively, would decrease streamflows below the minimum shall not be permitted.</p> <p>b. <u>Conditions.</u> The alteration of streams allowed for the purposes listed in (a) above shall be held to a minimum to protect streamwater quality and the volume and rate of streamflow. All such developments shall incorporate the</p> | <p><b>C-BIO-24 Coastal Streams and Riparian Vegetation.</b></p> <ol style="list-style-type: none"> <li>1. <u>Stream alterations.</u> Limit channelizations, diversions, dams, or similar substantial alterations of coastal streams to the following purposes: <ol style="list-style-type: none"> <li>a. Necessary water supply projects where no other less environmentally damaging method of water supply is feasible;</li> <li>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</li> <li>c. Developments where the primary function is the improvement of fish and wildlife habitat.</li> </ol> <p>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> </li> <li>2. <u>Access and Utility Crossings.</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.</li> <li>3. <u>Conditions.</u> Minimize the alteration of streams allowed for the purposes</li> </ol> |

best mitigation measures feasible, including erosion and runoff control measures, and revegetation of disturbed areas with native species. Disturbance of riparian vegetation shall be held to a minimum.

- c. **Stream Buffers.** Buffers to protect streams from the impacts of adjacent uses shall be established for each stream in Unit II. The stream buffer shall include the area covered by riparian vegetation on both sides of the stream and the area 50 feet landward from the edge of the riparian vegetation. In no case shall the stream buffer be less than 100 feet in width, on either side of \*the stream, as measured from the top of the stream banks.
- d. **Development in Stream Buffers.** 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 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.
- e. **Diversions Outside the Coastal Zone.** 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 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.

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

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.

[BOS app. 10/2/2012, 11/13/2012]

(PC app. 12/1/11, 1/24/11)

[Adapted from Unit I Stream Protection Policies 1 and 2, p. 19, and Unit II Natural Resources Policy 3, p. 72]

**C-BIO-“TBD” Coastal Stream and Riparian Vegetation Buffers.**

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)

[Adapted from Unit I Stream Protection Policy 3, p. 19, and Unit II Natural Resources Policy 3, p. 72]

**C-BIO-26 Diversions Outside the Coastal Zone.** 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.

(PC app. 12/1/11, 1/24/11)

[Adapted from Unit II Natural Resources Policy 3.e, p. 73]

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| <p>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.</p> <p>The LCP recommends that the impacts from diversion projects, especially on the two major tributaries to Tomales Bay, Walker and Lagunitas Creeks, be fully studied through the EIR process before they are permitted to proceed and that in all cases, mitigation and enhancement measures be required to ensure that coastal resources influenced by freshwater inflows are not significantly damaged.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-BIO-24, C-BIO-“TBD”</b> and <b>C-BIO-26</b>. LCPA Policies C-BIO-24 and C-BIO-“TBD” also draw language from Unit I Stream Protection Policies 1 - 3 (p. 19).</p>   |   |
| <p><b>Policy 4, p. 74</b></p> <p><u>Wetlands.</u> Wetlands in the Unit II coastal zone shall be preserved and maintained, consistent with the policies in this section, as productive wildlife habitats, recreational open space, and water filtering and storage areas. Land uses in and adjacent to wetlands shall be evaluated as follows:</p> <ol style="list-style-type: none"> <li>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.</li> <li>Allowable resource-dependent activities in wetlands shall include fishing, recreational clamming, hiking, hunting, nature study, birdwatching and boating.</li> <li>No grazing or other agricultural uses shall be permitted in wetlands except in those-reclaimed areas presently used for' such activities.</li> <li>A buffer strip 100 feet in width, minimum, as measured landward from the edge of the wetland, shall be established along the periphery of all wetlands. Where appropriate, the required buffer strip may be wider based upon the findings of the supplemental report required in (e). Development activities and uses in the wetland buffer shall be' limited to those specified in (a) and (b) above.</li> </ol> | <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]<br/> (PC app. 2/13/12, 1/23/12, 6/28/10)</p> <p>[Adapted from Unit II Natural Resources Policy 4 (a – c), p. 74]</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 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</p> |

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| <p>e. 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 pursuant to the Coastal Commission's guidelines, the applicant shall be required to submit supplemental biological information prepared by a qualified ecologist 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>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-BIO-14</b>, <b>C-BIO-19</b>, and <b>C-BIO-22</b>. LCPA Policy C-BIO-19 also draws language from Unit I Lagoon Protection Policy 18 (p. 28).</p>  | <p>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).<br/>[BOS app. 10/2/2012, 11/13/2012]<br/>(PC app. 12/1/11, 6/28/10)<br/><i>[Adapted from Unit I Lagoon Protection Policy 18, p. 28, and Unit II Natural Resources Policy 4.d, p. 74]</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 and the area of the proposed buffer areas.<br/>(PC app. 12/1/11, 6/28/10)<br/><i>[Adapted from Unit II Natural Resources Policy 4.e, p. 74]</i></p>   |
| <p><b>Policy 5 p. 74</b></p> <p><u>Coastal Dunes and Other Sensitive Land Habitats.</u> Development in or adjacent to sensitive habitats shall be subject to the following standards:</p> <p>a. <u>Coastal Dunes.</u> No development shall be permitted in coastal dunes in order to preserve dune formations, vegetation, and wildlife habitats. 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 in the dune area shall be prevented by such mechanisms as restricting parking, directing pedestrian traffic to areas capable of sustaining increased use, and fencing. No motor vehicles shall be permitted in beach or dune areas except for emergency purposes. The existing sand quarry operation shall be reviewed in February 1982 when the current permit expires for conformance with LCP policies.</p> <p>b. <u>Other Environmentally Sensitive Habitats.</u> Other sensitive habitats include habitats of rare or endangered-species and unique plant communities. Development in such areas may only be permitted when it depends upon the resources of the habitat area. Development adjacent to such areas shall be set back a sufficient distance to minimize impacts on the habitat area. Public access to sensitive habitat areas, including the timing, intensity, and location of such access, shall be controlled to minimize disturbance to wildlife. Fences,</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.<br/>[BOS app. 10/2/2012, 11/13/2012, 1/15/2013]<br/>(PC app. 2/13/12, 12/1/11, 6/28/10)<br/><i>[Adapted from Unit II Natural Resources Policy 5.a, p. 74]</i></p> <p><b>C-BIO-1 Environmentally Sensitive Habitat Areas (ESHAs).</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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</li> </ol> |

roads, and structures which significantly inhibit wildlife movement, especially access to water, shall be avoided.

**Policy Status**

Part 'a' of this policy has been carried forward to LCPA Policy **C-BIO-7**, and part 'b' has been carried forward to LCPA Policies **C-BIO-1**, **C-BIO-2**, and **C-PA-10**. 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).

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.

[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 5, p. 74]

**C-BIO-2 ESHA Protection.**

1. Protect ESHAs against disruption of habitat values, 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.
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.).
3. Avoid fence types, roads, and structures that significantly inhibit wildlife movement, especially access to water.
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 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

Exhibit 5

the resource.  
[BOS app. 10/2/2012, 11/13/2013, 1/15/2013, 2/26/2013]  
(PC app. 12/1/11, 6/28/10)  
*[Adapted from the concept of Unit II Natural Resources Policy 5.b, p. 74]*

**C-PA-10 Impacts of Public Coastal Accessways on their Surroundings.**  
Site and design coastal accessways and parking and other support facilities to avoid, if feasible, and only then to minimize significant adverse impacts to sensitive environmental resources, agriculture, and the surrounding community. A vertical accessway should generally be ten feet in width unless site conditions warrant otherwise and should be located at least 10 feet from residential structures. Control public access to sensitive habitat areas, including timing, intensity, and location of such access, to minimize disturbance to wildlife.  
(PC app. 9/19/11, 2/8/10)  
*[Adapted from Unit II Public Access Policy 2.b, p. 14, and Unit II Natural Resources Policy 5.b, p. 75]*

**Unit II  
Agriculture**

| Unit II - Existing Policy   | LCPA - Proposed Policy  |
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| <p><b><u>Policy 1, p. 98</u></b></p> <p><u>General policy.</u> 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. The County's LCP policies are intended to permanently preserve productive agriculture and lands with the potential for agricultural use, foster agricultural development, and assure that non-agricultural development does not conflict with agricultural uses or is incompatible with the rural character of the County's coastal zone. 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.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-AG-1</b>.</p>  | <p><b>C-AG-1 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 County's Coastal Zone. Preserve important soils, agricultural water sources, and forage to allow continued agricultural production on agricultural lands.<br/>[BOS app. 7/30/2013]<br/>(PC app. 10/10/11, 1/24/11)<br/><i>[Adapted from Unit II Agriculture Policy 1, p. 98, and CWP Goal AG-1, p. 2-157]</i></p>  |
| <p><b><u>Policy 2 p. 98</u></b></p> <p><u>Agricultural Production Zone.</u> 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 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.</p> <p><b><u>Policy Status</u></b></p> <p>The concept of this policy has been carried forward to LCPA Policy <b>C-AG-2</b>,</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>1. Uses of land for the breeding, raising, pasturing, and grazing of livestock;</li> <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</li> </ol> |

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| <p>which also draws the concept from Unit II Agriculture Policy 3 (p. 98).</p>  | <p>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).</p> <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.<br/> [BOS app. 10/2/2012, 11/13/2012, 1/15/2013]<br/> (PC app. 10/10/11, 1/24/11)<br/> [Adapted from Unit II Agriculture Policies 2 and 3, p. 98, and CWP Program AG-1.g, p. 2-162]</p> |
| <p><b><u>Policy 3, p. 98</u></b></p> <p><u>Intent of the Agricultural Production Zone.</u> 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. 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.</p> <p><b><u>Policy Status</u></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><b>C-AG-2 Coastal Agricultural Production Zone (C-APZ).</b></p> <p>(See policy language above)</p>  |
| <p><b><u>Policy 4, p. 98</u></b></p> <p><u>Development standards and requirements.</u> All land divisions and developments in the APZ shall require an approved master plan showing how the proposed division or development would affect the subject property. In reviewing a proposed master plan and determining the density of permitted units, the County shall make all of the following findings:</p> <ol style="list-style-type: none"> <li>a. The development would protect and enhance continued agricultural use and contribute to agricultural viability.</li> <li>b. The development is necessary because agricultural use of the property is</li> </ol> | <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>A. <b><u>Standards for Agricultural Uses in the C-APZ:</u></b></p> <ol style="list-style-type: none"> <li>I. Permitted development shall protect and maintain continued agricultural</li> </ol>   |



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.

- 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 the perimeter of the proposed development.
- d. Adequate water supply, sewage disposal, road access and capacity and other public services are available to service 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 habitats or significantly reduce freshwater inflows to Tomales Bay, either individually or cumulatively.
- e. Appropriate public agencies are able to provide necessary services (fire protection, police protection, schools, etc.) to serve the proposed development.
- f. The proposed land division and/or development will have no significant adverse impacts on environmental quality or natural habitats, including stream or riparian habitats and scenic resources. In all cases, LCP policies on streams and natural resources shall be met.
- g. Development consists of permitted and conditional uses as authorized in the APZ.

**Policy Status**

This policy has been carried forward to LCPA Policy **C-AG-7**, 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).

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.

- 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 cumulatively.
- 3. 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.
- 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.

**B. Standards for Non-Agricultural Uses:**

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 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.

- I. 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 development, on adjacent parcels, or on other agricultural parcels within one mile of the perimeter of the proposed development.
  - 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.

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

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|  | <p>(PC app. 2/13/12, 1/9/11, 1/24/11)<br/> <i>[Adapted from Unit II Agriculture Policies 4 and 5, pp. 98-99. This policy also carries forward Unit I Agriculture Policy 30, p. 35.]</i></p>  |
| <p><b><u>Policy 5, p. 99</u></b><br/> <b>Conditions.</b> As part of the approval of a master plan, the following conditions shall be required:</p> <ol style="list-style-type: none"> <li>a. All development shall be clustered to retain the maximum amount of land in agricultural production or available for agricultural use. 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, to the extent feasible, with the remaining acreage to be left in agricultural production and/ or open space. Development shall be located close to existing roads and shall be sited to minimize impacts on scenic resources, wildlife habitat and streams, and adjacent agricultural operations.</li> <li>b. Permanent conservation easements over that portion of the property not used for physical development or services shall be required to promote the long-term preservation of these lands. Only agricultural 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 that they are retained as a single unit and are not further subdivided.</li> <li>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.</li> </ol> <p><b><u>Policy Status</u></b><br/> 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><b>C-AG-7 Development Standards for the Agricultural Production Zone (C-APZ) Lands.</b><br/> (See policy language above)</p>  |
| <p><b><u>Policy 6, p. 100</u></b><br/> Definitions and uses. The definition of agricultural uses in the APZ is given below, along with permitted and conditional uses.</p> <ol style="list-style-type: none"> <li>a. <b>Definitions.</b> 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: <ul style="list-style-type: none"> <li>• Livestock and poultry - cattle, sheep, poultry, goats, rabbits, horses unless</li> </ul> </li> </ol>  | <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</p> |

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:

- Land divisions.
- Farmworker housing.
- 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.
- Hog ranch.
- Veterinary facilities.
- Fish hatcheries and rearing ponds.
- Stabling of more than five horses on ranches where horses are the primary or only animals raised.
- Raising of other food and fiber producing animals not listed under (a) above.
- Planting, raising, or harvesting of trees for timber, fuel, or Christmas tree production.
- Facilities for processing or retail sale of agricultural products.
- Greenhouses.
- Commercial storage and sale of garden supply products.
- Water conservation dams and ponds.
- Mineral resource production.
- Game or nature preserve or refuge.
- Public or private recreational activities, such as hunting, fishing, and camping.
- Bed and breakfast operations in existing structures up to a maximum of 5 rooms.
- 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.
- Dump.

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)

**B. Purposes of zoning districts.** The purposes of the individual zoning districts are as follows.

**I. 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)

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.

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| <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>[BOS app. 10/2/2012, 11/13/2012, 1/15/2013, 2/26/2013]</p> <p>...</p> <p>[Rest of section not shown]</p>   |
| <p><b>Policy 7, p. 101</b></p> <p>Alternative methods of preserving agricultural lands. The County strongly supports the objectives of the Marin Agricultural Land Trust to protect agricultural lands through the transfer, purchase, or donation of development rights or conservation easements on agricultural lands. The County supports and encourages action by the Trust in the coastal zone to preserve agricultural land for productive uses. The County also supports the use of Transfer of Development Rights (TDR) and similar innovative techniques to permanently preserve agricultural lands.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-AG-10</b>.</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 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)</p> <p>[Adapted from Unit II Agriculture Policy 7, p. 101]</p> |
| <p><b>Policy 8 p. 101</b></p> <p><u>Agriculture on state parklands.</u> 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.</p> <p><b>Policy Status</b></p> <p>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>  |

**Unit II  
Mariculture**

**Unit II - Existing Policy**

**LCPA - Proposed Policy**

**Policy 1 p. 114**

General policy. The County of Marin supports and encourages mariculture in its coastal zone for the purposes of producing food, enhancing and restoring fisheries stocks, and contributing to the State's economy. This policy recognizes, however, that the need for mariculture sites in coastal waters must be balanced with the need to provide for other uses, such as commercial fishing, recreational clamming and boating, and the need to protect coastal wildlife, water, and visual resources.

**Policy Status**

This policy has been carried forward to LCPA Policy **C-MAR-1**.

**C-MAR-1 Support Mariculture.** Support and encourage mariculture in the Coastal Zone for the purposes of producing food, enhancing and restoring fisheries stocks, and contributing to the economy of the state and Marin County, while providing for other uses, such as commercial fishing, recreational clamming and boating, and the protection of coastal wildlife, water quality, and visual resources. Support provision for onshore facilities necessary to support mariculture operations in coastal waters.

(PC app. 12/1/11, 3/8/10)

*[Adapted from Unit II Mariculture Policy 1, p. 113]*

**Policy 2 p. 114**

General standards. The following standards and procedures shall apply to all mariculture operations:

- a. Acreage limit. In conformance with the recommendations of the Department of Fish and Game, the total acreage designated for mariculture operations in Tomales Bay shall not exceed 900 acres during the five year period following adoption of the LCP. This 900 acres includes 819 acres of existing allotments and leases and a maximum of 81 acres of new allotments and leases. When the LCP is reviewed in five years, additions or reductions in acreage may be considered.
- b. Size limit on allotments and leases. Mariculture in Tomales Bay has received increasing interest in recent years, as it has statewide. To provide flexibility in responding to new information about the industry, new technology, and changing public needs, allotments and leases considered for development in a coastal permit shall be limited in size to five acres. Applicants shall be required to meet the production requirements of the Department of Fish and Game for each five-acre parcel before being granted a permit to develop additional acreage. Allotments and leases in existence at the time of LCP adoption shall not be subject to this policy. Re-allotted acreage shall be retained and shall be reviewed for appropriate size and location according to LCP policies in this and other sections.
- c. Time limit on allotments and leases. To increase flexibility in the

**C-MAR-3 Apply General Standards to Mariculture Operations.** The coastal permitting agency (Coastal Commission and/or Marin County) shall apply the following standards and procedures to all mariculture operations:

1. Protection of eelgrass beds. The siting of oyster allotments, mariculture leases, and mariculture structures should avoid interference or damage to eelgrass beds in Tomales Bay, in conformance with Section 30.10, Title 14, California Code of Regulations.
2. Operator access. Public agencies should be encouraged to consider operator access to mariculture leaseholds.
3. Shoreline access. Mariculture operations and onshore support facilities shall incorporate provisions for public access to and along the shoreline unless such access would interfere with mariculture and the impacts from access cannot be mitigated to less than significant levels. In evaluating coastal permits for mariculture, the County shall consider the location of existing accessways and potential conflicts between mariculture and public use of the shoreline.
4. Boating access. The placement of structures within new or existing allotments and leases shall not interfere with public boating access at high tide to state lands within the leased areas. If boat passages are proposed, they shall be spaced at a minimum of one passage per 1/2 mile of shoreline.
5. Onshore support facilities. Applicants for a coastal permit shall specify what access points and onshore support facilities (e.g. boat launch,

administration of mariculture activities for the purposes stated in (b) above, the County encourages the Department of Fish and Game to limit new allotments and leases in Tomales Bay to 10 years, subject to renewal up to 25 years as allowed by law.

- d. Protection of eelgrass beds. The siting of oyster allotments, mariculture leases, and mariculture structures shall avoid interference or damage to eelgrass beds in Tomales Bay, in conformance with Section 165(5), Title 14, of the California Administrative Code.
- e. Exotic animals. The importation of exotic fish, shellfish, or other marine species shall be carefully reviewed for its potential effect on native organisms in Tomales Bay, in accordance with Sections 130 and 131, Title 14, of the California Administrative Code. Before a coastal permit is granted, persons requesting to cultivate exotic species shall be required to demonstrate that no significant adverse impacts will result from the introduction of such species.
- f. Shoreline access. Mariculture operations and onshore support facilities shall incorporate provisions for public access to and along the shoreline unless such access would interfere with mariculture and the impacts from access cannot be mitigated. In evaluating coastal permits for mariculture, the County shall consider the location of existing accessways and potential conflicts between mariculture and public use of the shoreline. Areas of State land used by the public for digging clams shall remain open to the public for such digging, in conformance with Sections 6496 and 6523 of the State Fish and Game Code.
- g. Boating access. The placement of structures within new or existing allotments and leases shall not interfere with public boating access at high-tide to State lands within the leased areas, in conformance with Sections 6497 and 6524 of the State Fish and Game Code. If boat passages are proposed, they shall be spaced at a minimum of one passage per 1/2 mile of shoreline.
- h. Marking of structures. Mariculture structures shall be clearly marked above water in accordance with Sections 6499 and 6526 of the State Fish and Game Code, and the regulations of the Army Corps of Engineers and Coast Guard.
- i. Onshore support facilities. Applicants for a coastal permit shall specify what access points and onshore support facilities (e.g. boat launch, loading dock, etc.) are required for the proposed mariculture operation, where such facilities will be located, and the timing of use. If private lands will be used for access or support facilities, the applicant shall submit a written statement from the property owner(s) agreeing to such use. If

loading dock, etc.) are required for the proposed mariculture operation, where such facilities will be located, and the timing of use. If private lands will be used for access or support facilities, the applicant shall submit a written statement from the property owner(s) agreeing to such use. If public lands will be used for access or support facilities, the applicant shall arrange a lease with the appropriate public agency specifying the type, location, and timing of use which is acceptable.

- 6. Visual impacts. Mariculture structures shall be sited and designed to minimize visual impacts, especially in areas which are highly visible from public roads, parks, or other public viewing areas.

(PC app. 12/1/11, 3/8/10)

*[Adapted from Unit II Mariculture Policy 2, pp. 113-116]*

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| <p>public lands will be used for access or support facilities, the applicant shall arrange a lease with the County or State specifying the type, location, and timing of use which is acceptable.</p> <p>j. <u>Visual impacts.</u> Mariculture structures shall be sited and designed to minimize visual impacts, especially in areas which are highly visible from public roads, parks, or other public viewing places.</p> <p>k. <u>Permit requirements.</u> Coastal permit applications for mariculture operations shall include the following information, submitted as part of the environmental statement on the project required by Public Resources Code Section 833:</p> <ul style="list-style-type: none"> <li>• map of location, scale of 1:2000</li> <li>• presence of eelgrass beds and other resources (e.g. seal haul-outs) on the site</li> <li>• depth of water and type of substrate</li> <li>• species to be cultivated and culture method to be used (e.g. raft, stake, bottom culture)</li> <li>• percent of allotment or lease covered by structures</li> <li>• method of anchoring structures</li> <li>• method of marking structures</li> <li>• provision for shoreline and/or boating access, as necessary</li> <li>• location of access to mariculture operations and of onshore support facilities</li> <li>• list of adjacent property owners and upland property owners within 1/2 mile of proposed activity</li> <li>• list of other permits applied for or granted</li> </ul> <p>l. <u>Notification of property owners.</u> The County shall notify all property owners within 1/2 mile of the proposed mariculture operations and interested organizations when a coastal permit is filed with the County for mariculture activities.</p> <p><b><u>Policy Status</u></b><br/>This policy has been carried forward to LCPA Policy <b>C-MAR-3</b>.</p> |            |
| <p><b><u>Policy 3 p. 116</u></b><br/><u>Technical Advisory Committee.</u> The County shall explore the possibility of establishing a Technical Advisory Committee composed of qualified persons for the purpose of providing technical expertise and assistance to the County in its review of coastal permits for mariculture.</p>  | <p>n/a</p> |



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| <p><b>Policy Status</b></p> <p>This policy is no longer relevant and thus has not been carried forward to the LCPA.</p>   |            |
| <p><b>Policy 4 p. 116</b></p> <p><u>Existing allotments and leases.</u> The County of Marin recognizes existing oyster allotments and mariculture leases in Tomales Bay and encourages their development. This policy recognizes, however, that adjustments in allotment size and location may be necessary in the future in response to new information about the mariculture industry, new technology, or changing public needs.</p> <p>Development of existing allotments and leases shall conform to the standards set forth below. The allotments are listed from north to south.</p> <ul style="list-style-type: none"> <li>a. <u>Allotment #430-03, Int'l Shellfish Enterprises.</u> There are two major concerns with this allotment: the presence of eelgrass beds and the close proximity of the allotment to the Walker Creek delta. To protect the eelgrass, minimize interference with freshwater outflows from Walker Creek, and reduce possible impacts on spawning fish in the creek, mariculture structures shall be located out of eelgrass beds and set back from the delta. Mariculture operations shall allow boating access to and along the shore at high tide.</li> <li>b. <u>Allotment #430-04, Int'l Shellfish Enterprises.</u> The presence of eelgrass beds is the major concern with this allotment. To minimize damage to this resource, structures shall be sited out of eelgrass beds. Boating access to the shoreline at high tide shall be maintained.</li> <li>c. <u>Allotment #430-01, Jensen Oyster Company.</u> Development on this allotment shall be sited out of eelgrass beds, set back from the Walker Creek delta, and designed to minimize visual impacts on adjacent areas which are visible from Highway 1 and Miller Park. When the allotment terminates in 1980, the siting and development of re-allotted acreage shall take these concerns into account. New development on the upland parcel, AP #104-110-08, shall allow for the continuation of mariculture operations.</li> <li>d. <u>Allotment #430-08, Parcel 2, International Shellfish Enterprises.</u> This allotment is located offshore from state parklands, thus mariculture development should be coordinated with that of the park. Structures shall not interfere with boating access to or with lateral access along the shoreline. Visual impacts from development shall be minimized and structures shall be sited out of eelgrass beds.</li> <li>e. <u>Allotment #430-07, Parcel 2, WHD Enterprises.</u> This allotment is located in a relatively busy area of Tomales Bay. Mariculture development shall be</li> </ul> | <p>n/a</p> |

sited and designed to minimize conflicts with commercial fishing activity at Marshall Boat Works and Tony's Seafood and with recreational boating at Marconi Cove Marina. The visual impacts of development on this highly visible site shall be minimized and interference with recreational clamming along the shore shall be avoided.

- f. Lease #430-06, Morgan Oyster Company. This lease is located adjacent to Marconi Cove Marina and as such appears to present potential conflicts with recreational boating and clamming there, especially if the marina is expanded. Mariculture structures shall be sited to minimize these potential conflicts. Relocation of the lease to the northwest or southwest should be considered, if it appears necessary, when the lease terminates in 1988.
- g. Allotment #430-09, Parcel 2, Dunn and Johnson. This allotment is located offshore from recreational clamming areas between Marconi Cove Marina and state parklands to the south. The major concerns with its development are visual impacts, and possible interference with recreational clamming and boating. Development shall be designed to minimize visual impacts and sited close to the shoreline to avoid recreational boat traffic.
- h. Allotment #430-05, American Shellfish Corporation. This allotment, which includes 20 acres of private water bottoms, is the largest in the Bay and wraps around state parklands on Tomasini and Millerton Points. Mariculture development should be incorporated into the interpretive facilities of the park and should proceed with attention to the needs and characteristics of the park. Public access along the shoreline and by boat at high tide shall be maintained at all points. If boat passages are proposed through structures, they shall be provided, at a minimum, on the north side of Tomasini Point and on the lee side of Tomasini and Millerton Points. Structures shall be sited and designed to minimize visual impacts. Materials used shall be compatible with the park setting.
- i. Allotments #430-07, Parcel 1, WHD Enterprises, and #430-09, Parcel 1, Dunn and Johnson. These allotments are located at the southern end of the Bay, out of the way of most other uses. Development shall proceed with attention to visual impacts and recreational boat traffic.

**Policy Status**

These mariculture operations are outside of the County's jurisdiction. They are located on State land, subject to the Department of Fish and Game, and located in the permanent coastal permitting area of the Coastal Commission. Therefore,

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| <p>this policy is irrelevant and has not been carried forward to the LCPA.</p>   |            |
| <p><b>Policy 5 p. 118</b></p> <p><u>New allotments and leases.</u> Based on Section 30411(c) of the Coastal Act, the County has taken the recommendations of the Department of Fish and Game as the starting point for evaluating new allotments and leases in Tomales Bay. The Department has recommended 82 acres of allotments in various locations around the Bay, to be granted in parcels of five acres each. After evaluating this proposal in light of Coastal Act policies, the County has concluded that 82 acres and five acre parcel sites would be appropriate for Tomales Bay. However, the location of this acreage needs adjustment in some cases. In addition, the structural development of allotments needs to be conditioned to ensure that it conforms to the policies of the Coastal Act.</p> <p>To meet these concerns, the following standards on location and development of new allotments and leases are proposed:</p> <p>a. <u>West side of Tomales Bay.</u></p> <p><u>Proposal:</u> The Department of Fish and Game has stated that a maximum of two acres of allotments would be sited between Teacher's Beach and the boundary of Point Reyes National Seashore to the north, between the -1.5 and -8 contour lines (MLW). Fish and Game gives these allotments very low priority because of heavy recreational use in the area and states that great need would have to be demonstrated before they would be considered.</p> <p><u>Description:</u> This area lies adjacent to Tomales Bay State Park. The park and offshore area are heavily used by boaters, clammers, swimmers, and hikers. The main boating channel in the Bay is located near the shore.</p> <p><u>LCP Recommendations:</u> Because of the heavy use of this area and the potential for conflicts between mariculture operations and other uses, the County does not regard the west shore as appropriate for mariculture and shall not grant coastal permits for such operations there. To maintain the opportunity for mariculture, the two acres shall be relocated to the east side of the Bay.</p> <p>b. <u>East side of Tomales Bay, Tom's Point to Miller Park.</u></p> <p><u>Proposal:</u> The Department of Fish and Game proposes twenty-five acres of allotments in five-acre parcels between the +1 foot tide level and the -12 foot contour line (MLV).</p> <p><u>Description:</u> This area lies out of the most actively used portions of Tomales Bay and would be appropriate for additional mariculture development (.431 acres of allotments already exist). The major concerns</p> | <p>n/a</p> |

in this area are the-presence of eelgrass beds, harbor seal haulouts on Hog Island, freshwater outflow and siltation at the mouth of Walker Creek, public clamming at Nick's Cove and Miller Park. recreational boating from Miller Park, and visual impacts on the Park and Highway I.

LCP Recommendations: The twenty-five acres shall be sited out of eelgrass beds and set back from the Walker Creek delta. Allotments shall abut existing allotments where possible and shall avoid open water used by boat traffic. Setbacks of 150 yards minimum shall be maintained from identified seal haulout areas and from Nick's Cove and Miller Park. Visual impacts from development on the cove and park shall be minimized.

c. East side of Tomales Bay, Miller Park to Cypress Grove.

Proposal: The Department of Fish and Game recommends thirty acres of allotments in five-acre parcels between the -1.5 and -12 foot contour lines (MLW).

Description: This area of the Bay has 18 acres of existing allotments and appears to represent one of the areas with the greatest potential for mariculture expansion. However, it is quite exposed and somewhat problematical from an industry standpoint. The major concerns include the presence of eelgrass beds near the shore, commercial fishing, numerous recreational clamming sites, public parkland, and visual impacts on public parks, viewing areas, and Highway I.

LCP Recommendations: Mariculture structures shall be sited out of eelgrass beds, allow boating access to the shoreline, and be set back a minimum of 150 yards from Miller Park and North Shore Boats. Existing lateral access shall be maintained on public parkland near Cypress Grove and on private lands to the north and south. Allotments shall be sited close in towards the shore to minimize conflicts with commercial fishing and shall be designed to minimize visual impacts on public viewing areas and Highway I.

d. East side of Tomales Bay, Marshall to the southern end of the Bay.

Proposal: The Department of Fish and Game proposes twenty-five acres of allotments in five-acre parcels between the -1.5 and -8 foot bottom contours (MLW). The allotments would be sited close to existing allotments.

Description: This area of Tomales Bay includes 370 acres of existing allotments and leases, most of which have not yet been developed. There are numerous other uses in this relatively busy area, particularly between Marshall and Tomasini Point, including recreational clamming and boating, commercial fishing, a marina, boat works, and state park. New allotments

in this area have the potential to conflict with these uses unless carefully sited.

LCP Recommendations: Mariculture structures shall be set back a minimum of 150 yards from Marshall Tavern, Marshall Boat Works, Tony's Seafood, and Marconi Cove Marina. Structures shall allow boating access to the shoreline at high tide, shall not interfere with lateral access, and shall be designed to minimize visual impacts. Allotments placed to the south of Marconi Cove Marina shall abut existing allotments and be located out of recreational boating lanes.

**Policy Status**

These mariculture operations are outside of the County's jurisdiction. They are located on State land, subject to the Department of Fish and Game, and located in the permanent coastal permitting area of the Coastal Commission. Therefore, this policy is irrelevant and has not been carried forward to the LCPA.

| <b>Unit II</b>  |  |
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| <b>Commercial Fishing and Recreational Boating</b>  |  |
| <b>Unit II - Existing Policy</b>  | <b>LCPA - Proposed Policy</b>  |
| <p><b><u>Policy 1 p. 122</u></b></p> <p><u>General policy.</u> The use of Tomales Bay for commercial fishing and recreational boating shall be supported and protected. Facilities on the shoreline of the Bay which support such uses shall be protected and, where feasible, upgraded. The County particularly encourages continued commercial fishing in Tomales Bay.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PK-15</b>.</p>  | <p><b>C-PK-15 Commercial Fishing and Recreational Boating.</b> Support and protect commercial fishing and recreational boating on Tomales Bay. Protect and, where feasible, upgrade facilities on the shoreline of the Bay which support such uses. Design and locate proposed recreational boating facilities, where feasible, so as not to interfere with the needs of the commercial fishing industry.</p> <p>(PC app. 9/19/11, 10/26/09)</p> <p><i>[Adapted from Unit II Commercial Fishing and Recreational Boating Policy 1, p. 122, and Coastal Act Section 30234]</i></p>  |
| <p><b><u>Policy 2 p. 122</u></b></p> <p><u>Development standards.</u> Development of new boating facilities on the shoreline shall conform to the following standards:</p> <ol style="list-style-type: none"> <li>a. New marinas or boat works shall generally be located within or adjacent to existing facilities and where adequate public services (parking, sewage disposal, etc.) exist. New boating facilities in undeveloped areas shall be limited to small-scale facilities such as launching ramps. Adequate waste pump-out facilities shall be provided.</li> <li>b. New or expanded boat works or marinas shall be directed to deeper water areas with good tidal flushing in order to minimize the need for dredging and the risk of water pollution and stagnation. In general, the southern end of Tomales Bay is inappropriate for marina development because it is shallow and poorly flushed by tides.</li> <li>c. In the allocation of berthing spaces in new or expanded marina between commercial fishing and recreational boats, adequate space shall be provided for commercial fishing boats to ensure protection of this coastal-dependent industry.</li> <li>d. The design of marina facilities shall incorporate provisions for public access to and along the shoreline and shall minimize alteration of the natural shoreline, in conformance with LCP policies on public access and wetlands protection.</li> <li>e. Houseboat living on Tomales Bay is not an appropriate use of the Bay's waters.</li> </ol> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PK-16</b>.</p> | <p><b>C-PK-16 Standards for New Boating Facilities.</b> Apply the following standards to the development of new boating facilities on the Tomales Bay shoreline:</p> <ol style="list-style-type: none"> <li>1. Co-locate new marinas or boat works within or adjacent to existing facilities and where adequate public services, such as parking and sewage disposal, exist. Where co-location is not feasible, limit new boating facilities in undeveloped areas to small scale facilities such as launching ramps. In addition, adequate waste pump-out facilities shall be provided.</li> <li>2. Direct new or expanded marinas to deeper water areas with good tidal flushing in order to minimize the need for dredging and the risk of water pollution and stagnation.</li> <li>3. Provide adequate berthing space for commercial fishing boats in new or expanded marinas to ensure protection of this coastal dependent industry.</li> <li>4. Incorporate provisions for public access to and along the shoreline in the design of marina facilities, and minimize alteration of the natural shoreline in conformance with LCP policies on public access and wetlands protection.</li> <li>5. Prohibit “live aboards” and houseboats on Tomales Bay.</li> </ol> <p>(PC app. 9/19/11, 10/26/09)</p> <p><i>[Adapted from Unit II Commercial Fishing and Recreational Boating Policy 2, p. 122]</i></p> |

**Unit II  
Public Trust Lands**

**Unit II - Existing Policy**

**LCPA - Proposed Policy**

**Policy 1, p. 129**

Notification of public trust interest. The Coastal Commission retains original permit jurisdiction over public trust lands. Applicants should examine the maps delineating the area of original jurisdiction to determine whether they should apply to the County or Coastal Commission. Specific questions should be referred to the State Office, Mapping Section. Applicants whose land is seaward of the line of Coastal Commission original jurisdiction shall apply to the Coastal Commission for coastal development permits. Before issuing a coastal permit, the Commission will refer the application to the State Lands Commission for a determination whether a State Lands Commission permit or lease is required for the proposed development and whether the State Lands Commission finds it appropriate to exercise the easement over that property. Applicants whose land is landward of that line shall apply to Marin County for coastal permits. County designation of land use on public trust lands is advisory, since the Commission retains original permit jurisdiction over such areas.

**Policy Status**

The contents of this policy are more appropriate for the development code rather than the land use plan. Therefore, this language has been modified and carried forward to LCPA Development Code **Section 22.68.080** (p. 96), which also carries forward Unit I Location and Density of New Development Policy 38 (p. 85).

**Policy 2, p. 129**

Reconstruction of existing structures. Existing structures on public trust lands along the shoreline of Tomales Bay may continue and shall be permitted to be rebuilt if damaged or destroyed by natural disaster, in conformance with the development standards specified in Section 30610(g) of the Coastal act, applicable LCP policies and County code requirements.

**Policy Status**

**22.68.080 – Projects Requiring a Coastal Commission Permit**

- A. Coastal Commission approval required.** Development or new land uses proposed on tidelands, submerged lands, public trust lands, or otherwise located seaward of the line of Coastal Commission jurisdiction, shall require a Coastal Permit from the Coastal Commission in compliance with Public Resources Code Section 30519(b). Also under the Coastal Commission’s continuing jurisdiction are amendments or extensions to coastal permits issued by the Coastal Commission; thermal power plants of 50 megawatts or greater along with the transmission lines, fuel supply lines, and related facilities to serve them; state university or college projects; and non-federal projects on federal land.
- B. Determination of jurisdiction.** The determination of jurisdiction shall be made by the Coastal Commission based upon maps and other descriptive information that the County, Coastal Commission and/or State Lands Commission may supply.
- C. Referral.** Before issuing a Coastal Permit, the Coastal Commission will refer the application to the State Lands Commission for a determination whether a State Lands Commission permit or lease is required for the proposed development, and whether the State Lands Commission finds it appropriate to exercise the easement over that property. The Coastal Commission shall also refer the application to the County for review and comment.
- D. County land use designations and zoning districts.** County land use designations and zoning districts on public trust lands and federal lands shall be advisory only for purposes of the Coastal Commission’s review of a coastal permit application.

**C-CD-7 Structures on Public Trust Lands.** Allow existing structures on public trust lands along the shoreline of Tomales Bay to be rebuilt if damaged or destroyed by natural disaster, in conformance with development standards specified in Section 30610(g) of the Coastal Act and other County policies. Construction of new residential dwellings on public trust lands is not considered an appropriate use and is not allowed. It should be noted that development on public trust lands is within the Coastal Permit jurisdiction of the California Coastal Commission. However, other County permit requirements (such as Design Review or Tidelands Permit approval) may also apply.

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| <p>This policy has been carried forward to LCPA Policy <b>C-CD-7</b>, which also draws language from Unit II Public Trust Lands Policy 3 (p. 129).</p>  | <p>(PC app. 9/19/11, 7/29/10)<br/> <i>[Adapted from Unit II Public Trust Lands Policies 2 and 3, p. 129]</i></p> |
| <p><b><u>Policy 3, p. 129</u></b><br/> <b><u>New residential construction.</u></b> The construction of new single-family dwellings on public trust lands is not considered an appropriate use of such lands by the County of Marin.</p> <p><b><u>Policy Status</u></b><br/> This policy has been carried forward to LCPA Policy <b>C-CD-7</b>, which also draws language from Unit II Public Trust Lands Policy 2 (p. 129).</p> | <p><b>C-CD-7 Structures on Public Trust Lands.</b><br/> (See policy language above)</p>                          |



**Unit II  
Shoreline Structures**

**Unit II - Existing Policy**

**Policy I, p. 132**

General policy. The County discourages the proliferation of shoreline structures in the Unit II 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. 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.

**Policy Status**

This policy has been carried forward to LCPA Policy **C-EH-13**, which also draws language from Unit II Shoreline Structures Policy 2 (p. 132) and carries forward the concept of Unit I Shoreline Protection and Hazard Areas Policy 5 (p. 42).

**LCPA - Proposed Policy**

**C-EH-13 Shoreline Protective Devices.** 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.

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:

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.
2. No other non-structural alternative, such as sand replenishment, beach nourishment, or managed retreat is feasible.
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.
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.
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.
6. There will be no reduction in public 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.
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.
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

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|  | <p>of an amendment to the Coastal Permit.<br/> (PC app. 1/23/12)<br/> <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><b><u>Policy 2, p. 132</u></b><br/> <u>Shoreline protective works.</u> The construction or reconstruction of revetments, breakwaters, groins, seawalls, or other artificial structures for coastal erosion control shall be allowed only if each of the following criteria is met:</p> <ol style="list-style-type: none"> <li>a. The structure is required to serve a coastal-dependent use, a coastal-related use in a developed area, or to protect existing development or public beaches.</li> <li>b. No other non-structural alternative is practical or preferable.</li> <li>c. 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>d. It can be shown that a structure(s) will successfully mitigate the effects of shoreline erosion and will not adversely affect adjacent or other sections of the shoreline.</li> <li>e. The structure 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>f. There will be no reduction in public access, use, and enjoyment of the natural shoreline environment, and construction of a structure will preserve or provide access to related public recreational lands or facilities.</li> <li>g. The structure will not restrict navigation, mariculture, or other coastal use and will not create a hazard in the area in which it is built.</li> </ol> <p>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.</p> <p><b><u>Policy Status</u></b><br/> This policy has been carried forward to LCPA Policy <b>C-EH-13</b>, which also draws language from Unit II Shoreline Structures Policy I (p. 132) and carries forward the</p> | <p><b>C-EH-13 Shoreline Protective Devices.</b><br/> (See policy language above)</p>   |

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| <p>concept of Unit I Shoreline Protection and Hazard Areas Policy 5 (p. 42).</p>   |   |
| <p><b>Policy 3 p. 133</b></p> <p>Piers and similar recreational or commercial structures. These structures shall be limited to sites located within existing developed areas or parks. New piers shall be permitted only if each of the following criteria is met:</p> <ol style="list-style-type: none"> <li>a. The structure will be used to serve a coastal-dependent use or will preserve or provide access to related public recreational lands or facilities.</li> <li>b. The structure will not be located in wetlands or other significant resource or habitat area and will not, individually or cumulatively, cause significant adverse impacts on fish or wildlife.</li> <li>c. The structure will not interfere with public access, use, and enjoyment of the natural shoreline environment.</li> <li>d. The structure will not restrict navigation, mariculture, or other coastal use and will not create a hazard in the area in which it is built.</li> <li>e. There is no pier with public access within 1/2 mile, or use of a nearby pier would not be feasible due to its size, location, or configuration.</li> </ol> <p>The reconstruction of existing piers shall be permitted provided that the pier is of the same size and in the same location as the original pier. Enlargements- or changes in design or location shall be evaluated based on criteria (a) through (e) above.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-CD-8</b>.</p> | <p><b>C-CD-8 Shoreline Structures and Piers.</b> Limit the location of piers and other recreational or commercial structures to sites located within existing developed areas or parks. New piers shall be permitted only if all of the following criteria are met:</p> <ol style="list-style-type: none"> <li>1. The structure will be used to serve a coastal-dependent use or will preserve or provide access to related public recreational lands or facilities.</li> <li>2. The structure will not be located in wetlands or other significant resource or habitat area and will not, individually or cumulatively, cause significant adverse impacts on fish or wildlife.</li> <li>3. The structure will not interfere with public access, use, and enjoyment of the natural shoreline environment.</li> <li>4. The structure will not restrict navigation, mariculture, or other coastal use and will not create a hazard in the area in which it is built.</li> <li>5. There is no pier with public access within ½ mile, or use of a nearby pier would not be feasible due to its size, location, or configuration.</li> </ol> <p>Allow reconstruction and maintenance of existing piers provided that the pier is of the same size and in the same location as the original pier. Enlargements or changes in design or location shall be evaluated based on criteria stated above.</p> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit II Shoreline Structures Policy 3, p. 132]</i></p> |
| <p><b>Policy 4 p. 133</b></p> <p><u>Public access requirement.</u> Public access to new piers or similar recreational or commercial structures shall be required unless it can be demonstrated that such access would interfere with commercial fishing or similar operations on the pier or be hazardous to public safety. A public access easement from the first public road across the applicant's property to the pier shall be required as a condition of coastal permit approval.</p> <p><b>Policy Status</b></p>   | <p><b>C-CD-9 Access to Shoreline Structures.</b> Require public access to new piers or similar recreational or commercial structures unless it can be demonstrated that such access would interfere with commercial fishing or similar operations on the pier or be hazardous to public safety. A public access easement from the first public road across the applicant's property to the pier shall be required.</p> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit II Shoreline Structures Policy 4, p. 132]</i></p>   |

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| <p>This policy has been carried forward to LCPA Policy <b>C-CD-9</b>.</p>   |   |
| <p><b>Policy 5 p. 133</b></p> <p><u>Design standards for all shoreline structures.</u> The design and construction of any shoreline structure shall:</p> <ol style="list-style-type: none"> <li>a. Make it as visually unobtrusive as possible;</li> <li>b. Respect natural landforms to the greatest degree possible;</li> <li>c. Include mitigation measures to offset any impacts on fish and wildlife resources caused by the project;</li> <li>d. Minimize the impairment and movement of sand supply and the circulation of coastal waters; and</li> <li>e. Address the geologic hazards presented by construction in or near Alquist-Priolo earthquake hazard zones.</li> </ol> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-EH-14</b>.</p> | <p><b>C-EH-14 Design Standards for the Construction of Shoreline Protective Devices.</b> 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 and interference with the natural movement of sand supply and the circulation of coastal waters;</li> <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)</p> <p><i>[Adapted from Unit II Shoreline Structures Policy 5, p. 133]</i></p> |

**Unit II**  
**Diking, Filling, and Dredging**

**Unit II - Existing Policy**

**LCPA - Proposed Policy**

**Policy 1, p. 136**

General policy. Diking, filling, and dredging of coastal areas can have significant adverse impacts on water quality, marine habitats and organisms, and scenic features. The County of Marin intends to strictly limit the purposes for which these potentially damaging activities can occur in the coastal zone, in accordance with Section 30233 of the Coastal Act. For the purposes of the LCP, open coastal waters, wetlands, and other water bodies to which these policies apply shall be defined according to the criteria established by the U.S. Fish and Wildlife Service for marine and estuarine systems. "Fill" shall be defined as "... earth or any other substance or material, including pilings placed for the purpose of erecting structures thereon, placed in a submerged area," as given in Section 30108.2 of the Coastal Act.

**Policy Status**

This policy has been carried forward to LCPA Policy **C-BIO-15**, which also draws language from Unit II Diking, Filling, and Dredging Policy 2 (p. 136).

**C-BIO-15 Diking, Filling, Draining and Dredging.** 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:

1. New or expanded commercial fishing facilities.
2. Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
3. Incidental public service purposes, including burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
4. Mineral extraction, including sand for restoring beaches, except in ESHAs.
5. Restoration purposes.
6. Nature study, aquaculture, or similar resource-dependent activities.
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.
8. In the Esteros Americano and de San Antonio, limit any alterations to those for the purposes of scientific study and restoration.

[BOS app. 11/13/2012, 7/30/2013]

(PC app. 12/1/11, 1/24/11)

[Adapted from Unit II Diking, Filling, and Dredging Policies 1 and 2, p. 136]

**Policy 2, p. 136**

Acceptable purposes. The diking, filling, and dredging of open coastal waters, wetlands, and estuaries shall be limited to the following purposes:

- a. New or expanded commercial fishing facilities.
- b. Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- c. Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- d. Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- e. Restoration purposes.

**C-BIO-15 Diking, Filling, Draining and Dredging.**

(See policy language above)

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| <p>f. Nature study, aquaculture, or similar resource-dependent activities.</p> <p>g. Excluding wetlands, new or expanded boating facilities may be permitted. Only entrance channels or connecting walkways for new or expanded boating facilities shall be permitted in wetlands.</p> <p>h. In the Esteros Americano and de San Antonio, any alterations shall be limited to those for the purposes of nature study, restoration, or very minor incidental public facilities.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-BIO-15</b>, which also draws language from Unit II Diking, Filling, and Dredging Policy I (p. 136).</p>  |   |
| <p><b>Policy 3, p. 137</b></p> <p><u>Conditions and standards.</u> Diking, filling, or dredging may be permitted for the purposes specified above, provided that the following conditions and standards are met:</p> <p>a. There is no feasible less environmentally damaging alternative.</p> <p>b. Where feasible, mitigation measures have been provided to minimize adverse environmental effects.</p> <p>c. 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.</p> <p>d. 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.</p> <p>e. In estuaries and wetlands, the diking, filling, or dredging shall maintain or enhance the functional capacity of the wetland or estuary.</p> <p>f. Dike and fill projects in wetlands shall include mitigation measures specified in Section 30607.1 of the Coastal Act.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-BIO-17</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> <li>5. In estuaries and wetlands, the diking, filling, or dredging shall maintain or enhance the functional capacity of the wetland or estuary.</li> </ol> <p>[BOS app. 10/2/2012]<br/> (PC app. 12/1/11, 6/28/10)<br/> <i>[Adapted from Unit II Diking, Filling and Dredging Policy 3, p. 137]</i></p> |
| <p><b>Policy 4, p. 137</b></p> <p><u>Spoils disposal.</u> The disposal of dredged sediments shall conform to the following standards:</p> <p>a. The dredge spoils disposal site has been approved by the Department of Fish and Game.</p> <p>b. Spoils disposal shall be planned and carried out to avoid significant disruption</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> </ol>   |

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| <p>to marine and wildlife habitats and water circulation.</p> <p>c. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.</p> <p>d. The disposal of dredge spoils shall conform to the most recently approved dredging requirements promulgated or adopted by the State or Regional Water Quality Control Board.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-BIO-18</b>.</p> | <p>3. Dredged materials suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.</p> <p>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.</p> <p>[BOS app. 10/2/2012]<br/> (PC app. 12/1/11, 6/28/10)<br/> <i>[Adapted from Unit II Diking, Filling and Dredging Policy 4, p. 137]</i></p> |
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**Unit II  
Public Services**

**Unit II - Existing Policy**

**LCPA - Proposed Policy**

**Policy 1, p. 187**

General policy. Prior to the issuance of a coastal development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public services and resources (i.e. water supply, sewage disposal, and road access and capacity) are available to serve the proposed development. Lack of available services or resources shall be grounds for denial of the project or for a reduction in the density otherwise indicated in the land use plan.

**Policy Status**

This policy has been carried forward to LCPA Policy **C-PFS-I**.

**C-PFS-I Adequate Public Services.** Ensure that adequate public services (that is, water supply, on-site sewage disposal or sewer systems, and transportation including public transit as well as road access and capacity if appropriate) are available prior to approving new development, including land divisions. In addition, ensure that new structures and uses are provided with adequate parking and access. Lack of available public services, or adequate parking and access, shall be grounds for project denial or for a reduction in the density otherwise indicated in the land use plan.

[BOS app. 2/26/2013]

(PC app. 11/7/11, 1/24/11)

[Adapted from Unit II Public Services Policy 1, p. 187, and CWP Goal PFS-I, p. 3-198]

**Policy 2 p. 187**

Water supply.

- a. Type of service. Except as provided herein, new development, including land divisions, outside the service area of a community or mutual water system may utilize individual wells or other private on-site water sources. Within the Inverness Planning Area, individual wells should not be allowed on parcels less than 2.8 acres in size. Exceptions to the 2.8 acre lot size limitation may be granted pursuant to the issuance of a Coastal Permit. In addition to the findings of Chapters 22.56 and 22.86, the applicant must demonstrate to the satisfaction of the Health Officer that a well can be developed on the substandard size parcel in a completely safe and sanitary manner. Within the service area of a community or mutual water system, the use of individual domestic water wells for new development shall be permitted provided: a) the community or mutual water system is unable or unwilling to provide service; or, b) the physical distribution improvements are economically or physically infeasible to extend to the proposed project site. Additionally, wells or water sources shall be at least 100 feet from property lines, or a finding shall be made that no development constraints are placed on neighboring properties. Within the Inverness Public Utility District (IPUD), individual wells for domestic use should not be permitted in the same watershed, at an elevation higher than the IPUD surface water sources existing as of June 14, 1983. All new development shall be required to incorporate low flow

**C-PFS-13 New Water Sources Serving Five or More Parcels.** Professional engineering or other studies are required for coastal permit applications for new water wells or other sources serving 5 or more parcels. These studies must demonstrate that such groundwater or stream withdrawals will not have adverse direct or cumulative impacts on coastal resources, including groundwater basins, aquifers, and streams, and shall include as necessary, long-term monitoring programs, in-stream flow studies, or hydrologic studies. Such studies shall provide the basis for establishing safe sustained yields from these sources. Wells or water sources shall be at least 100 feet from property lines, or a finding shall be made that no development constraints are placed on neighboring properties.

(PC app. 9/19/11, 7/29/10)

[Adapted from Unit I Public Services Policy 4, p. 48, and Unit II Public Services Policies 2.a and 2.e (3), pp. 187-189]

**C-PFS-14 Adequacy of Water Supply Within Water System Service Areas.** Ensure that new development within a water system service area is served with adequate, safe water supplies. Prohibit development of individual domestic water wells or other individual water sources to serve new development, including land divisions, on lots in areas served or within the boundaries of a public or private water system, with the following exceptions:

- I. For agricultural or horticultural use if allowed by the water system



water fixtures and other water-saving devices.

b. Point Reyes Station area. Water for the Point Reyes Water System, including Point Reyes Station, Olema, Inverness Park, and Paradise Ranch Estates, is provided by North Marin County Water District (NMCWD). The water system is presently adequate to serve a total of 755 residential units in the service area, 354 more than now exist, with generous provisions for current demand and growth in recreational, commercial, agricultural, and governmental uses. The system is not, however, presently capable of supplying the 1355 units possible at maximum buildout. To ensure that adequate water will be available for this development and that visitor-serving and other priority coastal uses will be supplied, the County shall notify NMCWD after 300 additional units have been built in the service area so that water system expansions may be planned. After 354 more units have been built or 755 total, the County shall cease issuing residential building permits unless NMCWD certifies that capacity is available.

c. Northern Inverness Ridge. Inverness and Seahaven receive water from the Inverness Public Utilities District (IPUD). The Inverness water system has marginal water supplies in dry years and major inadequacies in treatment and distribution facilities. IPUD is in the process of making improvements in its built system, anticipated for completion in 1981, to bring it up to public health standards. No expansion of existing water sources is planned at the present time.

Experience with the water system and available streamflow data indicate that additional development could not reliably be served from IPUD's existing sources. During the 1976-77 drought, water supplies were considerably below the minimum level of consumption, for the system. Although drought year conditions were extreme, the magnitude of the deficiency created indicates that other less dry years, will also cause a water shortage, especially if additional units are constructed in the service area. Increasing drought year flows by 25% to account for their infrequency only brings source flows up to a level which is sufficient for current consumption.

Therefore, until IPUD demonstrates reliable flow levels from its present sources or expands those sources, no new development shall be permitted in its service area except in accordance with the other policies in this section. (The water service area is defined as being congruent with that of the fire district). When additional water supply is determined to exist, the County and IPUD should develop procedures to assure that adequate water will be available for visitor-serving and other priority coastal uses.

operators;

2. The community or mutual water system is unable or unwilling to provide service; or,
3. Extension of physical distribution improvements to the project site is economically or physically infeasible.

The exceptions specified in 1, 2, or 3 shall not be granted because of a water shortage that is caused by periodic drought. Additionally, wells or water sources shall be at least 100 feet from property lines, or a finding shall be made that no development constraints are placed on neighboring properties

(PC app. 9/19/11, 1/24/11)

*[Adapted from Unit I Public Services Policy 3, p. 48, and Unit II Public Services Policy 2.a, p. 187]*

**C-PFS-15 Development of Water Sources including Wells, Streams, and Springs.** Require a coastal permit for wells and borings unless otherwise exempt or categorically excluded.

(PC app. 9/19/11, 7/29/10)

*[Adapted from Unit II Public Services Policies 2.a and 2.e(1), pp. 187-189]*

**C-PFS-16 Standards for Water Supply Wells and Other Water Sources.**

1. In areas where individual water wells or other individual domestic water sources are permitted, require on-site tests that demonstrate a sustained pumping rate, or equivalent, of 1.5 gpm for each residential unit or subdivided parcel. Higher yields, storage and other facilities may be required for fire protection purposes, as recommended by the appropriate fire protection agency.
2. Require that well or water sources shall be at least 100 feet from property lines, unless a finding is made that no development constraints are placed on neighboring properties.
3. Allow a well only where a finding is made that it will not have adverse direct or cumulative impacts on coastal resources.
4. Within the Inverness Planning Area, allow no individual wells on parcels less than 2.8 acres in size, unless a specific exception is granted based on findings required by the coastal permitting chapter of the Development Code and on a demonstration to the satisfaction of the Health Officer that a well can be developed on the substandard size parcel in a

Development proposals in the service area of Bayside Mutual Water. Company shall be evaluated under the same policies as new projects in IPUD's service area.

In the review of a coastal development permit application for expansion of the service facilities or service capacity for the Inverness Public Utilities District, a system should be designed and instituted to reserve a portion of such added capacity for visitor-serving uses. Such reservation should be sufficient to serve the same percentage of the maximum possible expansion of such uses as allowed by the Plan as the portion of total possible residential growth within the service area that would be served by the capacity expansion. At each five year review of the Local Coastal Plan, buildout rates will be reviewed, and any requests for revisions in the capacity reserve will be processed as an amendment of the Local Coastal Program.

- d. Dillon Beach. Due to the lack of recent field testing and uncertainty regarding occupancy trends in Dillon Beach, the availability of water for additional development in residential planned districts that are in the coastal zone in the Dillon Beach Planning Area, which is described in the Dillon Beach Community Plan, must demonstrate that water is available before densities greater than 1 unit per parcel are permitted. Similarly, proposed commercial development in commercial planned districts (C-RMPC and C-RCR) must demonstrate that water is available before additional development is permitted.
- e. Development standards for wells and other sources.
  - (1) Permit required. A coastal permit shall be required to drill any well, including individual and community wells, and exploratory wells. A permit shall also be required to tap other water sources, such as springs or streams.
  - (2) Individual sources. In areas where individual water wells or other individual domestic water sources are permitted, the applicant shall demonstrate from on-site tests that a sustained water yield of at least 1.5 gpm per residential unit is available prior to the issuance of a building permit or tentative map. Higher yields may be required for fire protection purposes, as recommended by the appropriate fire protection agency.
  - (3) Community sources. New community or mutual water wells or other sources serving 5 or more parcels shall demonstrate by professional engineering studies, including as necessary, long-term monitoring programs, that such groundwater or stream withdrawals will not adversely affect coastal\* resources, including groundwater

completely safe and sanitary manner.

- 5. Within the Inverness Public Utility District (IPUD), permit no individual wells for domestic use in the same watershed, at an elevation higher than the IPUD surface water sources existing as of June 14, 1983.

(PC app. 2/13/12, 9/19/11, 7/29/10)

[Adapted from Unit I Public Services Policy 5, p. 48, and Unit II Public Services Policies 2.a and 2.e (2), pp. 187-189; and Sec. 22.56.1301.A]

**C-PFS-17 Conservation of Water.** To minimize generation of wastewater and encourage conservation of Coastal water resources, require use of water saving devices as prescribed by the local water provider in all new developments.

(PC app. 9/19/11, 7/29/10)

[Adapted from Unit I Public Services Policy 10, p. 49]

**C-EH-23 New Development and Fire Safety.** Coastal Permit applications shall demonstrate that the development meets all applicable fire safety standards.

(PC app. 12/1/11, 1/24/11)

[Adapted from Unit II Public Services Policy 2.f, p. 189]

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| <p>basins, aquifers, and streams. Such engineering studies shall provide the basis for establishing safe sustained yields from these sources</p> <p>f. <u>Fire protection.</u> 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.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-PFS-13, C-PFS-14, C-PFS-15, C-PFS-16, C-PFS-17, and C-EH-23</b>, which also draw language from Unit I Public Services Policies 3, 4, and 5 (p. 48), as noted in the column to the right.</p>   |  |
| <p><b>Policy 3, p. 189</b></p> <p><u>Sewage disposal.</u></p> <p>a. <u>On-site sewage disposal.</u> All on-site sewage disposal systems in the coastal zone shall be evaluated as follows:</p> <p>(1) <u>Septic systems.</u> All septic systems shall meet the standards contained in either the Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal System adopted by the Regional Water Quality Control Board on April 17, 1979 or the County's revised septic system code, when approved by the Regional Board. No waivers shall be granted unless a public entity has formally assumed responsibility for inspecting, monitoring, and enforcing the maintenance of the system in accordance with criteria adopted by the Regional Board, or such waivers have otherwise been reviewed and approved by the Regional Board. (See Appendix C)</p> <p>(2) <u>Expansions or alterations.</u> Where a coastal development permit is necessary for an enlargement or change in the type or intensity of use of an existing structure, the existing or enlarged septic system must meet the Minimum Guidelines of the Regional Water Quality Control Board, or the County's revised septic system code as approved by the Regional Board, before a permit for such enlargement or change can be granted.</p> <p>(3) <u>Reconstruction of existing systems.</u> A septic system or other sewage disposal facility which serves a residential dwelling damaged or destroyed by natural disaster may be rebuilt along with the reconstruction of the dwelling. If the septic system or other facility is</p> | <p><b>C-PFS-1 Adequate Public Services.</b> Ensure that adequate public services (that is, water supply, on-site sewage disposal or sewer systems, and transportation including public transit as well as road access and capacity if appropriate) are available prior to approving new development, including land divisions. In addition, ensure that new structures and uses are provided with adequate parking and access. Lack of available public services, or adequate parking and access, shall be grounds for project denial or for a reduction in the density otherwise indicated in the land use plan.<br/>[BOS app. 2/26/2013]<br/>(PC app. 11/7/11, 1/24/11)<br/><i>[Adapted from Unit II Public Services Policy 1, p. 187 and CWP Goal PFS-1, p. 3-198]</i></p> <p><b>C-PFS-5 Community Sewer Systems.</b> Require new development within a village limit boundary to connect to a public sewer system if the sewer system is within 400 linear feet of the parcel on which development is proposed, unless the County Health Officer or applicable sewer service provider finds that such connection is legally prohibited, physically impossible, or otherwise infeasible.<br/>(PC app. 9/19/11, 7/29/10)<br/><i>[Adapted from County Code Section 18.06.050]</i></p> <p><b>C-PFS-6 Sewage Disposal Systems and Protection of Water Quality.</b> Require new and expanded sewage disposal systems to be designed, constructed, and maintained so as to protect the biological productivity and quality of coastal streams, wetlands, and other waters.</p> |

substandard, every effort shall be made to bring it into conformance with County Code.

(4) Alternative systems. The County recommends that provisions be included in the County code to allow alternative sewage disposal systems to be utilized. Until such provisions are incorporated into the code and approved by the Regional Water Quality Control Board however, alternative systems shall only be permitted where a public entity has formally assumed responsibility for inspecting, monitoring, and enforcing the maintenance of the systems in accordance with criteria adopted by the Regional Board.

(5) Maintenance. The County supports the establishment of a septic tank maintenance district (s) in the coastal zone for the purpose of monitoring and inspecting septic systems there. To provide for inspection of existing systems, not now subject to periodic review under County code, the County shall investigate the possibility of adopting a Countywide ordinance requiring the inspection of a septic system upon resale of the associated single-family dwelling.

b. Point Reyes Station and Olema. Due to the potential for cumulative impacts which exists in these communities from buildout on small lots utilizing septic systems, the County shall revise zoning densities to reflect sewage disposal constraints. In Point Reyes Station, a minimum lot size of 10,000 square feet shall be maintained in the area zoned VCR, and a minimum of 20,000 sq ft in the area zoned A-2:B-2. In Olema, minimum lot sizes of 20,000 sq ft shall be maintained east of Highway 1, while 1 acre minimums shall be maintained for all lots bordering Olema Creek.

A study to identify and quantify possible sewage disposal problems and cumulative impacts in Point Reyes Station is recommended. If and when a community sewer is constructed, higher zoning densities may be reconsidered to accommodate housing needs.

c. Inverness Ridge and the shoreline of Tomales Bay. These areas have numerous lots which are less than one acre in size and which, because of soil, slope, and/or groundwater characteristics are problematical for sewage disposal. Development on these lots may proceed only if the standards contained in the Minimum Guidelines of the Regional Board, mentioned in (a) above, or the County's revised septic system code as approved by the Regional Board, are met.

d. Tomales. The town of Tomales is served by a community sewer system in the downtown village core and by onsite sewage disposal systems in the outlying areas. Buildout in the outlying areas can apparently proceed without cumulative impacts if County codes on wells and septic systems

(PC app. 9/19/11, 7/29/10)

*[New policy, not in Unit I or II]*

**C-PFS-7 Adequately Sized Sewage Disposal Systems.** Require new and expanded sewage disposal systems to be sized adequately to meet the needs of proposed development, including any changes in type or intensity in use of an existing structure.

(PC app. 9/19/11, 7/29/10)

*[Adapted from Unit I Public Services Policy 9, p. 49]*

**C-PFS-8 Sewage Disposal Systems Requirements for New Lots.** Require all sewage disposal systems on newly created lots to comply in all respects, without variance, with applicable County and state septic system regulations.

(PC app. 9/19/11, 1/24/11)

*[Adapted from Unit I Public Services Policies 7 and 9, pp. 48-49, Unit II Public Services Policy 3.a, p. 189, and County Regulations Section 301]*

**C-PFS-9 Preference for On-Site Individual Sewage Disposal Systems.** Require an individual sewage disposal system serving a building or buildings to be located on the same building site, lot, or parcel as the building(s). Where an existing parcel is found by the County Health Officer or designee to be unsuitable for an onsite sewage disposal system, the system may be located on a contiguous lot (provided the contiguous lot has sufficient replacement area) or parcel within a non-revocable easement specifically designated for such sewage disposal system. The non-revocable easement shall be surveyed and recorded with the County Recorder, and the easement shall provide for access to the site for maintenance of the sewage disposal system.

(PC app. 9/19/11, 7/29/10)

*[Adapted from County Regulations Section 306]*

**C-PFS-10 Adequate On-Site Sewage Disposal Systems for Existing Development.** Ensure that existing on-site sewage disposal systems function properly by complying with all rules and regulations of the Regional Water Quality Control Board, including any requirements adopted pursuant to AB 885. Where repairs to existing systems are necessary, take corrective action in the following priority order as appropriate:

- I. Require connection to a public sewer, if the property is within 400 feet of

and the standards of the Regional Water Quality Control Board are met. Sewer capacity in the downtown is adequate to handle all residential, commercial, and other uses anticipated at buildout. No reservation for visitor-serving and other priority uses is necessary due to the large excess capacity.

- e. **Dillon Beach.** The single-family lots in Oceana Marin are served by a community sewer system operated by North Marin Water District (NMWD). The multi-family parcels are not in NMWD's service area and would have to be annexed to NMWD to receive service. Based on current information, there is remaining system capacity for approximately 30 more units than are built today. Construction of additional phases will be necessary to serve all 252 single-family lots in the present service area. To ensure that sewage will be disposed of adequately as buildout proceeds, the County shall continue to require certification of adequate capacity from NMWD prior to issuing building permits for new units.

Several system expansion alternatives exist, including expanding the existing system on the hilltop above Oceana Marin and constructing a new system in the dunes south of the Village. Neither alternative is considered superior at this time. There are considerable trade-offs between the energy costs associated with pumping uphill and potential environmental impacts of constructing a pipeline from Oceana Marin to the dunes and the leachfield itself. The system expansion must be sited out of environmentally sensitive habitat areas, screened from public view, and sited so as not to interfere with recreational or agricultural uses in the area. The potential growth-inducing impacts would also have to be evaluated.

The village, Lawson's Dillon Beach Resort, Lawson's Landing, and the surrounding agricultural areas rely on individual, onsite septic systems. The combination of sandy soils and seasonal occupancy has so far allowed most septic systems to function effectively. The methods of sewage disposal at Lawson's Landing, however, have caused problems in the past. As part of any expansion or redevelopment plan for Lawson's Landing, improvements in sewage disposal facilities shall be required, in accordance with the recommendations of the Regional Water Quality Control Board. Due to the potential for substantially greater development on the multi-family parcels in Oceana Marin and at Lawson's Dillon Beach Resort, proposed development in all planned districts in these areas (C-RMP, C-RMPC, and C-RCR) shall demonstrate prior to approval that safe and environmentally-sound sewage disposal is available.

a public sewer main and it is physically and legally possible to connect to such main; or

- 2. Require system repair using a standard drainfield; or
- 3. Require construction of an alternative or innovative system.

(PC app. 9/19/11, 7/29/10)

[Adapted from Unit I Public Services Policy 7, p. 48, and County Regulations Section 304]

**C-PFS-11 Alternative On-Site Sewage Disposal Systems.** Approve alternative on-site sewage disposal systems where the County Health Officer or designee determines that (a) sewage cannot be disposed of in a sanitary manner by a standard septic system, or (b) that an alternative system will protect the public health in a manner equal to or better than a standard system.

Approval of an alternative system shall require, at a minimum:

- 1. Design plans signed by a professional who is knowledgeable and experienced in the field of onsite sewage disposal;
- 2. Submittal of a site-specific contingency plan which shall outline specific actions to be taken to repair, expand, or replace the system, should it fail to operate as planned;
- 3. Operation, maintenance, and monitoring instructions for the system owner; and
- 4. A written statement granting permission to the Health Officer to access the property to periodically assess system functioning.

In addition to a construction permit, an operating permit shall be required for all alternative systems. The operating permit shall be renewed annually or as otherwise specified by the Health Officer. The Health Officer has discretion to exempt from the operating permit requirement alternative systems installed solely for repair of existing systems.

(PC app. 9/19/11, 1/24/11)

[Adapted from Unit I Public Services Policy 8, p. 49, Unit II Public Services Policy 3.a, p. 189, and County Regulations Sections 801, 802, and 803]

**C-CD-3 Appropriate New Development.** Ensure that the type and intensity of new development, including land divisions, conform to the land use categories and residential density provisions of the LCP and Land Use Policy Maps. Allowable densities are stated as maximums and do not establish an entitlement to buildout potential. (See also C-PFS-1: Adequate Services)

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| <p><b>Policy Status</b></p> <p>The concepts of this policy have been carried forward to LCPA Policies <b>C-PFS-1, C-PFS-5, C-PFS-6, C-PFS-7, C-PFS-8, C-PFS-9, C-PFS-10, C-PFS-11,</b> and <b>C-CD-3</b>. Some of these LCPA policies also carry forward Unit I policies as noted in the column to the right.</p>   | <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[New policy, not in Unit I or II]</i></p>  |
| <p><b>Policy 4, p. 191</b></p> <p><u>Transportation and road capacity.</u></p> <p>a. <u>Highway 1.</u> Highway 1 provides an important and limited access route to the coastal zone. As required by the Coastal Act, Highway 1 shall remain a scenic two-lane roadway. Improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway and, beyond repair and maintenance, shall be limited to the following minor projects: slope stabilization, drainage control, and minor safety improvements such as guardrail placement, signing etc; expansion of shoulder paving to accommodate bicycle or pedestrian traffic; creation of slow traffic and vista turn-outs, as a safety and convenience improvement; and other minor improvements necessary to adequately accommodate public transit consistent with the goals of this policy, provided that no filling of streams or wetlands occurs.</p> <p>b. <u>Sir Francis Drake Boulevard.</u> Sir Francis Drake Boulevard provides a scenic driving experience for coastal visitors and an important access road for local residents. In order to protect its scenic rural character, the road shall be maintained as a two-lane roadway. Sir Francis Drake has adequate capacity to handle increased recreational and local traffic, although traffic patterns do occasionally create hazardous conditions for pedestrians and bicyclists in the area of Inverness and Inverness Park. Improvements to address these problems, such as traffic control devices, shall be investigated.</p> <p>c. <u>Alternative methods of transportation.</u> The County discourages the excessive use of private automobiles and strongly supports the development of expanded public transit and other alternative methods of transportation in the coastal zone, such as bicycles. Bicycle and pedestrian paths, separated from roads where possible, are especially encouraged. The development of new transit service routes and associated loading and turning areas is also encouraged, consistent with the goal of utilizing public transit to meet current and increased use of coastal access and recreational areas.</p> | <p><b>C-TR-1 Roads in the Coastal Zone.</b> Limit roads in the Coastal Zone to two lanes. Work with state and federal agencies and local communities to enhance road safety, improve pedestrian, bicycle, and transit access, and stabilize or reduce congestion through means such as limiting local parking, creating a multipurpose path from West Marin to the City-Centered Corridor, and providing shuttle service to popular destinations. Shoulder widening for bicycles, turn lanes at intersections, turnouts for slow-moving traffic or at scenic vistas, traffic calming measures, and similar improvements would be permitted. However, projects will not be undertaken to increase the motorized vehicular capacity of these roads.</p> <p>(PC app. 2/13/12, 9/19/11, 1/24/11)</p> <p><i>[Adapted from Unit II Public Services Policy 4.a, p. 191, and CWP Program TR-1.o, p. 3-157]</i></p> <p><b>C-TR-2 Scenic Quality of Highway One.</b> Ensure that Highway One shall remain a scenic two-lane roadway throughout Marin’s Coastal Zone. Maintain the existing narrow, twisty two-lane roadway that successfully complements the rugged, open character unique to the coastal area from the southern boundary of Marin’s Coastal Zone northward to the Bolinas Lagoon. Ensure that improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway throughout the Coastal Zone and shall be limited to improvements necessary for the continued use of the highway: slope stabilization, drainage control, and minor safety improvements such as guardrail placement, signing, etc.; expansion of shoulder paving to accommodate bicycle or pedestrian traffic; creation of slow traffic and vista turn-outs, as a safety and convenience improvement; and other minor improvements necessary to adequately accommodate public transit. Avoid incursions and other adverse impacts in ESHAs and their buffers. These improvements shall limit the site alterations to the minimum amount necessary to carry out the project and minimize environmental impacts.</p> <p>[BOS app. 12/11/2012]</p> <p>(PC app. 2/13/12, 9/19/11, 4/27/09)</p> <p><i>[Adapted from Unit I Public Services Policy 13, p. 49, and Unit II Public Services Policy 4.a, p. 191]</i></p> |

**Policy Status**

This policy has been carried forward to LCPA Policies **C-TR-1**, **C-TR-2**, **C-TR-4**, **C-TR-10**, and **C-TR-11**, and *Program C-TR-10.a*, which also draw language from Unit I Public Services Policies 13 and 14 (p. 49).

**C-TR-4 Expansion of Bicycle and Pedestrian Access.** Expand bicycle and pedestrian facilities and access in and between neighborhoods, employment centers, shopping areas, schools, public lands, and recreational sites.

(PC app. 9/19/11, 4/26/10)

*[Adapted from Unit II Public Services Policy 4.a, p. 191, and CWP Goal TR-2, p. 3-159]*

**C-TR-10 Adequate and Affordable Public Transportation.** Provide efficient, affordable public transportation service in and to the Coastal Zone and support expansion of alternative modes of transportation.

(PC app. 9/19/11, 4/27/09)

*[Adapted from Unit I Public Services Policy 14, p. 49, Unit II Public Services Policy 4.c, p. 191, and CWP Goal TR-3, p. 3-162]*

**Program C-TR-10.a Encourage Additional Transit Service.** Encourage programs, such as the development of new transit service routes and associated loading and turning areas, parking management and enforcement, and other programs as listed below, consistent with the goal of utilizing public transit to meet current and future increased use of coastal access and recreational areas. Develop stable funding streams for such programs, potentially including congestion or parking fees, in cooperation with appropriate county, regional, state and federal agencies.

1. Support continuation and expansion of Marin Transit’s Stagecoach service to West Marin;
2. Seek installation of transit waiting shelters as appropriate;
3. Post transit schedules at transit stops; and
4. Consider utilizing the principle of “flag stops” to receive or discharge transit patrons along the transit route as a further inducement to transit patronage.

[BOS app. 2/26/2013]

(PC app. 11/7/11, 4/27/09)

*[Adapted from Unit I Public Services Policy 14, p. 49, and Unit II Public Services Policy 4.c, p. 192]*

**C-TR-11 Reduction of Visitor Traffic Congestion in West Marin.** Consult with Caltrans, local, state, and federal parkland agencies, and local communities to provide alternatives to private automobile travel to recreational areas in the

Coastal Zone.

(PC app. 9/19/11, 4/27/09)

*[Adapted from Unit I Public Services Policy 14, p. 49, Unit II Public Services Policy 4.c, p. 191, and CWP Policy TR-3.6, p. 3-163]*



| Unit II<br>New Development and Land Use   |   |
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| Unit II - Existing Policy   | LCPA - Proposed Policy  |
| <p><b>Policy I p. 206</b><br/><u>Historic resources.</u></p> <p>a. In order to protect the unique qualities and character of coastal communities in the Unit II coastal zone, historic structures shall be preserved and restored. The following means shall be used to protect and preserve historic structures:</p> <p>(1) "<u>Historic areas</u>" shall be established in Tomales, Marshall, Point Reyes Station, Olema and Inverness. The boundaries of these areas are described and mapped in Appendix E of the Unit II LCP. Within these historic area boundaries, all new construction shall conform in scale, design, materials and texture with the surrounding community character.</p> <p>(2) <u>Alterations and Additions.</u> Alterations or additions to any structure built prior to 1930 shall require a coastal project permit;-except that, maintenance or repair to restore any pre-1930's structure to its original architectural character shall be exempt from the requirement of a coastal permit. Alterations or additions to any pre-1930 structure shall retain the scale and original architectural features of the structure, especially for the front facade.</p> <p>(3) <u>Demolitions.</u> Demolition of any structure built prior to 1930 shall require a Coastal Project Permit; except that, demolition of any secondary or agricultural building built prior to 1930, may be exempted from the requirement for a coastal permit upon a finding by the Planning Director or appropriate hearing body that such structure is not a significant historic resource. Issuance of a Coastal Project Permit for the demolition of any pre-1930 structure may be delayed for a period not to exceed six months. During this period, the property owner or local historic group or society may attempt to find a purchaser or alternate location for the structure. This six month period may be waived by the Planning Director or appropriate hearing body upon a finding that the structure is not historically significant or cannot be rehabilitated.</p> <p>b. All coastal project permits for projects located within the boundaries of a historic area, and for projects involving pre-1930 buildings, shall be reviewed in accordance with:</p> | <p><b>C-HAR-4 Structures of Special Character and Visitor Appeal.</b> Preserve and restore structures with special character and visitor appeal in coastal communities.<br/>(PC app. 9/19/11, 2/8/10)<br/><i>[Adapted from Unit I New Development and Land Use Policy 15, p. 64, and Unit II New Development and Land Use Policy 1.a, p. 206]</i></p> <p><b>C-HAR-5 Proposed Development that Affects Areas and Structures of Special Character and Visitor Appeal.</b> Review all coastal permits for projects that (1) are located within the boundaries of those areas designated as having special character and visitor appeal, including historic areas, and (2) involve pre-1930 buildings to conform to:</p> <ol style="list-style-type: none"> <li>1. "Design Guidelines for Construction in Areas of Special Character and Visitor Appeal and for pre-1930 Structures" and,</li> <li>2. "Coastal Village Community Character Review Checklist", both located in the Appendix of the LCP.</li> </ol> <p>(PC app. 9/19/11, 2/8/10)<br/><i>[Adapted from Unit I New Development and Land Use Policy 16, p. 64, and Unit II New Development and Land Use Policy 1.b, p. 206]</i></p> <p><b>C-HAR-6 Alterations and Additions to Structures of Special Character and Visitor Appeal.</b> Require a coastal permit for substantial alterations or additions to any structure built prior to 1930 that would otherwise be exempt from a coastal permit, except for (a) maintenance or repair to any pre-1930's structure consistent with its original architectural character and (b) maintenance or repair that includes replacement-in-kind of building components. Alterations or additions to any pre-1930's structure shall retain the scale and original architectural character of the structure, especially for the front facade.<br/>(PC app. 9/19/11, 2/8/10)<br/><i>[Adapted from Unit I New Development and Land Use Policy 15.b, p. 64, and Unit II New Development and Land Use Policy 1.a(2), p. 206]</i></p> |

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| <p>(1) The "Design Guidelines for Construction in Historic Areas and for pre-1930 Structures" and,</p> <p>(2) The "Historic Review Checklist", both located in Appendix E of the Unit II LCP.</p> <p>c. All coastal project permits for historic structures shall be reviewed by established local planning or design review groups.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-HAR-4, C-HAR-5, C-HAR-6, C-HAR-7,</b> and <b>C-HAR-8,</b> which also draw language from Unit I New Development and Land Use Policies 15, 16, and 17 (p. 64).</p>   | <p><b>C-HAR-7 Proposed Demolition of Structures of Special Character and Visitor Appeal.</b> Review the proposed demolition of any structure built prior to 1930 for its impacts on community character, except that demolition of any secondary or agricultural building built prior to 1930 may be exempted from this requirement upon a finding by the Planning Director or appropriate hearing body that such structure is not a significant resource. Issuance of a coastal project permit for the demolition of any pre-1930 structure may provide for such demolition to be delayed for a period not to exceed six months. During this period, the property owner or local historic group or society may attempt to find a purchaser or alternate location for the structure. This six month period may be waived by the Planning Director or appropriate hearing body upon a finding that the structure is not significant to community character or to visitor appeal or cannot be rehabilitated.</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 15.c, p. 64, and Unit II New Development and Land Use Policy 1.a(3), p. 206]</i></p> <p><b>C-HAR-8 Village Areas with Special Character and Visitor Appeal.</b> Ensure that all new construction conforms in scale, design, materials and texture with surrounding community character within areas having special character and visitor appeal including mapped historic areas in Stinson Beach, Bolinas, Tomales, Marshall, Point Reyes Station, Olema, and Inverness.</p> <p>(PC app. 9/19/11, 2/8/10)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 15.a, p. 64, and Unit II New Development and Land Use Policy 1.a(1), p. 206]</i></p> |
| <p><b>Policy 2 p. 206</b></p> <p><u>Archaeological Resources.</u></p> <p>a. The County shall maintain a file on known and suspected archaeological and paleontological sites in the coastal zone, in cooperation with the area clearinghouse. Additional information on such sites that becomes available through the EIR process or by other means shall be added to the file and forwarded to the clearinghouse. The file shall be kept confidential in order to prevent vandalism of sites.</p> <p>b. Prior to the approval of any development proposed within an area of known or suspected archaeological or paleontological significance, a field survey by a qualified professional shall be required at the applicant's expense to determine the extent of archaeological or paleontological resources on the site. Where development would adversely impact identified resources, reasonable</p> | <p><b>C-HAR-1 Maintenance of Information on Archaeological and Paleontological Resources.</b> Maintain a file on known and suspected archaeological and paleontological sites in the Coastal Zone, in cooperation with the area clearinghouse, for use in carrying out Policy C-HAR-2. Additional information on such sites that becomes available through the EIR process or by other means shall be added to the file and forwarded to the Northwest Information Center (NWIC). The file shall be kept confidential in order to prevent vandalism of sites.</p> <p>(PC app. 9/19/11, 11/23/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 18, p. 64, and Unit II New Development and Land Use Policy 2.a, p. 206]</i></p> <p><b>C-HAR-2 Potential Impacts of Development on Archaeological and</b></p>   |

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| <p>mitigation measures shall be required, as recommended in the field survey.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-HAR-1</b>, and <b>C-HAR-2</b>, which also draw language from Unit I New Development and Land Use Policies 18 and 19 (p. 64).</p>   | <p><b>Paleontological Resources.</b> Prior to the approval of a coastal project permit for any development proposed within an area of known or likely archaeological or paleontological significance, including sites identified in the file described in Policy C-HAR-1, require a field survey by a state-qualified archaeologist recommended by the Sacred Sites Protection Committee of the Federated Indians of Graton Rancheria or by a qualified paleontologist at the applicant's expense to determine the extent of archaeological or paleontological resources on the site. Where development would adversely impact identified resources, require mitigation measures, as appropriate, including avoidance and permanent protection as open space, if feasible, as recommended in the field survey.</p> <p>(PC app. 11/7/11, 11/23/09)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 19, p. 64, Unit II New Development and Land Use Policy 2.b., p. 206, and Countywide Plan Programs HAR-1.d and HAR-1.3]</i></p>  |
| <p><b>Policy 3, p. 207</b></p> <p><u>Visual resources.</u></p> <ol style="list-style-type: none"> <li>The height, scale, and design of new structures shall be compatible with the character of the surrounding natural or built environment. Structures shall be designed to follow the natural contours of the landscape and sited so as not to obstruct significant views as seen from public viewing places.</li> <li>Development shall be screened with appropriate landscaping; however such landscaping shall not, when mature, interfere with public views to and along the coast. The use of native plant material is encouraged.</li> <li>Signs shall be of a size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points and shall conform to the County's sign ordinance.</li> <li>Distribution utility lines shall be placed underground in new developments to protect scenic resources except where the cost of undergrounding would be so high as to deny service.</li> </ol> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-DES-1</b>, <b>C-DES-2</b>, <b>C-DES-5</b>, and <b>C-DES-6</b>, and <i>Program C-DES-5.a</i>.</p> | <p><b>C-DES-1 Compatible Design.</b> Ensure that the height, scale, and design (including materials and color) of new structures are compatible with the character of the surrounding natural or built environment. Structures shall be designed to follow the natural contours of the land and shall limit reflectivity of glass and other surfaces.</p> <p>(PC app. 9/19/11, 10/26/09)</p> <p><i>[Adapted from Unit II New Development and Land Use Policy 3.a, p. 207]</i></p> <p><b>C-DES-2 Protection of Visual Resources.</b> Ensure appropriate siting and design of structures to protect significant views, including views both to and along the coast as seen from public viewing areas such as highways, roads, beaches, parks, coastal trails and accessways, vista points, and coastal streams and waters used for recreational purposes. The intent of this policy is the protection of significant public views rather than coastal views from private residential areas. Require development to be screened with appropriate landscaping provided that when mature, such landscaping shall not interfere with public views to and along the coast. The use of drought tolerant, native coastal plant species is encouraged. Continue to keep road and driveway construction, grading, and utility extensions to a minimum, except that longer road and driveway extensions may be necessary in highly visible areas in order to avoid or minimize other impacts.</p> <p>[BOS app. 7/30/2013]</p> <p>(PC app. 11/7/11, 1/24/11)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 21, p. 65, and Unit II New Development and Land Use Policy 3.b, p. 207]</i></p> |

**C-DES-5 New Signs.** Ensure that new signs are of a size, location, and appearance so they do not detract from scenic areas or views from public roads and other viewing points.

(PC app. 9/19/11, 7/29/10)

*[Adapted from Unit II New Development and Land Use Policy 3.c, p. 207]*

**Program C-DES-5.a Develop A-Frame Sign Standards.** Consider amending the sign ordinance to allow limited use of A-frame signs within village areas subject to standards related to number, location, size, height and design.

(PC app. 9/19/11, 7/29/10)

*[New program, not in Unit I or II]*

**C-DES-6 Underground Utilities.** Require that utility lines are placed underground in new development to protect scenic resources except where costs of undergrounding would be so high as to deny service or where undergrounding would result in greater environmental impacts.

(PC app. 9/19/11, 10/26/09)

*[Adapted from Unit II New Development and Land Use Policy 3.d, p. 207]*

**Policy 4, p. 207**

**Housing.** The County of Marin strongly encourages the protection and provision of housing opportunities in its coastal zone for persons of low and moderate income (low and moderate income is defined in the County's Housing Element). In order to protect housing opportunities for these groups, the following policies shall apply:

- a. The demolition of existing low and moderate income housing shall be permitted only when such demolition is necessary for health and safety reasons, or the costs of rehabilitation would result in housing costs which would not be affordable to low and moderate income households, or the units to be demolished are replaced- on a one-for-one basis with units of comparable rental value.
- b. The County has made a conscious effort to retain small-lot zoning (6000-10,000 sq ft) in Tomales, Point Reyes Station, and Olema for the purpose of providing-housing opportunities at less expense than available in large-lot zones. In Point Reyes Station, densities above the LCP minimum of 10.000 sq. ft. may be reconsidered if and when a community sewer is

**C-HS-1 Protection of Existing Affordable Housing.** Continue to protect and provide affordable housing opportunities for very low, low, and moderate income households. Prohibit demolition of existing deed restricted very low, low, and moderate income housing except when:

1. Demolition is necessary for health and safety reasons; or
2. Costs of rehabilitation would be prohibitively expensive and impact affordability of homes for very low, low and moderate income households; and
3. Units to be demolished are replaced on a one-for-one basis with units of comparable rental value on site or within the immediate Coastal Zone area.

(PC app. 9/19/11, 7/29/10)

*[Adapted from Unit I New Development and Land Use Policy 22, p. 66, and Unit II New Development and Land Use Policy 4.a, p. 207]*

**C-HS-4 Retention of Small Lot Zoning.** Preserve small lot zoning (6,000 –

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| <p>installed</p> <p>c. The County is currently investigating a second-unit ordinance for the purpose of expanding the low and moderate income housing stock and providing a legitimate alternative to major new construction.</p> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policies <b>C-HS-1</b>, <b>C-HS-4</b>, and <b>C-HS-5</b>. LCPA Policy C-HS-1 also draws the concept from Unit I New Development and Land Use Policy 22 (p. 66).</p>  | <p>10,000 square feet) in Tomales, Point Reyes Station, and Olema for the purposes of providing housing opportunities at less expense than available in large-lot zones. (PC app. 9/19/11, 10/26/09)<br/> <i>[Adapted from Unit II New Development and Land Use policy 4.b, p. 207]</i></p> <p><b>C-HS-5 Second Units.</b> Consistent with the requirements of California Government Code Section 65852.2, continue to enable construction of well-designed second units in both new and existing residential neighborhoods as an important way to provide workforce and special needs housing. Ensure that adequate services and resources, such as water supply and sewage disposal, are available consistent with Policy C-PFS-1 Adequate Services.<br/> (PC app. 9/19/11, 10/26/09)<br/> <i>[Adapted from July 2009 draft Housing Element program 1.h]</i></p>   |
| <p><b>Policy 5, p. 207</b></p> <p><u>Hazards</u></p> <p>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.</p> <p>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 to eliminate the need for shoreline protective works.</p> <p>c. Development of any kind beyond the required bluff-top setback shall be</p> | <p><b>C-EH-1 Safety of New Development.</b> Ensure that new development during its economic life (100 years) is safe from, and does not contribute to, geologic or other hazards.<br/> (PC app. 12/1/11, 3/16/09)<br/> <i>[Adapted from Unit II New Development and Land Use Policy 5.a, p. 207]</i></p> <p><b>C-EH-2 Avoidance of Environmental Hazards.</b> 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> (PC app. 12/1/11, 3/16/09)<br><i>[Adapted from Unit I New Development and Land Use Policy 4, p. 41, and Unit II New Development and Land Use Policy 5.a, p. 207]</i> <p><b>C-EH-3 Applicant's Assumption of Risk.</b> As a condition of coastal permit</p> |

constructed to ensure that all surface and subsurface drainage shall not contribute to the erosion of the bluff face or the stability of the bluff itself. 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 percolating water.

- d. New development shall be sited and designed so that no protective shoreline structures (e.g. 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.
- e. The County encourages PG&E to utilize materials for overhead utility lines which minimize fire hazards to surrounding areas.

**Policy Status**

This policy has been carried forward to LCPA Policies **C-EH-1, C-EH-2, C-EH-3, C-EH-4, C-EH-5, and C-EH-6**. Some of these LCPA policy also draw language from Unit I policies as noted in the column to the right.

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)

*[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]*

**C-EH-4 Seismic Hazard Standards.** 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)

*[Adapted from Unit I Shoreline Protection and Hazard Areas Policy 2, p. 41]*

**C-EH-5 New Blufftop Development.** 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,  $k=0.15$  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.

(PC app. 12/1/11, 1/25/10)

*[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]*

**C-EH-6 Proper Drainage on Blufftop Parcels.** 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)  
[Adapted from Unit II New Development and Land Use Policy 5.c, p. 208]

**Policy 6, p. 208**

Watershed and water quality protection/grading. In order to ensure the long-term preservation of water quality, protection of visual resources, and the prevention of hazards to life and property, the following policies shall apply to all construction and development, including grading and major vegetation removal, which involve the movement of earth in excess of 150 cubic yards.

- a. Development shall be designed to fit a site's topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading, cut and fill operations, and other site preparation are kept to an absolute minimum. Natural features, landforms, and native vegetation shall be preserved to the maximum extent feasible. Areas of a site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall be kept in open space.
- b. For necessary grading operations, the smallest practicable area of land shall be exposed at any one time during development and the length of exposure shall be kept to the shortest practicable time. The clearing of land shall be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes shall be in place before the beginning of the rainy season.
- c. Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with initial grading operations and maintained through the development process to remove sediment from runoff waters. All sediment shall be retained on site unless removed to an appropriate dumping location.
- d. Temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils which have been exposed during grading or development. Cut and fill slopes shall be stabilized immediately with plantings of native species, appropriate non-native plants, or with accepted landscaping practices.
- e. Where topsoil is removed by grading operations, it shall be stockpiled for reuse and shall be protected from compaction and wind or erosion during stockpiling.
- f. The extent of impervious surfaces shall be minimized to the greatest degree possible. Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Grassed

**C-WR-2 Water Quality Impacts of Development Projects.** Site and design public and private development and changes in use or intensity of use to prevent, reduce, or remove pollutant discharges and to minimize increases in stormwater runoff volume and rate to prevent adverse impacts to coastal waters to the maximum extent practicable. All coastal permits, for both new development and modifications to existing development, and including those for developments covered by the current National Pollutant Discharge Elimination System (NPDES) Phase II permit, shall be subject to this review. Where required by the nature and extent of a proposed project and where deemed appropriate by County staff, project subject to this review shall have a plan which addresses both temporary (during construction) and permanent (post-construction) measures to control erosion and sedimentation, to reduce or prevent pollutants from entering storm drains, drainage systems and watercourses, and to minimize increases in stormwater runoff volume and rate.

Permanent Best Management Practices (BMPs) that protect water quality and minimize increases in runoff volume and rate shall be incorporated in the project design of developments. Site design and source control measures shall be given high priority as the preferred means of controlling pollutant discharges and runoff volume and rate. Typical measures shall include:

- 1. Minimizing impervious area;
- 2. Limiting site disturbance;
- 3. Protecting areas that are particularly susceptible to erosion and sediment loss, ensuring that water runoff beyond pre-project levels is retained on site whenever possible, and using other Low Impact Development (LID) techniques; and
- 4. Methods that reduce potential pollutants at their sources and/or avoid entrainment of pollutants in runoff. Such methods include scheduling construction based on time of year, prohibiting erosion-causing practices, and implementing maintenance and operational procedures. Examples include covering outdoor storage areas, using efficient irrigation, and minimizing the use of landscaping chemicals.

(PC app. 1/23/12, 12/1/11, 1/25/10)  
[Adapted from Unit II New Development and Land Use Policy 6, p. 208]

**C-WR-3 Storm Water Runoff.** Where a project would add or create a total of 10,000 square feet or more of impervious surface (collectively over the entire

waterways are preferred to concrete storm drains, where feasible, for runoff conveyance. Water runoff beyond natural levels shall be retained on site whenever possible to facilitate groundwater recharge.

**Policy Status**

This policy has been carried forward to LCPA Policies **C-WR-2, C-WR-3, C-WR-4, C-WR-6, C-WR-7, C-WR-8, C-WR-9, C-WR-10, C-DES-8, and C-DES-9**. Some of these LCPA policies also draw language from Unit I New Development and Land Use Policies 24, 25, and 26 (p. 66), as noted in the column to the right.

project site) or where altered or increased flows from a project site have the potential to accelerate erosion or affect beneficial uses downstream, incorporate drainage controls so that the post-project peak flow and velocity of runoff from the project site for 2 and 10-year intensity storms do not exceed the peak flow and velocity of runoff from the site in its pre-project (existing) state. Where a drainage problem unrelated to a proposed project already exists, the project applicant and neighboring property owners shall be encouraged to develop a solution.

(PC app. 1/23/12, 1/25/10)

*[Adapted from Unit I New Development and Land Use Policy 26, p. 67, and Unit II New Development and Land Use Policy 6.f, p. 208]*

**C-WR-4 Grading and Vegetation Removal.** Design development to fit a site's topography, soils, geology, hydrology, and any other existing conditions. Orient development so that grading, cut and fill operations, and other site preparation are kept to an absolute minimum. Natural features, landforms, and native vegetation shall be preserved to the maximum extent feasible. Areas of a site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall be kept undeveloped.

(PC app. 12/1/11, 3/16/09)

*[Adapted from Unit I New Development and Land Use Policy 24, p. 66, and Unit II New Development and Land Use Policy 6.a, p. 208]*

**C-WR-6 Soil Exposure.** Allow any necessary grading operations only such that the smallest practicable area of land shall be exposed at any one time during development and the length of exposure shall be kept to the shortest practicable time. Erosion and sedimentation control measures shall be incorporated in development plans. An erosion and sedimentation control plan, subject to approval by the Department of Public Works, shall be required for development of any site of 1 acre or more in size or, at the discretion of the Department of Public Works, for any site of less than 1 acre because of a high risk of erosion and sedimentation.

(PC app. 12/1/11, 3/16/09)

*[Adapted from Unit I New Development and Land Use Policy 25, p. 66, and Unit II New Development and Land Use Policy 6.b, p. 208]*

**C-WR-7 Wintertime Clearing and Grading.** Avoid land clearing and grading during the winter rainy season (October 15th through April 15th). Ensure that all



measures for removing sediments and stabilizing slopes shall be in place before the beginning of the rainy season. Permit land clearing and grading during the rainy season only upon prior approval by the Department of Public Works of an erosion control plan, which shall demonstrate that at no stage of the work will there be any substantial risk of increased sediment discharge from the site.

(PC app. 12/1/11, 3/16/09)

*[Adapted from Unit I New Development and Land Use Policy 25, p. 66, Unit II New Development and Land Use Policy 6.b., p. 208, and County Code Sections 22.70.070.C.3 and 24.04.625]*

**C-WR-8 Disturbed Soils.** Use temporary vegetation, seeding or hydroseeding with non-invasive native seeds, mulching, or other suitable stabilization methods to protect soils that have been exposed during grading or development. Stabilize cut and fill slopes immediately with plantings of native species, appropriate non-native plants, or with accepted landscaping practices.

(PC app. 2/13/12, 12/1/11, 3/16/09)

*[Adapted from Unit I New Development and Land Use Policy 26, p. 66, and Unit II New Development and Land Use Policy 6.d, p. 209]*

**C-WR-9 Topsoil.** Where topsoil is removed by grading operations, stockpile it for reuse and protect it from compaction and wind or erosion during stockpiling.

(PC app. 12/1/11, 3/16/09)

*[Adapted from Unit I New Development and Land Use Policy 26, p. 66, and Unit II New Development and Land Use Policy 6.e, p. 209]*

**C-WR-10 Construction-Phase Sediment Basins.** Install sediment basins (including debris basins, desilting basins, or silt traps) required by erosion control plans or otherwise necessary to control sedimentation during construction on the project site in conjunction with initial grading operations. Maintain sediment basins throughout the development process to remove sediment from runoff waters. All sediment shall be retained on site unless removed to an approved dumping location.

(PC app. 12/1/11, 3/16/09)

*[Adapted from Unit II New Development and Land Use Policy 6.c, p. 208]*

**C-DES-8 Protection of Trees.** Site structures and roads to avoid removal of trees that contribute to the area's scenic and visual resources, except where

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|   | <p>required to maintain defensible space for structures or eliminate diseased trees that threaten surrounding structures or vegetation. Dead trees may serve as valuable habitat for some species, so avoid complete removal where appropriate.</p> <p>(PC app. 9/19/11, 7/29/10)</p> <p><i>[Adapted from Unit II New Development and Land use Policy 6.a, p. 208]</i></p> <p><b>C-DES-9 Landscaping.</b> Ensure that required landscaping predominantly uses native species of trees and plants and avoids using non-native, invasive trees and plants. (See also <i>Biological Resources Policy C-BIO-6: Invasive Plants</i>, which may require the removal of any non-native invasive plant species).</p> <p>(PC app. 9/19/11, 1/24/11)</p> <p><i>[Adapted from Unit II New Development and Land use Policy 6.d, p. 209]</i></p>  |
| <p><b><u>Policy 7, p. 209</u></b></p> <p>Energy and industrial development. The Unit II coastal zone contains unique natural resources and recreational opportunities of nationwide significance. Because of these priceless resources and the very significant adverse impacts which would result if major energy or industrial development were to occur, such development, both on and offshore, is not appropriate and shall not be permitted. The development of alternative energy sources such as solar or wind energy shall be exempted from this policy.</p> <p><b><u>Policy Status</u></b></p> <p>This policy has been carried forward to LCPA Policy <b>C-EN-6</b>, which also carries forward Unit I Public Services Policy 2 (p. 48). The concept of this policy is also carried forward to LCPA Policy <b>C-PFS-18</b>.</p> | <p><b>C-EN-6 Energy and Industrial Development.</b> The Coastal Zone contains unique natural resources and recreational opportunities of nationwide significance. Because of these priceless resources and the very significant adverse impacts which would result if major energy or industrial development were to occur, such development, both on and offshore, is not appropriate and shall not be permitted. The development of alternative energy sources such as solar or wind energy shall be exempted from this policy.</p> <p>(PC app. 1/9/11, 11/7/11)</p> <p><i>[Continued from LCP Unit II New Development and Land Use Policy 7, p.209. This policy also carries forward Unit I Public Services Policy 2, p. 48]</i></p> <p><b>C-PFS-18 Desalination Facilities.</b> Due to the Coastal Zone’s unique natural resources and recreational opportunities of nationwide significance, prohibit development of desalination facilities. This policy applies to the desalination of ocean water and is not intended to prohibit the treatment of existing surface or ground water supplies for purposes of maintaining water quality.</p> <p>(PC app. 11/7/11, 1/24/11)</p> <p><i>[Adapted from Unit II New Development and Land Use Policy 7, p. 209]</i></p> |
| <p><b><u>Policy 8(a), p. 209</u></b></p> <p><u>Olema.</u></p> <p>(1) The community expansion boundaries for Olema shall be defined by surrounding federal parklands.</p> <p>(2) Changes in commercial land use and zoning as specified in LCP Policy 3(b) on</p>  | <p><b>C-CD-12 Describe Village Limit Boundaries.</b> The village limit boundaries are described as follows and shown on the accompanying maps for the following communities:</p> <p>...</p> <p>4. <u>Olema.</u> Village limit boundary shall be defined by surrounding federal parklands, as shown on the Olema Land Use Policy Map 19d.</p>   |

Recreation and Visitor-Serving Facilities, page 44, shall be adopted.

- (3) Additional changes in land use and zoning shall be adopted in order to meet Coastal Act objectives of concentrating new development, protecting visual resources, and ensuring that adequate public services are available. Residential areas permitting 10,000 square foot lots shall be rezoned to 20,000 square feet and agricultural areas shall be rezoned from A-5 to ARP-5, as follows:

| A.P. number          | Existing Zoning | LCP Zoning |
|----------------------|-----------------|------------|
| 166-182-01           | A-20-2          | R-A;B-3    |
| 166-183-01           | A-20-2          | R-A;B-3    |
| 166-230-04           | A-20-2          | ARP- 5     |
| 166-230-08-10, 12-19 | A-5             | ARP- 5     |

**Policy Status**

This policy has been carried forward to LCPA Policy **C-CD-12**.

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*[Rest of policy not shown]*

(PC app. 9/19/11, 10/26/09)

*[Adapted from Unit II New Development and Land Use Policies 8.a(1) through 8.h(1), pp. 209-216]*

**Policy 8(b), p. 210**

Point Reyes Station.

Development of the 18.59-acre property consisting of Assessor’s Parcels 119-240-45, -46, -57, and -58 and consisting of Areas A, B, C, D, E and F as depicted on Exhibit E, shall be subject to the following land use designations, as defined in the Marin Countywide Plan and further incorporated as Appendix G to the Local Coastal Program: The land use designation for Areas A and B shall be C-MF-2 (Coastal, Multiple-family, one to four units per acre maximum residential density). The land use designation for Area C shall be C-SF-4 (Coastal, Single-family Residential, one to two units per acre). The land use designation for Areas D and E shall be C-RS (Costal, Residential Commercial, one to 20 units per acre maximum residential density, 30% to 50% commercial floor area ratio). The land use designation for Area F shall be C-OS (Coastal, Open Space).

The site shall be subject to an overall single site development plan for the entire 18.59-acre area that consists of Areas A, B, C, D, E and F. The site development plan shall be subject to the review and approval of the California Coastal Commission as an amendment to the LCP. Any coastal development permit or permits for development of any portion of the site shall be consistent with the approved site development plan. The site development plan shall indicate the kinds, locations, and intensities of uses allowable in accordance with the following

**C-PRS-7 Point Reyes Affordable Homes Project.** Development of the 18.59-acre property consisting of Assessor’s Parcels 119-260-02 through 06 (formerly 119-240-45), 119-240-02 through 13 (formerly 119-240-46, 57 and 58) and consisting of Areas A, B, C, D, E and F as depicted on Exhibit E, shall be subject to the following land use designations, as defined in the Marin Countywide Plan and further incorporated as Appendix G to the LCP: The land use designation for Areas A and B shall be C-MF-2 (Coastal, Multiple-Family, one to four units per acre maximum residential density). The land use designation for Area C shall be C-SF-4 (Coastal, Single-family Residential, one to two units per acre). The land use designation for Areas D and E shall be C-NC (Coastal, Neighborhood Commercial, one to 20 units per acre maximum residential density, 30% to 50% commercial floor area ratio). The land use designation for Area F shall be C-OS (Coastal, Open Space).

The entire 18.59 acres shall be subject to a single site development plan consisting of Areas A, B, C, D, E and F. The site development plan shall be subject to review and approval by the California Coastal Commission as an amendment to the LCP. Any coastal development permit or permits for development of any portion of the site shall be consistent with the approved site development plan. The site development plan shall indicate the kinds, locations, and intensities of uses allowable in accordance with the following requirements:

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| <p>requirements:</p> <ol style="list-style-type: none"> <li>1. The total number of residential units on the entire 18.6-acre area shall not exceed 36.</li> <li>2. Area A shall be developed with a maximum of seven detached affordable and/or market-rate for-sale units ranging in size from approximately 900 to 1,155 square feet.</li> <li>3. Area B shall be developed with a maximum of 27 rental affordable units ranging in size from approximately 1,440 to 1,720 square feet, with a manager's unit/community building of approximately 2,180 square feet.</li> <li>4. No more than two residential dwelling units may be developed within Area C.</li> <li>5. A minimum of 12 public parking spaces shall be provided within Area D.</li> <li>6. A minimum of two acres shall be reserved for a future overnight visitor-serving facility, preferably providing lower cost services to the maximum extent feasible, or an alternative commercial use deemed appropriate by the Coastal Commission within Area E.</li> <li>7. Future use of the approximate 18.59-acre area depicted on Exhibit E, including all wetlands shall be consistent with the Local Coastal Program, including provisions which mandate a 100-foot minimum buffer as measured landward from the edge of the wetlands.</li> </ol> <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-PRS-7</b>.</p> | <ol style="list-style-type: none"> <li>1. Total number of residential units on the entire 18.6 acre site shall not exceed 36.</li> <li>2. Area A shall be developed with a maximum of seven detached affordable and/or market rate for-sale units ranging in size from approximately 900 to 1,155 square feet.</li> <li>3. Area B shall be developed with a maximum of 27 rental affordable units ranging in size from approximately 1,440 to 1,720 square feet and a manager's unit/community building of approximately 2,180 square feet.</li> <li>4. No more than two residential units may be developed within Area C.</li> <li>5. A minimum of 12 public parking spaces shall be provided within Area D.</li> <li>6. A minimum of two acres shall be reserved for a future community-serving use or project that provides a significant public benefit, as demonstrated by the Review Authority within Area E.</li> <li>7. Future use of the approximate 18.59 acre area depicted on Exhibit E, including all wetlands shall be consistent with the LCP, including provisions which mandate a 100-foot minimum buffer as measured landward from the edge of the wetlands.</li> </ol> <p>[BOS app. 2/26/2013]<br/> (PC app. 9/19/11)<br/> <i>[Adapted from Unit II New Development and Land Use Policy 8.b, p. 210]</i></p> |
| <p><b>Policy 8(c)(1-3), p. 210</b><br/> <u>Inverness Ridge.</u></p> <ol style="list-style-type: none"> <li>(1) The community expansion boundary for development on the Inverness Ridge shall be determined by the location of public parklands to the north, west, and south, and by Tomales Bay to the east.</li> <li>(2) The boundaries of commercial zones in Inverness and Inverness Park shall be modified to coincide with parcel boundaries and changed to planned commercial zones in order to provide master plan review, as provided in Policy 3(d) on Recreation and Visitor-Serving Facilities, Page 47.</li> <li>(3) Lands on the Inverness Ridge which have been acquired by the federal or state governments for public parkland shall be rezoned to 0-A (open area). Lands owned by the Nature Conservancy shall also be rezoned to 0-A.</li> </ol>  | <p><b>C-CD-12 Describe Village Limit Boundaries.</b> The village limit boundaries are described as follows and shown on the accompanying maps for the following communities:</p> <p>...</p> <ol style="list-style-type: none"> <li>6. <u>Inverness Ridge.</u> Village limit boundary shall be determined by the location of public parklands to the north, west, and south, and by Tomales Bay to the east as shown on the Inverness Land Use Policy Map 19f.</li> </ol> <p>...</p> <p><i>[Rest of policy not shown]</i><br/> (PC app. 9/19/11, 10/26/09)<br/> <i>[Adapted from Unit II New Development and Land Use Policies 8.a(1) through 8.h(1), pp. 209-216]</i></p>   |

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| <p><b>Policy Status</b></p> <p>This policy has been carried forward to LCPA Policy <b>C-CD-12</b>.</p>  |  |
| <p><b>Policy 8(c)(4), p. 210</b></p> <p>(4) Paradise Ranch Estates.</p> <p>a) <u>Lot Consolidation Plan</u>. The Paradise Ranch Estates Lot Consolidation Plan, map attached, is hereby incorporated in concept into the Marin County Local Coastal Program. This plan would consolidate 24 lots into 11 new building sites and reduce total build-out in the subdivision to 157 units. It is the intent of the Coastal Conservancy and the County of Marin to implement this plan as soon as funds are available. However, in the meantime, the County will process applications in accordance with other policies and standards of the Local Coastal Program, and will notify the Coastal Conservancy whenever applications affecting these lots have been received.</p> <p>A part of this lot consolidation plan would be a road way and drainage plan, to address erosion and siltation control and provision of emergency services, as well as detailing needed roadway improvements. The County and the Coastal Conservancy will prepare this plan, in conjunction with local property owners, as soon as funds become available. Applicants for development permits in Paradise Ranch Estates will be informed that they may be required to make roadway and drainage improvements on their property in the future, in accordance with this plan.</p> <p>b) <u>Additional Park Acquisition</u>. Twenty-eight lots in the subdivision have been authorized by the federal government for inclusion in the Point Reyes National Seashore, but funding for acquisition is not presently available. The County and the Coastal Conservancy will continue to seek sources of funds for acquisition. The County will process applications for development on these lots in accordance with policies of the Local Coastal Program, and will notify the Coastal Conservancy when applications have been received.</p> <p>It should be noted that the federal government would not allow leasebacks on new development on these parcels if acquired.</p> <p>Refer to Marin County Local Coastal Program Unit II, page 60.</p> <p>c) <u>Design Review Guidelines</u>. In addition to all other standards for development review in the Coastal Program, the following special Design Review Guidelines shall apply to the processing of all development applications in Paradise Ranch Estates:</p> <p>I. <u>Predevelopment Geotechnical-Engineering Studies</u>. Individual engineering studies will be required for building lots within the Class 3 and Class 4 slope stability zones as mapped in Wagner and Smith, Slope Stability of</p> | <p><b>C-INV-3 Paradise Ranch Estates Design Guidelines</b>. Future development in Paradise Ranch Estates should be consistent with maintaining the existing exclusively residential nature of the community, and should consider the community's unique characteristics such as substandard roads and the need to protect viewsheds from adjacent parklands. Apply the following guidelines for development within Paradise Ranch Estates:</p> <p>I. <u>Protection of Visual Resources</u>.</p> <p>a. In areas where structures may be seen from adjacent parklands (primarily the north, south and west sides of the subdivision) structures shall be screened by existing vegetation to the maximum extent possible. Structures on or near ridgelines shall not be higher than the tree canopy, even if the Zoning Ordinance would otherwise permit taller buildings. The purpose of this measure is to prevent the presently tree-covered silhouette of the ridgeline from being visually disrupted. In addition, the structures will be better-screened. It is noted that the west side is adjacent to Park Wilderness areas.</p> <p>b. In areas where structures may be visible, dark earth tones shall be used to ensure the least amount of visual intrusion into the landscape.</p> <p>c. To minimize grading and visual impacts from adjacent parkland, new structures along Pine Crest Road shall be located within 150 feet of the front property line.</p> <p>d. To minimize visual impacts on adjacent parkland, structures visible from the park on the northwest (Pine Crest and Upper Roberts) and southwest (Elizabeth Place, ends of Sunnyside and Dover) sides of the subdivision shall be oriented such that the narrower end of the structure faces the park to ensure the maximum opportunity to take advantage of the existing tree cover.</p> <p>e. An analysis of the visual impacts from structures that might result from the siting and construction of the septic system shall be included with development applications. The septic system shall be designed and sited to minimize tree removal which could have a visual impact.</p> <p>f. Use of colors and materials consistent with the woodland character of the subdivision and the vernacular building style of the area should be observed to avoid obtrusive visual impact.</p> |

the Tomales Bay Study Area, 1977, to evaluate slope stability and to engineer foundations and structures to provide for proper grading, siting, structural stability and seismic design. These provisions are required by the LCP and Inverness Ridge Communities Plan, as well.

2. Protection of Visual Resources.

- a. In areas where structures may be seen from the adjacent parklands (primarily the north, south and west sides of the subdivision) structures shall be screened by the existing vegetation to the maximum extent possible. Structures shall not be higher than the tree canopy, even if Section 22.47.024(2)(e) of the Zoning Ordinance would otherwise permit taller buildings. The purpose of this measure is to prevent the presently tree-covered silhouette of the ridgeline from being broken up. In addition, the structures will be better-screened. It is noted that the west side is adjacent to the Park Wilderness area.
- b. In areas where structures may be visible, dark earth-tones shall be used to ensure the least amount of visual intrusion into the landscape.
- c. To minimize grading and visual impacts from the adjacent parkland, future structures along Pine Crest Road shall be located within 150 feet of the front property line.
- d. To minimize visual impacts on the adjacent parkland, structures visible from the park on the northwest (Pine Crest and Upper Roberts) and southwest (Elizabeth Place, ends of Sunnyside and Dover) sides of the subdivision shall be oriented such that the shorter end of the structure faces the park, in order to ensure the maximum opportunity to take advantage of the existing tree cover.
- e. Design Review of structures shall include an analysis of the visual impacts that might result from the siting and construction of the septic system. The septic system shall be designed and sited to minimize tree removal which could have a visual impact.
- f. Use of colors and materials consistent with the woodland character of the subdivision and the vernacular building style of the area should be observed to avoid obtrusive visual impact.

3. Public Service Guidelines. On-site-paving and drainage improvements may be required for all-new structures. Off-site improvements may also be required in areas where roadways presently-do not meet County standards. These areas include, but may not be limited to, the following:

- a. Certain segments of Upper Roberts Road.

2. Public Service Guidelines. Paving and drainage improvements along the road frontage of a property may be required for all-new structures. Off-site improvements may also be required in areas where roadways presently do not meet County standards. These areas include the following:

- a. Certain segments of Upper Roberts Road.
- b. Douglas Drive adjacent to Assessor Parcel Numbers 114-130-34 and 114-130-24.
- c. Dover Drive adjacent to Assessor Parcel Number 114-130-25.

If parcels that presently are not part of the Paradise Ranch Estates Permanent Road Division acquire access over subdivision roadways in the future, joining the assessment district shall be a condition of approval.

3. Protection of Trees. Structures and roads should be sited to avoid tree removal. However, where it is necessary to clear existing vegetation, ecological principles of natural plant success should be observed. In some circumstances, removal of dead or older diseased trees may be desirable for siting purposes, thus promoting success of younger, more vigorous vegetation. However, dead trees also serve as valuable habitat for some species, so their complete removal should be avoided as appropriate.

(PC app. 7/29/10)

[Adapted from Unit II New Development and Land Use Policy 8.c(4)(c)(2), pp. 212-214]

- b. Douglas Drive adjacent to AP 114-130-34 and 114-130-24.
- c. Dover Drive adjacent to AP 114-130-25.

If parcels that presently are not part of the Paradise Ranch Estates Permanent Road Division acquire access over the roadways in the subdivision in the future, joining the assessment district shall be made a condition of approval.

4. Watershed Protection.

- a. All policies in the LCP regarding blue line streams and adjacent lands shall be applicable in Paradise Ranch Estates. Streams affected by this policy include Tomlinson Creek, Fish Hatchery Creek, and the Central Drainage Channel.
- b. Silt traps or other necessary erosion control measures shall be required for all new grading and construction. (This measure has been suggested by the Department of Fish and Game). (Also see below).
- c. The policy of no waivers from requirements of the septic tank ordinance will apply in areas proposed for a septic system that exceed 40 percent slope or that are closer than 100 feet to a major drainage channel. This approach will probably prohibit development on some parcels, unless approval for a septic system were obtained from Regional Water Quality Control or a public agency accepted responsibility for monitoring and maintaining the system.

5. Grading and Erosion Control Guidelines. It is essential that grading be minimized in any new building area so that soils which are exposed during the construction process can be adequately revegetated and cuts avoided to minimize erosion. Erosion control practices should address management of surface water run-off to prevent gullying through improper discharge of storm water. from downspouts and paved areas and down-stream transport of eroded sediments. Revegetation practices for erosion control should specify use of indigenous ground covers and seed mixes.

6. Protection of Trees.

- a. Structures and roads should be sited to avoid tree removal. However, where it is necessary to clear existing vegetation, ecological principles of natural plant success should be observed. For instance, in some situations, the oak and fir woodland communities have taken over older stands of Bishop Pine, and in some-cases, Madrone. The latter may be diseased and dying, naturally giving way to successful change. In these circumstances, removal of the older diseased trees is

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| <p>desirable for siting purposes, thus promoting the succession of the younger, vigorous vegetation. However, dead trees also serve as valuable habitat for some species, so a complete removal should be avoided.</p> <p>b. Landscaping should make use of indigenous, drought resistant species to the maximum extent possible.</p> <p><b>Policy Status</b><br/>This policy has been carried forward to LCPA Policy <b>C-INV-3</b>.</p>   |     |
| <p><b>Policy 8(c)(5), p. 214</b><br/><u>Community Participation.</u></p> <p>The community should play a lead role in the establishment and operation of a local land trust. In addition, the community, through one of its organizations, should serve an advisory role to the Planning Department in reviewing development applications. The local community will be responsible for implementation of the roadway and drainage plan, once it is developed, most logically through continuation of the Permanent Road Division.</p> <p><b>Policy Status</b><br/>This policy is no longer relevant and thus is not carried forward to the LCPA. The Paradise Ranch Estates Road Advisory Board, consisting of residents of Paradise Ranch Estates, advises the Board of Supervisors on road maintenance within the Paradise Ranch Estates subdivision. Further, the Inverness Ridge Association is a non-profit group which is open to all of the owners and residents of Paradise Ranch Estates.</p> | n/a |
| <p><b>Policy 8(c)(6), p. 214</b><br/><u>County's Regulatory Authority.</u></p> <p>Strict application of the County's regulatory authority would include the design review guidelines recommended in the Design Review section. This approach also assumes strict implementation of LCP policies, including the policy of not allowing waivers from the septic ordinance. Information on development constraints affecting lots in the subdivision is contained in Appendix C of the Paradise Ranch Estates Restoration Plan report, dated April 1981.</p> <p><b>Policy Status</b><br/>This policy has not been carried forward to the LCPA. The design review</p>   | n/a |



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| <p>guidelines referenced by this policy have been carried forward by LCPA Policy <b>C-INV-3</b> (see above).</p>  |   |
| <p><b>Policy 8(d), p. 215</b><br/> <u>West side of Tomales Bay.</u></p> <p>(1) The Golden Hinde Boatel, Inverness Yacht Club, and Inverness Motel shall be rezoned to RCR, in accordance with Policy 3(d) on Recreation and Visitor-Serving Facilities, page 47. Also in accordance with this policy, commercial parcels in Inverness and Inverness Park shall be modified to coincide with parcel boundaries and changed to planned commercial zones in order to provide for master plan review.</p> <p><i>(Staff note: These have been rezoned per ordinance 2704 and 2905)</i></p> <p>(2) County parklands and private nature preserves and beaches shall be rezoned to 0-A (open area). This policy includes Chicken Ranch Beach, owned by the County, the William Page Shields Salt Marsh and other nature-preserve lands, owned by Audubon Canyon Ranch, and Children's Beach, owned by the Inverness Foundation.</p> <p><i>(Staff note: These have been rezoned per ordinance 2704)</i></p> <p>(3) All remaining lots not otherwise mentioned above, both developed and undeveloped, south of Chicken Ranch Beach up to and including AP #114-012-08 at Willow Point shall be rezoned to RSP-1.0. Lots south of AP #114-012-08 which are currently zoned A-2 shall be rezoned to RSP-0.33. Residential lots in Inverness Park, currently zoned R-10-2 and A-20-2, shall be rezoned to RSP-1.0.</p> <p><i>(Staff note: Land south of Chicken Ranch Beach up to and including 114-012-08 have all been rezoned per ordinance #2704. Lands south of 114-012-08 have been rezoned to RSP-0.33 per ordinance 2425 &amp; 2704. Residential lots in Inverness park have also been rezoned to RSP-1.0 per ordinance #2704.)</i></p> <p><b>Policy Status</b><br/> This policy has been implemented and thus the policy language has not been carried forward to the LCPA.</p> | <p>n/a</p>  |
| <p><b>Policy 8(e), p. 215</b><br/> <u>East Side of Tomales Bay.</u></p> <p>(1) The community expansion boundary for the town of Marshall shall be defined to include the area from the Post Office Building on the north through and including the Marshall Boat Works to the south. On the east side of Highway 1, the expansion boundary shall include the small existing subdivided parcels</p>  | <p><b>C-CD-12 Describe Village Limit Boundaries.</b> The village limit boundaries are described as follows and shown on the accompanying maps for the following communities:</p> <p>...</p> <p>7. <u>Marshall/East Side of Tomales Bay.</u> Village limit boundary shall be defined to include the area from the Hog Island Oyster Company to the north</p> |

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| <p>abutting Highway I between Marshall-Petaluma Road and the Marshall Boat Works.</p> <p>(2) Changes in commercial land use and zoning as specified in LCP Policy 3(e) on Recreation and Visitor-Serving Facilities, page 48, shall be adopted. In addition, North Shore Boats shall be rezoned from A-2 to RCR.</p> <p><i>(Staff note: This has been done as per ordinance number 2704 &amp; 2957. North shore boats was rezoned to C-ARP-2 and Marshall Boat Works was rezoned to C-VCR.)</i></p> <p>(3) Lands on the shoreline which have been acquired by the state government for public parkland or preserve shall be rezoned to 0-A (open area). This policy includes Tomasini and Millerton Points and the Cypress Grove project. Other proper ties owned by the State in the area of Walker Creek and town of Marshall, as well as lands owned by Audubon Canyon Ranch, shall also be rezoned to 0-A.</p> <p><i>(Staff note: these have been rezoned per ordinance 2704).</i></p> <p>(4) Agricultural lands in the vicinity of Cypress Grove and the Walker Creek delta, currently zoned A-2, shall be rezoned to APZ-60, with the exception of AP #106-210-57, 60 &amp; 64. Any proposal for the use of this property should be considered in light of the goals of this Plan and the agricultural uses in the vicinity. The small upland lots between the Marshall-Petaluma Road and Marconi Cove Marina which abut Highway I and which are currently zoned A-2 shall be rezoned to ARP-2.</p> <p><i>(Staff note: these have been rezoned per ordinance 2704).</i></p> <p>(5) All remaining lots bayward of Highway I, not otherwise mentioned above, both developed and undeveloped, south of Nick's Cove up to the Marshall Boat Works, shall be rezoned RSP-0.5. Lots south of Marshall Boat Works to the state parklands on Tomasini Point, not previously mentioned above, shall be rezoned to RSP-0.33.</p> <p><i>(Staff note: these have been rezoned per ordinance 2704. Nick's Cove has been rezoned to C-RMPC).</i></p> <p><b><u>Policy Status</u></b></p> <p>Most of this policy has been implemented and has not been carried forward to the LCPA, except for 8(e)(1), which has been carried forward to LCPA Policy <b>C-CD-12</b>.</p> | <p>and the Marshall Boat Works to the south. On the east of Highway One, the village limit boundary shall include the small existing subdivided parcels abutting Highway One between Marshall-Petaluma Road and the Marshall Boat Works, as shown on the East Shore Land Use Policy Map 19h.</p> <p>...</p> <p><i>[Rest of policy not shown]</i></p> <p>(PC app. 9/19/11, 10/26/09)</p> <p><i>[Adapted from Unit II New Development and Land Use Policies 8.a(1) through 8.h(1), pp. 209-216]</i></p> |
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| <p><b><u>Policy 8(f) p. 216</u></b></p> <p><u>Standards for development in all zoning districts on the shoreline of Tomales Bay.</u></p> <p>(1) Existing dwellings shall be permitted to be rebuilt if damaged or destroyed by</p> | <p><b>C-EH-24 Permit Exemption for Replacement of Structures Destroyed by Disaster.</b> 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</p> |
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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 Services, Hazards, Visual Resources, and New Development, prior to issuance of a coastal permit.

**Policy Status**

This policy has been carried forward to LCPA Policies **C-EH-24** and **C-CD-6**.

replacement structure:

- 1. Conforms to applicable existing zoning requirements;
- 2. Is for the same use as the destroyed structure;
- 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
- 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.

(PC app. 2/13/12, 12/1/11, 3/16/09)

*[Adapted from Unit II New Development and Land Use Policy 8.f(1), p. 216]*

**C-CD-6 Standards for Development on the Shoreline of Tomales Bay.**

New construction along the shoreline of Tomales Bay shall be limited in height to 15 feet above grade. Exceptions to this height limit may be permitted where 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.

(PC app. 9/19/11, 7/29/10)

*[Adapted from Unit II New Development and Land Use Policy 8.f, p. 216, and Marin County Code Section 22.20.060.a]*

**Policy 8(g) p. 216**

Tomales.

- (1) The community expansion boundary for Tomales shall be as defined in the community plan of 1996.
- (2) With exception to the old high school site, no changes in commercial land use and zoning are recommended. The LCP supports policies of the community plan to rezone the old high school site, as follows:
- (3) The LCP supports policies of the community plan to rezone all land within

| A.P. Number     | Existing Zoning | Proposed Zoning |
|-----------------|-----------------|-----------------|
| 102-080-04, -06 | C-VCR:B-4       | C-RSP-1.6       |
| 102-080-05, -07 | C-VCR:B-3.5     | C-VCR:B-4       |

Tomales that is zoned C-R-A:B-1 to C-RSP-7.26

**C-CD-12 Describe Village Limit Boundaries.** The village limit boundaries are described as follows and shown on the accompanying maps for the following communities:

...

- 8. Tomales. Village limit boundary shall be defined as shown on the Tomales Land Use Policy Map 19j.

...

*[Rest of policy not shown]*

(PC app. 9/19/11, 10/26/09)

*[Adapted from Unit II New Development and Land Use Policies 8.a(1) through 8.h(1), pp. 209-216]*

(4) The LCP supports policies of the community plan to rezone two large agricultural properties adjacent to the community expansion boundary, as follows:

(5) In order to promote the concentration of development and encourage

| A.P. Number     | Existing Zoning  | Proposed Zoning |
|-----------------|------------------|-----------------|
| 102-100-06      | C-APZ-60/C-ARP-2 | C-APZ-60        |
| 100-090-17, -18 | C-APZ-60/C-ARP-2 | C-APZ-60        |

greater flexibility in the design of future development in the community, no changes to C-ARP zoning within the community expansion boundary are recommended.

**Policy Status**

Most of this policy has been implemented and has not been carried forward to the LCPA, with the exception of 8(g)(1), which has been carried forward to LCPA Policy **C-CD-12**.

**Policy 8(h) p. 216**

Dillon Beach.

- (1) The community expansion boundary for Dillon Beach shall be drawn from the northern boundary of the Oceana Marin subdivision on the north to the southern end of Lawson’s Dillon Beach Resort on the south, and from the shoreline on the west to the eastern side of Oceana Marin, the Village, and Lawson’s Dillon Beach Resort. Lawson’s Dillon Beach Resort parcel AP Number 100-100-47 is included within this area.
- (2) Current C-RCR and C-RMPC zoning designations shall be retained, as described in Policy 3g on Recreation and Visitor-Serving Facilities on pages 51 and 52.
- (3) Current C-APZ-60 zoning shall be retained on coastal agricultural lands in the planning area.
- (4) The four multi-family unit parcels known as Parcels J, K, L, and M in Oceana Marin shall be rezoned to a density in keeping with the characteristics of each site, surrounding development, and public service constraints. The densities are as follows:

| A.P. Number         | Existing Zoning | New Zoning |
|---------------------|-----------------|------------|
| Parcel J 100-331-19 | C-RMP-4         | C-RMP-1.5  |

**C-CD-12 Describe Village Limit Boundaries.** The village limit boundaries are described as follows and shown on the accompanying maps for the following communities:

...

- 9. Dillon Beach/Oceana Marin. Village limit boundary shall be drawn from the northern boundary of the Oceana Marin subdivision on the north to the southern end of Lawson’s Dillon Beach Resort on the south, and from the shoreline on the west to the eastern side of Oceana Marin, the Village, and Lawson’s Dillon Beach Resort, as shown on the Dillon Beach Land Use Policy Map 19i. Lawson’s Dillon Beach Resort parcel 100-100-47 is included within this area.

*[Rest of policy not shown]*

(PC app. 9/19/11, 10/26/09)

*[Adapted from Unit II New Development and Land Use Policies 8.a(1) through 8.h(1), pp. 209-216]*

**C-DB-3 Oceana Marin.** The zoning designations for the C-RMP parcels in Oceana Marin represent the low end of the residential density ranges specified in the Dillon Beach Community Plan for the respective parcels. Development at higher density ranges may be approved if subsequent studies demonstrate that

|                        |         |            |
|------------------------|---------|------------|
| Parcel K 100-300-02,07 | C-RMP-4 | C-RMP-0.85 |
| Parcel L 100-300-03    | C-RMP-4 | C-RMP-0.8  |
| Parcel M 100-311-27    | C-RMP-4 | C-RMP-0.4  |

Before any development or division of these parcels can proceed, adequate water supply and sewage disposal shall be demonstrated.

(5) Densities for C-RMPC parcels in Lawson's Dillon Beach Resort shall be established as follows:

| A.P. Number                | Existing Zoning | New Zoning |
|----------------------------|-----------------|------------|
| 100-141-11                 | C-RMPC          | C-RCR      |
| 100-141-13: SW corner only | C-RMPC          | C-RCR      |
| 100-100-47                 | C-APZ-60        | C-RMPC-1.2 |
| 100-141-07,08,10           | C-RMPC          | C-RMPC-1.2 |
| 100-174-03                 | C-RMPC          | C-RMPC-1.2 |
| 100-183-02,03              | C-RMPC          | C-RMPC-1.2 |
| 100-184-01                 | C-RMPC          | C-RMPC-1.2 |
| 100-185-01                 | C-RMPC          | C-RMPC-1.2 |
| 100-186-01                 | C-RMPC          | C-RMPC-1.2 |
| 100-187-01                 | C-RMPC          | C-RMPC-1.2 |
| 100-188-01                 | C-RMPC          | C-RMPC-1.2 |
| 100-192-01                 | C-RMPC          | C-RMPC-1.2 |
| 100-194-01                 | C-RMPC          | C-RMPC-1.2 |
| 100-205-02                 | C-RMPC          | C-RMPC-1.2 |
| 100-207-02                 | C-RMPC          | C-RMPC-1.2 |
| 100-220-05                 | C-RMPC          | C-RMPC-1.2 |
| 100-191-03                 | C-RMPC          | C-RMPC-0.7 |
| 100-193-01,02,03           | C-RMPC          | C-RMPC-0.7 |

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se policy and zoning designations shall be retained for Lawson's Landing.

additional development can be accommodated in accordance with Policies CD-4.6 and CD-10.6 through CD-10.16 of the Dillon Beach Community Plan, which has been certified by the California Coastal Commission.

(PC app. 11/7//11)

[Adapted from Unit II New Development and Land Use Policy 8.h(7), p. 218]

(7) The zoning designations for the C-RMP parcels in Oceana Marin and C-RMPC parcels in Lawson's Dillon Beach Resort represent the low end of the residential density ranges specified in the Dillon Beach Community Plan for the respective parcels. Development at higher density ranges may be approved if subsequent studies demonstrate that additional development can be accommodated in accordance with Policies CD-4.6 and CD-10.6 through CD-10.16 of the Community Plan.

**Policy Status**

Most of this policy has been implemented and has not been carried forward to the LCPA, with the exception of 8(h)(1), which has been carried forward to LCPA Policy **C-CD-12**, and 8(h)(7), which has been carried forward to LCPA Policy **C-DB-3**.