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Existing and Proposed Policy Comparison
Public Access**

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The following chart compares policies from the existing Unit I Local Coastal Program to those in the Local Coastal Program Draft LUP Policy Amendments document, dated January 25, 2011. The column on the right shows the existing Unit I policy and its respective status. The column on the left displays the proposed policy language as well as a ~~strike out~~ and underline version to indicate how the policy was derived. The policies are grouped by topic in numerical order as they appear in Unit I.

Unit I Public Access	
Existing Policy	Proposed Policy
<p><u>Policy 1, pg. 7</u> 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>C-PA-11 Privacy of Neighbors. In determining appropriate management measures for public coastal accessways, including but not limited to hours of operation, the County Parks department or other managing entity should take into account the need to respect the privacy of neighboring residents. (PC app. 11/23/09) <i>[Adapted from Unit I Public Access Policy 1, p. 7]</i></p> <p><i>[A strike out and <u>underline</u> version of this proposed policy is not provided since the proposed policy is an adaptation of the concepts in the existing language and has been significantly rewritten]</i></p> <p>C-PA-2 Public Coastal Access in New Development. 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 the impacts of the proposed development and the provision of public access, require the</p>

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<p><u>Policy Status</u> The concept of this policy is similar to Unit II Public Access Policy 1.c, p. 13, which has been carried forward to C-PA-2 and C-PA-11.</p>	<p>dedication of a lateral and/or vertical accessway as a condition of development, unless Policy C-PA-3 provides an exemption. Impacts on public access include, but are not limited to, the intensification of land use resulting in overuse of existing public accessways, the creation of physical obstructions or perceived deterrence to public access, and the creation of conflicts between private land uses and public access. (PC app. 2/8/10) <i>[Adapted from Unit II Public Access Policy 1.c., p. 13]</i></p> <p style="text-align: center;"><u>Unit II Public Access Policy 1.c., p. 13</u></p> <p>e. New accessways. The County views public access easements, gained through offers of C-PA-2 Public coastal access in new development. Examine proposed new development between the shoreline and the first public road for impacts on public access to the coast. Where the County determines that a nexus exists between the impacts of the proposed development and the provision of public access, require the dedication of a lateral and/or vertical accessway as a condition of development, unless Policy C-PA-1.3 provides an exemption. Impacts on coastal permit approval, as the primary means available to increase public access include, but are not limited to, the intensification of land use resulting in overuse of existing public accessways, the creation of physical or psychological obstructions to public access, and the creation of conflicts between private land uses and 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 style="text-align: center;">If funds become available for acquisition of public accessways, they should be allocated according to the priority recommendations in Policy A.</p>
<p><u>Policy 2, pg. 7</u> The provision of coastal access may include any of the following types of easements, either singularly or in a combination:</p> <p>a. Vertical easements to the ocean</p>	<p>C-PA-9 Variety of Public Coastal Accessways. When requiring public coastal access, include any of the following types of accessways, either singularly or in combination:</p> <p>(a) Vertical accessways to the ocean or shoreline; (b) Lateral accessways that extend from the ambulatory mean high tide line</p>

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<p>b. Lateral easements along the dry sand adjacent to tidelands c. Bluff top easements along bluffs for public viewing or trail purposes or where no continuous sandy beach exists.</p> <p><u>Policy Status</u> This policy has been carried forward to C-PA-9 Variety of Public Coastal Accessways.</p>	<p>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; (c) Bluff top accessways along bluffs for public viewing or trail purposes or where no continuous sandy beach exists.</p> <p>(PC app. 11/23/09) <i>[Adapted from Unit I Public Access Policy 2, p. 7]</i></p> <p><u>Unit I, Public Access Policy 2, p. 7</u> <u>C-PA-9 Variety of Public Coastal Accessways.</u> The provision of <u>When requiring public coastal access, may include any of the following types of easements accessways, either singularly or in a combination:</u></p> <p>(a) Vertical easements <u>accessways</u> to the ocean or shoreline; (b) Lateral easements <u>accessways</u> along the dry <u>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 adjacent to tidelands;</u> (c) Bluff top easements <u>accessways</u> along bluffs for public viewing or trail purposes or where no continuous sandy beach exists.</p>
<p><u>Policy 3, pg. 7</u> 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><u>Policy Status</u> This policy has been carried forward to C-PA-7 Protection of Prescriptive Rights.</p>	<p><u>C-PA-7 Protection of Prescriptive Rights.</u> 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"> 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. 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. 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

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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 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).

(PC app. 2/8/10)

[Adapted from Coastal Act Section 30211, Unit I Public Access Policy #3, p. 7, and Unit II Public Access Policy 2.a., p. 13]

Coastal Act Section 30211

~~Development shall~~ **Protect Prescriptive Rights.** Ensure that development does not interfere with the public's right of access to the sea where acquired through use. Where evidence of prescriptive rights (historic public use) is found in reviewing a coastal permit application, public easements to protect the types, intensity and areas of historic use shall be established as a condition of project approval. If necessary, 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). ~~or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.~~

Unit I Public Access Policy #3, p. 7,

C-PA-7 Protection of Prescriptive Rights. Ensure that development does not interfere with the public's right of access to the sea where acquired through use. Where evidence of prescriptive rights (including historic public use) on a project site of prescriptive rights is determined to exist as a result of permit application review, found in reviewing a coastal on a project site is determined to exist as a result of permit application review, take one or more of the following actions: 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 easements to protect the types, intensity and areas of historic use shall be established as a condition of project approval. If necessary, Ddevelopment may be allowed sited in an area which has been of historically public use only if equivalent type, intensity and area of replacement used by the public access is provided on or reasonably adjacent to the project site (parcel). ~~for vertical access to the beach only~~

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~~when equivalent access which will accommodate the same types and intensity of use has been assured in the same vicinity.~~

Unit II Public Access Policy 2.a., p. 13

~~General standards. 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.~~

~~a. **C-PA-7 Protection of Prescriptive Rights.** 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. 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)., take one or more of the following actions:~~

- ~~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 easements to protect the types, intensity and areas of historic use as a condition of project approval.~~
- ~~2. 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 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. 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 County~~

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	<p style="text-align: center;">concludes that such evidence is inconclusive, the</p> <p>3. In the absence of a final court determination, the County may approve development on such areas <u>proceed to consider approval of</u> development on areas <u>potentially subject to prescriptive rights</u> (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 <u>Coastal County and Commission</u> 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><u>Policy 4, pg. 7</u> Construction of shoreline protection measures otherwise permitted by LCP policies shall accommodate previously existing shoreline access.</p> <p><u>Policy Status</u> This policy has been carried forward to C-PA-21 Shoreline Structures on or Near Public Accessways.</p>	<p>C-PA-21 Shoreline Structures on or Near Public Coastal Accessways. Ensure that construction of shoreline protection measures otherwise permitted by LCP policies maintains the same or similar shoreline access as previously existed. <i>[Unit I, Public Access Policy 4, p. 7]</i></p> <p>LCP Public Access Policy 4, p. 7 <u>C-PA-21 Shoreline structures on or near public coastal accessways.</u> <u>Ensure that c</u>Construction of shoreline protection measures otherwise permitted by LCP policies shall <u>maintain the same or similar</u> accommodate previously existing shoreline access- as previously existed.</p>
<p><u>Policy 5, pg. 7</u> 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><u>Policy Status</u> The concept of this policy is similar to Unit II Public Access Policy 2.c., p. 14, which has been carried forward to Policy C-PA-18 Parking and Support Facilities at Public Coastal Accessways.</p>	<p>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 be designed to 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. <i>[Adapted from Unit II Public Access Policy 2.c., p. 14]</i></p> <p>Unit I Policy 5, pg. 7 <u>C-PA-18 Parking and Support Facilities at Public Coastal Accessways.</u> Where appropriate and feasible, <u>provide parking areas</u> should be provided <u>for automobiles and bicycles and appropriate support facilities in</u></p>

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conjunction with ~~access easements~~ public coastal accessways. The location and design of new parking and support facilities shall be designed to minimize adverse impacts on adjacent residential areas. The need for parking ~~areas shall be evaluated-determined~~ based upon the existing parking and/or public transit opportunities available in the area, balanced with resource protection policies. ~~As transit service becomes available, parking capacities should be~~ Consider opportunities for reducing or eliminating since transit opportunities reduce reliance on the private automobile parking capacities if transit service becomes available or increases.

Unit II Public Access Policy 2.c., p. 14

~~e. Acceptance of public access easements or dedications. C-PA-5~~
Acceptance of Offers to Dedicate Public Coastal Accessways. The County will accept, and as resources permit, open access offers to dedicate easements in the following situation fee title interests in coastal accessways and, as resources permit, place first priority on opening such accessways when:

- ~~(1) The offer to dedicate an easement is made pursuant to evidence of prescriptive rights, or where~~
- ~~(2) The offered easement to dedicate 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.~~

— ~~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 appropriate public or private agencies to do so. Notwithstanding the above, the County may at any time accept a valid offer to dedicate easement that has~~

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	<p>not been accepted by another entity. 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.</p>
<p><u>Policy 6, pg. 8</u> The County will accept, and as resources permit, open access easements in the following situations:</p> <p>(a) When the offer to dedicate an easement is made pursuant to evidence of prescriptive rights, or (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.</p> <p>In all other situations the County shall attempt to find appropriate agencies, including County agencies, to accept and maintain the public access easements. 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><u>Policy Status</u> This policy has been carried forward to C-PA-5 Accept Offers to Dedicate Public Coastal Accessways.</p>	<p>C-PA-5 Accept 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 easement that has not been accepted by another entity. <i>[Adapted from Unit I Public Access Policy 6, p. 8, and Unit II, Public Access Policy 2.c., p. 14]</i></p> <p><u>Unit I, Public Access Policy 6, pg. 8</u> <u>C-PA-5 Accept Offers to Dedicate Public Coastal Accessways.</u> The County will aAccept offers to dedicate easements or fee title interests in coastal accessways and, as resources permit, <u>place first priority on opening such accessways</u> easements in the following situations: (a) Wwhen the offer to dedicate is made pursuant to evidence of prescriptive rights or (b) Wwhere the offered easement to dedicate 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. In all other situations (The County shall attempt to accept to find appropriate agencies, including County agencies, to accept and maintain the public access easements. Whenever the County agrees to accept an access easement, the County will be responsible for maintenance and signing of the accessway an offer to dedicate within 9 months of recordation. If no agency or association is immediately available to accept the grant of an easement, the County does not accept an easement within this time period, a 20-year irrevocable offer to dedicate the easement shall be recorded by the applicant prior to the commencement of project construction. it shall attempt to find an appropriate public or private agency to do so.The County shall</p>

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~~immediately notify the California Coastal Conservancy of the existence of such an offer to dedicate. Notwithstanding the above, the County may at any time accept a valid offer to dedicate easement that has not been accepted by another entity.~~

Unit II, Public Access Policy 2.c., p. 14

~~e. Acceptance of public access easements or dedications. **C-PA-5**
Acceptance of Offers to Dedicate Public Coastal Accessways. The County will accept, and as resources permit, open access offers to dedicate easements in the following situation fee title interests in coastal accessways and, as resources permit, place first priority on opening such accessways when:~~

- ~~(1) The offer to dedicate an easement is made pursuant to evidence of prescriptive rights, or where~~
- ~~(2) The offered easement to dedicate 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.~~

~~— 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 appropriate public or private agencies to do so. Notwithstanding the above, the County may at any time accept a valid offer to dedicate easement that has not been accepted by another entity. 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~~

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	<p style="text-align: center;">process the irrevocable offers according to the Commission's centralized coastal access program.</p> <p style="text-align: center;"><u>Section 30212(a)(3) of the Coastal Act</u></p> <p>(3) agriculture would be adversely affected. Accept existing offers to D dedicate public coastal accessways. The County shall accept offers to dedicate easements or fee title interests in coastal accessways, and as resources permit, not be required to be opened 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. County acceptance of an offer to dedicate shall occur within 9 months of notification of the existence of the offer. If the County does not to public use until a public agency or private association agrees to accept an easement within this time period, it shall attempt to find an appropriate public or private agency to do so. responsibility for maintenance and liability of the accessway.</p>
<p><u>Policy 7, pg. 8</u> The County shall post all County owned shoreline accessways which are open and available to the public.</p> <p><u>Policy Status</u> The concept of this policy is similar to Unit II Public Access Policy 2.c., p. 14, which was carried forward to C-PA-19 Explanatory Signs at Public Coastal Accessways.</p>	<p>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 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. <i>[Adapted from Unit II Public Access Policy 2.c, p. 14]</i></p> <p><u>Unit II Public Access Policy 2.c., p. 14</u></p> <p>e. Acceptance of public access easements or dedications. The County will accept, and as resources permit, open access easements in the following situation:</p> <p>(1) The offer to dedicate an easement is made pursuant to evidence of prescriptive rights, or</p> <p>(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.</p>

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	<p>Whenever the County has agreed or agrees to accept an easement, it will be responsible for maintaining that easement and signing where necessary. Provide explanatory signs at accessways. Sign existing and new public accessways, trails, and parking facilities where necessary, and use signs to minimize conflicts between public and private land uses. Signs posted along the shoreline of Tomales Bay shall indicate appropriate restrictions, such that that no fires or overnight camping is are permitted, and that the privacy of homeowners shall be respected. 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. 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 coastal zone. 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.</p> <p>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.</p>
<p>Policy 8, pg. 8 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>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 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.</p>

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Policy Status

The concept of this policy is similar to Unit II Public Access Policy 2.c., p. 14, which was carried forward to **C-PA-19** Explanatory Signs at Public Coastal Accessways.

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. *[Adapted from Unit II Public Access Policy 2.c, p. 14]*

Policy 8, pg. 8

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 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 on Highway 1, the Bolinas Olema Road, and Mesa Road, along visitor routes, 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.~~

Unit II Public Access Policy 2.c., p. 14

- e. ~~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. Provide explanatory signs at accessways. Sign existing and new public accessways, trails, and parking facilities where necessary, and use signs to~~

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	<p>minimize conflicts between public and private land uses. Signs posted along the shoreline of Tomales Bay shall indicate appropriate restrictions, such that that no fires or overnight camping is are permitted, and that the privacy of homeowners shall be respected. 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. 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 coastal zone. 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.</p> <p>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.</p>
<p><u>Policy 9, pg. 8</u> 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><u>Policy Status</u> The concept of this policy is similar to Unit II Public Access Policy 2.c., p. 14, which was carried forward to C-PA-18 Parking and Support Facilities at Public Coastal Accessways.</p>	<p>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 be designed to 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. <i>[Adapted from Unit II Public Access Policy 2.c., p. 14]</i></p> <p>Unit II Public Access Policy 2.c., p. 14 e.—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</p>

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	<p>(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.</p> <p>— 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 for automobiles and bicycles and appropriate support facilities in conjunction with access easements public coastal accessways. The location and design of new parking and support facilities shall be designed to 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. As transit service becomes available, parking capacities should be Consider opportunities for reduced or eliminated parking capacities if transit service becomes available or increases.</p> <p>— 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.</p>
<p><u>Policy 10, pg. 8</u> Public access to Duxbury Reef shall continue to be protected consistent with current State laws prohibiting the collecting of most intertidal animals.</p> <p><u>Policy Status</u> The policy is out of date and has not been carried forward. 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</p>	<p>n/a</p>

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<p>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><u>Policy 11, p. 9</u> 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 Commonweal 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 Commonweal 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><u>Policy Status</u> This policy has been carried forward to C-PA-8 Bolinas Mesa.</p>	<p>C-PA-8 Bolinas Mesa. 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 Commonweal 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. Limited signing shall be provided to identify the access trails and caution trail users of the fragile coastal resources of the area. <i>[Unit I Public Access Policy 11, p. 9]</i></p> <p><u>Unit I, Public Access Policy 11, p. 9</u> <u>C-PA-8 Bolinas Mesa.</u> 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 Commonweal 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 Commonweal 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><u>Policy 12, p. 9</u> 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</p>	<p>n/a</p>

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<p>in the Bolinas Mesa area will be developed as part of a Countywide approach to the protection of large agricultural holdings.</p> <p><u>Policy Status</u> The policy is no longer relevant and has not been carried forward. Policy C-PA-6 recommends that acquisitions for public accessways shall take into account the needs to protect public safety, military security, fragile coastal resources, and agriculture.</p>	
<p><u>Policy 13a – f, p. 9</u> 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 1, 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.</p> <p>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.</p> <p>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 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</p>	<p><i>[placeholder for proposed policy to reflect the Seadrift Settlement Agreement – if one is needed]</i></p>

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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

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This policy has been superseded by the Seadrift settlement agreement adopted after the LCP was certified.	
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**Unit I
Existing and Proposed Policy Comparison
Recreation and Visitor Serving Facilities**

Unit I Recreation and Visitor Serving Facilities	
Existing Policy	Proposed Policy
<p><u>Policy 14, pg. 13</u> 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 (4-1-80). 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><u>Policy Status</u> This policy has been carried forward to C-PK-3 Mixed Uses in the Coastal Village Commercial/Residential Zone. Language specific to the 25% of the vacant lots in Bolinas and Stinson Beach has been deleted. Policy 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>C-PK-3 Mixed Uses in the Coastal Village Commercial/ Residential Zone. Continue to permit a mixture of residential and commercial uses in the C-VCR zoning district in order to maintain the established character of the village commercial areas. The 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. <i>[Adapted from Unit I Recreation and Visitor Serving Facilities Policy 14, p. 13.]</i></p> <p style="text-align: center;"><u>Unit I Recreation and Visitor Serving Facilities Policy 14</u> 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, C-PK-3 Mixed Uses in the Coastal Village Commercial/ Residential Zone. Continue to permit a mixture of residential and commercial uses in the C-VCR zoning district in order to maintain the established character of the village commercial areas, shall be permitted within the VCR zone. The principal permitted use of the C-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; however, in no case shall such use be permitted on more than 25 percent of the lots that are now vacant in each community. Replacement of any legal 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><u>Policy 15, pg. 14</u> 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"> 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. 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. 	<p>C-PK-6 Bed and Breakfast Inns. 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</p>

Unit I
Existing and Proposed Policy Comparison
Recreation and Visitor Serving Facilities

Policy Status

The concept of this policy is similar to Unit II Recreation and Visitor Serving Facilities Policy 3.h, p. 52, which has been carried forward to **C-PK-6** Bed and Breakfast Inns. Bed and Breakfast operators have the choice of joining the local chamber of commerce (West Marin Chamber of Commerce) and the Marin Convention & Visitors Bureau. They can also develop and customize their own advertising through web presence and social media without policy guidance from the Coastal Act.

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.

[Unit II Recreation and Visitor Serving Facilities Policy 3.h., p. 52]

Unit I Policy 15, pg. 14

C-PK-6 Bed and Breakfast Inns. ~~The current 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 program Bolinas inns shall be continued 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. and the program shall be encouraged in the following manner:

- ~~(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. 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.~~
- ~~(b) The County shall encourage the Marin Chamber of Commerce to make available advertising space to those homeowners who wish to participate in the Bed and Breakfast program.~~

Unit II Recreation and Visitor Serving Facilities Policy 3.h., p. 52

- 3. ~~Private recreational and visitor serving development.~~
 - a. ~~Bed and Breakfast Program. The County Encourages the continuation and expansion of bed and breakfast facilities in the Unit II coastal zone. Local organizations, such as the West Marin Chamber of Commerce and the Marin County Convention and Visitors Bureau 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.~~

Unit I
Existing and Proposed Policy Comparison
State and Federal Parklands

Unit I State and Federal Parklands	
Existing Policy	Proposed Policy
<p><u>Policy 16, page 14</u> <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><u>Policy Status</u> This policy does not provide any policy direction to guide decision making bodies and staff does not recommend carrying it forward. However, language to encourage appropriate uses of federal parks, and to guide development of state parks, is proposed in the draft LCP.</p>	n/a
<p><u>Policy 17, pg. 14</u> <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><u>Policy Status</u> Staff does not recommend carrying this policy forward as it is no longer relevant. The Mount Tamalpais State Park General Plan has not been updated since 1981.</p>	n/a

**Unit I
Existing and Proposed Policy Comparison
Stream Protection**

Unit I Stream Protection	
Existing Policy	Proposed Policy
<p><u>Policy I, pg. 19</u> 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.</p> <p><u>Policy Status</u> This policy contains the same standard as Unit II, Natural Resources Policy 3 p. 72, which staff recommends carrying forward into C-BIO-4.1 Coastal Streams and Riparian Vegetation.</p>	<p>C-BIO-24 Coastal Streams and Riparian Vegetation.</p> <ol style="list-style-type: none"> 1. Stream alterations. Limit stream impoundments, and diversions, channelizations, or other substantial alterations to coastal streams or the riparian vegetation surrounding them to the following purposes: <ol style="list-style-type: none"> a. Necessary water supply projects, including those for domestic or agricultural purposes; 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. <p>Substantial alterations shall include channelizations, dams, or comparable projects which significantly disrupt the habitat value of a particular river or stream. 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. <u>Prohibit new impoundments which, individually or cumulatively, would decrease stream-flows below the minimum.</u></p> 2. <u>Conditions.</u> Minimize the alteration of streams allowed for the purposes listed in (A) above in order to protect streamwater quality and the volume and rate of streamflow. Require all such 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 wherever possible. 3. <u>Stream Buffers.</u> Establish buffers to protect streams from the impacts of adjacent uses for each stream in the Coastal Zone. The stream buffer shall include the area 50 feet landward from the outer 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. 4. <u>Development in Stream Buffers.</u> Prohibit construction, alteration of land

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Existing and Proposed Policy Comparison
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forms and vegetation removal within stream buffers unless the project is otherwise designed to be consistent with policy C-BIO-25 Stream Buffer Adjustments and Exceptions.

(PC app. 06/28/10)

[LCP II Natural Resources Streams and Riparian Habitats policy 3.a through d, page 72]

Unit I Policy I, pg. 19

1. Stream alterations. Limit stream impoundments, and diversions, channelizations, or other substantial alterations to coastal streams or the riparian vegetation surrounding them shall be limited to the following purposes:

- a. ~~n~~ Necessary water supply projects, including those for domestic or agricultural purposes;
- b. ~~f~~ 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. ~~d~~ Developments where the primary function is the improvement of fish and wildlife habitat.

Substantial alterations shall include channelizations, dams, or comparable projects which significantly disrupt the habitat value of a particular river or stream. 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, ~~estuarine habitats, spawning areas 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. Prohibit nNew impoundments which, individually or cumulatively, would decrease stream-flows below the minimum ~~shall not be permitted.~~

Unit II Natural Resources Streams and Riparian Habitats Policy 3.a-d, p. 72.

~~Streams and Riparian Habitats.~~

C-BIO-24 Coastal Streams and Riparian Vegetation.

~~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.~~

- a. ~~1.~~ Stream alterations. Stream impoundments, diversions, channelizations, or other substantial alterations to coastal streams

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Stream Protection

~~or the riparian areas surrounding them shall be limited to the following purposes:~~

- ~~(1) a.~~ Necessary water supply projects, including those for domestic or agricultural purposes;
- ~~(2) 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
- ~~(3) c.~~ Developments where the primary function is the improvement of fish and wildlife habitat.

Substantial alterations shall include channelizations, dams, or comparable projects which significantly disrupt the habitat value of a particular river or stream. 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. ~~Prohibit n~~New impoundments which, individually or cumulatively, would decrease stream-flows below the minimum ~~shall not be permitted.~~

~~b.—~~2. Conditions. Minimize tThe alteration of streams allowed for the purposes listed in (1.) above ~~shall be held to a minimum in order to protect streamwater quality and the volume and rate of streamflow. Require a~~All such developments shall incorporate the best mitigation measures feasible, including erosion and runoff control measures, and re-vegetation of disturbed areas with native species. Minimize the dDisturbance of riparian vegetation ~~shall be held to a minimum and require revegetation wherever possible.~~

~~e.—~~3. Stream Buffers. Establish bBuffers to protect streams from the impacts of adjacent uses ~~shall be established for each stream in Unit II the Coastal Zone.~~ 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 outer 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

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	<p>the stream banks.</p> <p>d.—4. <u>Development in Stream Buffers.</u> No <u>Prohibit</u> construction, alteration of land forms or and <u>vegetation removal shall be permitted</u> within such stream buffers unless the project is otherwise designed to be consistent with policy C-BIO-25 Stream Buffer Adjustments and Exceptions. <u>riparian protection areas.</u> 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 a stream buffer area. 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.</p>
<p><u>Policy 2, pg. 19</u> 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><u>Policy Status</u> This policy contains the same standard as Unit II, Natural Resources policy 3, which staff recommends carrying forward into C-BIO-24 Coastal Streams and Riparian Areas.</p>	<p>C-BIO-24 Coastal Streams and Riparian Vegetation. (See Unit I Policy 1, page 19, above.)</p> <p><u>Unit I Policy 2, pg. 19</u> <u>B. Conditions. Minimize</u> (The alteration of streams channels and banks shall be allowed only for the developments identified purposes listed in Policy II-1 (A) above in order to protect streamwater quality and the volume and rate of streamflow. Require a All such developments shall to incorporate the best mitigation measures feasible, including erosion and runoff control measures, and re-vegetation of disturbed areas with native species. <u>Minimize the disturbance of riparian vegetation and require revegetation wherever possible.</u></p>
<p><u>Policy 3, pg. 19</u> 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><u>Policy Status</u> This policy contains the same standard as Unit II, Natural Resources policy 3,</p>	<p>C-BIO-24 Coastal Streams and Riparian Vegetation. (See Unit I Policy 1, page 19, above.)</p> <p><u>Unit I Policy 3, pg. 19</u> <u>C-BIO-24 Coastal Streams and Riparian Vegetation.</u> 3. <u>Stream Buffers.</u> A riparian protection area and a stream buffer area shall be eEstablished buffers to protect streams from the impacts of adjacent uses for all each streams within Unit I the Coastal Zone. The riparian protection area stream buffer shall include all existing riparian vegetation on both sides of the stream. The stream buffer area</p>

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<p>which staff recommends carrying forward into C-BIO-24 Coastal Streams and Riparian Areas.</p>	<p>shall extend a minimum of the area 50 feet landward from the outer edge of the riparian vegetation, but 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 banks of the stream.</p>
<p><u>Policy 4, pg. 19</u> No construction, alteration of land forms, or vegetation removal, shall be permitted within the riparian protection area. However, if a parcel is located entirely within the stream buffer, design review shall be required for any proposed structure and shall consider impacts on water quality, riparian vegetation/and the rate and volume of streamflow. In general, development shall be located on that portion of the site which results in the least impact on the stream, and shall include provision for mitigation measures to control erosion and runoff and to provide restoration of disturbed areas by replanting with plant species naturally found on the site.</p> <p><u>Policy Status</u> This policy contains the same standard as Unit II, Natural Resources policy 3, which staff recommends carrying forward into C-BIO-24 Coastal Streams and Riparian Areas.</p>	<p>C-BIO-24 Coastal Streams and Riparian Vegetation. (See Unit I Policy 1, page 19, above.)</p> <p><u>Unit I Policy 4, pg. 19</u> <u>C-BIO-24 Coastal Streams and Riparian Vegetation.</u> 4. Development in Stream Buffers. Prohibit <u>No construction, alteration of land forms, or vegetation removal, shall be permitted within the riparian protection area, stream buffers unless the project is otherwise designed to be consistent with policy C-BIO-25 Stream Buffer Adjustments and Exceptions.</u> 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 found on the site.</p>
<p><u>Policy 5, pg. 20</u> <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><u>Policy Status</u> 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</p>	<p>n/a</p>

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<p>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><u>Policy 6, pg. 20</u> <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><u>Policy Status</u> 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 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>	n/a
<p><u>Policy 7, pg. 20</u> <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><u>Policy Status</u> 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</p>	n/a

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<p>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 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.</p> <p>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.</p>											
<p><u>Policy 8, pg. 20</u> <u>Redwood Creek</u>. 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).</p> <p><u>Policy Status:</u> 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 is carried forward.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">APNs</th> <th style="text-align: center;">Zoning</th> <th style="text-align: center;">Minimum Lot Size</th> <th style="text-align: center;">Actual Lot Size</th> <th style="text-align: center;">Ordinance No.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	APNs	Zoning	Minimum Lot Size	Actual Lot Size	Ordinance No.						<p>n/a</p>
APNs	Zoning	Minimum Lot Size	Actual Lot Size	Ordinance No.							

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199-150-30	OA, C-OA (USA owned)	none	8,285,528 sq. ft. 190.2 acres	2292 2638	
199-181-06	C-RA-B4	1 acre	41,806 sq. ft. 0.9597 acre	2638	
199-181-13	C-RA-B4	1 acre	32,362.75 sq. ft. 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. 5.9843 acres	2638	
199-192-17	C-RA-B4	1 acre	28,451.8 sq. ft. 0.653 acre	2638	
199-192-18	C-RA-B4	1 acre	22,294.7 sq. ft. 0.512 acre	2638	
199-192-19	C-RA-B4	1 acre	21,172.55 sq. ft. 0.486 acre	2638	
199-192-20	C-RA-B4	1 acre	18,723.3 sq. ft. 0.43 acre	2638	
199-192-21	C-RA-B4	1 acre	47,302.47 sq. ft. 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. 1.6366 acres	2638	
199-213-06	C-ARP-60	1 unit/60 acres	45,774.9 sq. ft. 1.0508 acres	2638	
199-241-03	C-OA (USA owned)		923,884.55 sq. ft. 21.21 acre	2292 2638	

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<p><u>Policy 9, pg. 20</u> <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><u>Policy Status</u> 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 is not carried forward.</p>	<p style="text-align: center;">n/a</p>
<p><u>Policy 10, pg. 20</u> <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><u>Policy Status</u> 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 is not carried forward.</p>	<p style="text-align: center;">n/a</p>
<p><u>Policy 11, pg. 20</u> <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><u>Policy Status</u></p>	<p style="text-align: center;">n/a</p>

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<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 is not carried forward.</p>	
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**Unit I
Existing and Proposed Policy Comparison
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Unit I Lagoon Protection	
Existing Policy	Proposed Policy
<p><u>Policy 12, pg. 25</u> 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"> • The level, type and location of recreational facilities and uses; • The level, type and location of commercial fishing and aqua-culture activities; • The location and types of educational and scientific programs and facilities; • The legal and physical programs necessary to protect and enhance specific wildlife and marine resources and habitats; and • The management techniques, programs and responsibilities to successfully implement such a resource management plan. <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><u>Policy Status</u> 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 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>n/a</p>

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<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 is not carried forward.</p>	
<p><u>Policy 13, pg. 26</u></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> <ol style="list-style-type: none"> 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. 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. 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. 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 limits. 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 	<p style="text-align: center;">n/a</p>

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<p>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><u>Policy Status</u> 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 is not carried forward.</p>	
<p><u>Policy 14, pg. 26</u> 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><u>Policy Status</u> Staff does not recommend incorporating this policy into the LCP amendment because it simply describes a state agency’s regulatory requirement, rather than stating an objective that could guide the actions of the County or State agencies.</p>	n/a
<p><u>Policy 15, pg. 26</u> 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 interested agencies or organizations should be advised of the importance of pursuing such a restoration project.</p> <p><u>Policy Status</u> 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 Zoning Ordinance. Pursuant to Ordinance 2638, these lots</p>	n/a

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<p>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 does not recommend incorporating policies addressing this area into the LCP amendment. This would continue to be an area of deferred certification.</p>	
<p><u>Policy 16, pg. 27</u> 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.</p> <p>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.</p> <p>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 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.</p> <p><u>Policy Status</u> The area referred to in this policy is an area of deferred certification. As such, this</p>	<p style="text-align: center;">n/a</p>

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policy was not incorporated into the “Development Requirements, standards, and conditions” indicated in section 22.56.130I of the Interim 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-	Christesen	R-1	Developed	Partial riparian buffer

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05					
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 Open Space	All wetland/ stream/ buffer	
061-01	County of Marin	R-1	Undeveloped Open Space	Partial wetland buffer	
061-12	County of Marin	R-1	Undeveloped Open Space	Partial wetland buffer	
061-13	County of Marin	R-1	Undeveloped Open Space	Partial wetland buffer	
061-15	County of Marin	R-1	Undeveloped 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-	Audubon	R-1	Undevelop	Partial wetland buffer	

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<p>22 Canyon Ranch ed</p> <p>061- County of Marin R-1 Undeveloped Partial wetland buffer</p> <p>090- Seadrift Association R-1 Undeveloped Partial wetland buffer</p> <p>54</p> <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 policies recommended in Attachment 1 for protecting 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. Staff does not recommend incorporating this area into the LCP and this area would remain within the permitting jurisdiction of the Coastal Commission.</p>	
<p><u>Policy 17, pg. 27</u></p> <p>The eleven-acre Henry Wilkins property (Assessor Parcel Numbers 195290-13 and 24) is the only remaining high tide 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> <p><u>Policy Status</u></p> <p>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</p>	<p style="text-align: center;">n/a</p>

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<p>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.</p>	
<p>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.</p> <p>Policy Status This policy has been carried forward to policy C-BIO-18 Wetland Buffers.</p>	<p>C-BIO-18 Wetland Buffers. Maintain a buffer area, a minimum of 100 feet in width, in natural condition along the periphery of all wetlands. An additional buffer may be required based on the results of a site assessment, if such an assessment is determined to be necessary. Coastal Permits shall not authorize development within these buffer areas unless the project is other otherwise designed to be consistent with policy C-BIO-3.8 Wetland Buffer Adjustments and Exceptions.</p> <p><i>[LCP I Policies on Lagoon Protection policy 18, page 28]</i></p> <p>Unit I Policy 18, pg. 28 C-BIO-18 Wetland Buffers. Maintain To the maximum extent feasible, a buffer area, 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. An additional buffer may be required based on the results of a site assessment, if such an assessment is determined to be necessary. Coastal Permits shall not authorize development within these buffer areas unless the project is other. No uses other than those dependent upon the resources shall be allowed within the buffer strip.</p>

**Unit I
Existing and Proposed Policy Comparison
Dune and Sandy Beach Protection**

Unit I Dune and Sandy Beach Protection	
Existing Policy	Proposed Policy
<p><u>Policy 19, pg. 29</u> 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><u>Policy Status</u> This policy has been carried forward to C-BIO-9 Stinson Beach Dune and Beach Areas.</p>	<p>C-BIO-9 Stinson Beach Dune and Beach Areas. Prohibit development of the existing lots west of the paper street Mira Vista, in order to preserve the natural sand dune formation and sandy beach habitat in Stinson Beach, and to protect potential prescriptive rights over the dry sand areas west of the Patios. Prohibit development west of Mira Vista, including erection of fences, signs, or other structures, in order to preserve 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>Continue to pursue a land trade between the lots seaward of Mira Vista and the street right-of-way, in order 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, 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. (PC app. 06/28/10) <i>(LCP Unit I Natural Dune and Sandy Beach Protection Policies 19 and 20, page 29)</i></p> <p><u>Unit I Natural Dune and Sandy Beach Protection Policy 19, p. 29</u> <u>C-BIO-9 Stinson Beach Dune and Beach Areas.</u> Prohibit development of the existing lots west of the paper street Mira Vista, in order to preserve the natural sand dune formation and sandy beach habitat, in Stinson Beach, and to protect potential prescriptive rights over the dry sand areas west of the Patios. Prohibit development of the existing lots west of the paper street Mira Vista shall not be permitted. These lots shall be rezoned from R-1 to RSP-2.0, and contiguous ownerships across Mira Vista shall be consolidated in order to assure protection of the existing sandy beach areas, including erection of fences, signs, or other structures, in order to preserve 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>

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Dune and Sandy Beach Protection**

	<p>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>Unit I Natural Dune and Sandy Beach Protection Policy 20, p. 29 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><u>Policy 20, pg. 29</u> 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><u>Policy Status</u> This policy has been carried forward to C-BIO-9 Stinson Beach Dune and Beach Areas.</p>	<p>C-BIO-9 Stinson Beach Dune and Beach Areas. Prohibit development of the existing lots west of the paper street Mira Vista, in order to preserve the natural sand dune formation and sandy beach habitat in Stinson Beach, and to protect potential prescriptive rights over the dry sand areas west of the Patios. Prohibit development west of Mira Vista, including erection of fences, signs, or other structures, in order to preserve 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>Continue to pursue a land trade between the lots seaward of Mira Vista and the street right-of-way, in order 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</p>

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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.

(PC app. 06/28/10)

(LCP Unit I Natural Dune and Sandy Beach Protection Policies 19 and 20, page 29)

Unit I Policy 20, pg. 29

C-BIO-9 Stinson Beach Dune and Beach Areas. Prohibit development of the existing lots west of the paper street Mira Vista, in order to preserve the natural sand dune formation and sandy beach habitat in Stinson Beach, and to protect potential prescriptive rights over the dry sand areas west of the Patios. Prohibit development west of Mira Vista, including erection of fences, signs, or other structures, in order to preserve 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.

Continue to pursue a land trade between the lots seaward of Mira Vista and the street right-of-way, in order to more clearly establish and define the boundaries between public and private beach areas.

Site d Development of other shorefront lots within the Stinson Beach and Seadrift areas ~~shall assure preservation outside~~ 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~~, 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, 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.

Policy 21, pg. 30

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

C-CD-10 Subdivision of Beachfront Lots. 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 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

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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.

Policy Status

Staff recommends carrying this policy forward to **C-CD-10** Subdivision of Beachfront Lots with minor changes.

modification of any dune or sandy beach area shall not be permitted except as provided in ~~Chapter III of the LCP~~ 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.

(PC app. 07/29/10)

[Unit I Natural Resources Policy 21, p. 30]

Unit I Natural Dune and Sandy Beach Protection Policy 21, p. 30 C-CD-10 Subdivision of Beachfront Lots. 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~~ the development of shoreline lots within the Stinson Beach and Seadrift areas in Policy C-BIO-2.4 Stinson Beach Dune and Beach Areas. 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~~ the Environmental Hazards policies 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.

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Habitat Protection**

Unit I Habitat Protection	
Existing Policy	Proposed Policy
<p><u>Policy 22, pg. 34</u> 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><u>Policy Status</u> This policy has been carried forward with minor changes to C-BIO-10 Roosting and Nesting Habitat.</p>	<p>C-BIO-10 Roosting and Nesting Habitat. Prohibit the alteration or removal of groves of trees that provide nesting and roosting habitat for monarch butterflies, except where they pose a threat to life or property. (PC app. 06/28/10) <i>[LCP I Habitat Protection policy 22, page 34]</i></p> <p style="text-align: center;">Unit I Natural Dune and Sandy Beach Protection Policy 22, p. 34</p> <p><u>C-BIO-10 Roosting and Nesting Habitat.</u> Prohibit the alteration or removal of groves of Butterfly trees and other trees or vegetation identified on the natural resource maps on file with the Marin County Planning Department, which that provide roosting and/or nesting and roosting habitat of wildlife, for monarch butterflies, 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><u>Policy 23, pg. 34</u> 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><u>Policy Status</u> This policy has been carried forward with minor changes to C-BIO-11 Development Adjacent to Roosting and Nesting Habitat.</p>	<p>C-BIO-11 Development Adjacent to Roosting and Nesting Habitat. Development adjacent to wildlife nesting and roosting areas shall be set back a sufficient distance <u>and designed</u> to minimize impacts on the habitat area. <u>Time</u> Such development activities shall be timed so that disturbance to nesting and breeding wildlife is minimized and shall, to the extent practical, feasible, use native vegetation for landscaping. (PC app. 06/28/10) <i>[LCP I Habitat Protection policy 23, page 34]</i></p> <p style="text-align: center;">Unit I Natural Dune and Sandy Beach Protection Policy 23, p. 34</p> <p><u>C-BIO-11 Development Adjacent to Roosting and Nesting Habitat.</u> Development adjacent to wildlife nesting and roosting areas shall be set back a sufficient distance <u>and designed</u> to minimize impacts on the habitat area. <u>Time</u> Such development activities shall be timed so that disturbance to nesting and breeding wildlife is minimized and shall, to the extent practical, feasible, use native vegetation for landscaping.</p>
<p><u>Policy 24, pg. 34</u> 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>C-BIO-3 Environmentally Sensitive Habitats of Rare or Endangered Species and Unique Plant Communities. <u>Environmentally sensitive habitats include habitats of rare or endangered species and unique plant communities.</u></p>

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Existing and Proposed Policy Comparison
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<p>to wildlife.</p> <p><u>Policy Status</u> This policy contains the same standard as Unit II Natural Resources Policy 5, p. 74, which has been carried forward to C-BIO-3 Environmentally Sensitive Habitats of Rare or Endangered Species and Unique Plant Communities.</p>	<p><u>Permit development in such areas only when it depends upon the resources of the habitat area and does not significantly disrupt the habitat. Development adjacent to such areas shall be set back a sufficient distance and designed to minimize impacts on the habitat area. Control public access to these sensitive habitat areas, including the timing, intensity, and location of such access, shall be controlled to minimize disturbance to wildlife. Avoid fences, roads, and structures that significantly inhibit wildlife movement, especially access to water.</u> (PC app. 06/28/10) <i>[LCP Unit II, Natural Resources Coastal Dunes and Other Sensitive Land Habitats Policy 5.b, page 75]</i></p> <p><u>Unit II Natural Resource Policy 5.b, p. 74</u> Coastal Dunes and Other Sensitive Land Habitats. Development in or adjacent to sensitive habitats shall be subject to the following standards: b.a. Other Environmentally Sensitive Habitats. Other <u>C-BIO-3 Environmentally Sensitive Habitats of Rare or Endangered Species and Unique Plant Communities.</u> Environmentally 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 and shall not significantly disrupt the habitat. Development adjacent to such areas shall be set back a sufficient distance or otherwise designed 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, roads, and structures which significantly inhibit wildlife movement, especially access to water, shall be avoided.</p>
<p><u>Policy 25, p. 34</u> Fences, roads, and structures which significantly inhibit wildlife movement, particularly access to water, shall be avoided.</p> <p><u>Policy Status</u> This policy contains the same standard as Unit II Natural Resources Policy 5, p. 74-75, which has been carried forward into C-BIO-3 Environmentally Sensitive Habitats of Rare or Endangered Species and Unique Plant Communities.</p>	<p>See Policy 24 above.</p>
<p><u>Policy 26, p. 34</u> Upland grassland feeding areas shall be protected against any significant disruption of habitat values.</p> <p><u>Policy Status</u></p>	<p><u>C-BIO-12 Grassy Uplands Surrounding Bolinas Lagoon.</u> Protect Upland grassland shorebird feeding areas shall be protected against significant disruption of habitat values. <u>in cases where shorebirds of many species forage on the grassy uplands during high tides and winter storms because suitable habitat at Bolinas Lagoon is unavailable. Limited grazing of these lands does not seem to affect the</u></p>

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<p>This policy has been carried forward to C-BIO-12 Grassy Uplands Surrounding Bolinas Lagoon. Additional language is added from the LCP I Habitat Protection section found on page 30, which precedes the enumerated policies. Staff recommends adding this language from the existing LCP because it provides some important context to understand how the policy must be applied.</p>	<p><u>habitat value of these lands and may even tend to improve it since tall vegetation can obstruct the movements of feeding birds. Grazing, mowing, disking, or some other method of keeping vegetation low would assist in maintaining the habitat value of these lands for shorebirds, since shorebirds do not utilize habitat with tall vegetation.</u> (PC app. 01/24/11) <i>[LCP I Habitat Protection policy 26, page 34]</i></p> <p style="text-align: center;">Unit I Habitat Protection Policy 26, p. 34 C-BIO-12 Grassy Uplands Surrounding Bolinas Lagoon. <u>Protect Upland grassland shorebird feeding areas shall be protected against significant disruption of habitat values- in cases where shorebirds of many species forage on the grassy uplands during high tides and winter storms when suitable habitat at Bolinas Lagoon is unavailable. Limited grazing of these lands does not seem to affect the habitat value of these lands and may even tend to improve it since tall vegetation can obstruct the movements of feeding birds. Grazing, mowing, disking, or some other method of keeping vegetation low would assist in maintaining the habitat value of these lands for shorebirds, since shorebirds do not utilize habitat with tall vegetation.</u></p>
<p>Policy 27, pg. 34 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>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</p> <p>Duxbury Reef is presumably State Lands. The reef lies within the Gulf of the Farallones National Marine Sanctuary (GFNMS) Duxbury Reef is also part of the State’s system of marine protected areas (MPA), the “Duxbury State Marine Park” (Duxbury SMP). GFNMS 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</p>	<p>N/a</p>

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Existing and Proposed Policy Comparison
Habitat Protection**

<p>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 into the LCP amendment. 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.</p>	
<p>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.</p> <p>Policy Status This policy has been carried forward to C-BIO-6 Invasive Plants, with minor modifications intended to clarify the applicability of this policy.</p>	<p>C-BIO-6 Invasive Plants. Where feasible, require the removal of non-native, invasive, plant species such as pampas grass, brooms, and thistles in the areas of development and revegetate those areas with native plants as specified in Coastal Permit approvals. This policy does not apply to agricultural crops and pastures. (PC app. 01/24/11) <i>[LCP I Habitat Protection policy 28, page 34]</i></p> <p>Unit I Habitat Protection Policy 28, p. 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, C-BIO-6 Invasive Plants. <u>Where feasible, applicable, to require the removal of any non-native, invasive, non-indigenous plant species such as Ppampas Ggrass, Bbrooms, and Tthistles: in the areas of development and revegetate those areas with native plants as specified in Coastal Permit approvals. This policy does not apply to agricultural crops and pastures.</u></p>

**Unit I
Existing and Proposed Policy Comparison
Agriculture**

Unit I Agriculture	
Existing Policy	Proposed Policy
<p><u>Policy 29, pg. 35</u> 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, 11 188-120-09, 11, 15, 19 188-170-01, 06, 18, 56, 57 199-150-20, 21</p> <p><u>Policy Status</u> This policy is not carried forward because it is no longer relevant.</p>	<p>n/a</p>
<p><u>Policy 30, pg. 35</u> 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 APR-5 and APR-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 Maria County Planning Department.</p> <p><u>Policy Status</u> The concepts of this policy have been incorporated into C-AG-1 Agricultural Lands and Resources and C-AG-2 Coastal Agricultural Production Zone (C-APZ).</p>	<p>C-AG-1 Agricultural Lands and Resources. Protect agricultural land, continued agricultural uses and the agricultural economy by maintaining parcels large enough to sustain agricultural production, preventing conversion to non-agricultural uses, and prohibiting uses that are incompatible with long-term agricultural production or the rural character of the County's Coastal Zone. Preserve important soils, agricultural water sources, and forage to allow continued agricultural production on agricultural lands. (PC app. 01/24/11) <i>[Adapted from Unit II Ag Policy 1, p. 98, and CWP Goal AG-1, p. 2-157]</i></p> <p>Unit I Policy 30, pg. 35 C-AG-1 Agricultural Lands and Resources. <u>In order to preserve the maximum amount of pProtect agricultural land, protect important upland grassland feeding areas continued agricultural uses and the agricultural economy 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 APR 5 and APR 10 to encourage greater flexibility in the design of future land divisions within the area. by maintaining parcels large enough to sustain agricultural production, preventing conversion to non-agricultural uses, and prohibiting uses that are incompatible with</u></p>

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long-term agricultural production or the rural character of the County's Coastal Zone. 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-Preserve of important upland feeding areas, soils, agricultural water sources, and forage which are identified on the resource maps on file in the Maria County Planning Department. to allow continued agricultural production on agricultural lands.

Unit II Agriculture Policy I, p. 98

~~General policy. Marin County intends to protect the existing and future viability of agricultural lands in its coastal zone, in accordance with Sections 30241 and 30242 of the Coastal Act. 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.~~

C-AG-2 Coastal Agricultural Production Zone (C-APZ). Apply the Coastal Agricultural Production Zone (C-APZ) to preserve privately owned agricultural lands that are suitable for land-intensive or land-extensive agricultural productivity, that contain soils classified as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, or Grazing Land capable of supporting production agriculture, or that are currently zoned C-APZ. 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.

For the purposes of the C-APZ, the principal permitted use shall be agriculture, defined as uses 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 and forestry crops, substantially similar uses of an equivalent nature and intensity, uses that are accessory and incidental to, in support of, and compatible with the property's agricultural production, including one single-family dwelling per legal lot, up to two

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intergenerational homes, agricultural worker housing, limited agricultural product sales and processing, non-profit agricultural tours, agricultural homestay facilities and bed and breakfast inns.

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 the standards and criteria of Program C-AG-2.1.b and Policies C-AG-3.2 and -5.1.

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, as applicable, other LCP policies are applied.

(PC app. 01/24/11)

[Adapted from Unit II Agriculture Policies 2 and 3, p. 98 and CWP Program AG-1.g, p. 162]

[A ~~strike out~~ and underline version of the proposed policy and programs are not provided since the proposed policies are an adaptation of the concepts in the existing language and has been significantly rewritten]

**Unit I
Existing and Proposed Policy Comparison
Shoreline Protection and Hazard Areas**

Unit I Shoreline Protection and Hazard Areas	
Existing Policy	Proposed Policy
<p>Policy I, pg. 40 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>Policy Status The concepts of this policy have been carried forward to Policy C-EH-5 Ensure Safe new Blufftop Development and Implementing Programs C-EH-5.a and C-EH-5.b.</p>	<p>C-EH-5 Ensure Safe New Blufftop Development. Ensure that new blufftop development is safe from bluff retreat. New structures except as provided by C-EH-11 including accessory structures and infill development (i.e., new development between adjacent developed parcels) shall be set back from the bluff a sufficient distance, incorporating a factor of safety of at least 1.5, to ensure with reasonable certainty that they are not threatened from cliff retreat within their economic life (i.e., 100 years) and to eliminate the need for shoreline protective works. (PC app. 01/25/10) <i>[Adapted from Unit I Shoreline Protection and Hazards Policy 1, pp. 40-41]</i></p> <p>Program C-EH-5.a Determine Appropriate Setbacks for Blufftop Development. Amend the development code to require that the following formula be used to determine setbacks from the bluff for new structures: Setback (meters) = economic life of the structure (100 yrs.) X retreat rate (meters/yr.) X 1.5 (minimum factor of safety). The retreat rate (or long-term annual average erosion rate) shall be determined by a professional geotechnical investigation which shall to the extent feasible include an analysis of the risk of sea level rise. (PC app. 01/25/10) <i>[Adapted from Unit I Shoreline Protection and Hazards Policy 1, pp. 40-41]</i></p> <p>Program C-EH-5.b Require developers of blufftop parcels to investigate hazards. Amend the development code to require a complete geotechnical investigation if one of the following conditions is met: (1) the development site is located in stability zone 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 are incorporated by reference as part of the LCP), or (2) development is proposed on a blufftop parcel. The required geotechnical investigation shall address the entire site and describe the methodology used for determining setbacks. Analysis of bluff stability shall take into account the hazards associated with strong seismic shaking. (PC app. 03/16/09) <i>[Adapted, in part, from Unit I Shoreline Protection and Hazards Policy 1, final paragraph, p. 41]</i></p>

Unit I
Existing and Proposed Policy Comparison
Shoreline Protection and Hazard Areas

Unit I Shoreline Protection and Hazards Policy I, pg. 40

~~Ensure that New structure-blufftop development is safe from bluff retreat. New structures except as provided by C-EH-11 including accessory structures and infill development (i.e., new development between adjacent developed parcels) shall be set back from the Bolinas and Muir Beach bluffs a sufficient distance, incorporating a factor of safety of at least 1.5, to ensure with reasonable certainty that they are not threatened from cliff retreat within their economic life expectancies (i.e., 100 years) and 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.~~

~~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:~~

~~Setback (meters) = structure-economic life of the structure (100 yrs.) X retreat rate (meters/yr.) X 1.5 (minimum factor of safety). In areas where vigorous sliding is taking place, an additional 15 meters should be added as a safety factor.~~

~~The retreat rate (or long-term annual average erosion rate) will shall be determined by a professional complete geotechnical investigation which will shall be required if one or both of the following conditions are met: to the extent feasible include an analysis of the risk of sea level rise. The building or proposed A complete geotechnical investigation shall be required if one of the following conditions is met: (1) the 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"; (2) development is proposed on a blufftop parcel. The required geotechnical investigation shall address the entire site and describe the methodology used for determining setbacks. Analysis of bluff stability should take into account the hazards associated with strong seismic shaking.~~

Policy 2, pg. 41

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.

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.).

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<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 vicinity.</p> <p><u>Policy Status</u> The concepts of this policy have been carried forward to Policy C-EH-4 Seismic Hazard Standards.</p>	<p><i>[Unit I Shoreline Protection and Hazard Policy 2, p. 41]</i></p> <p><u>Unit I Shoreline Protection and Hazard Policy 2, p. 41</u> Development shall continue to be required to meet the seismic safety standards of the Alquist-Priolo Act (Calif. Public Resources Code Section 2621, et seq.) 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 vicinity.</p>
<p><u>Policy 3, pg. 41</u> 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><u>Policy Status</u> Staff recommends carrying this forward to Program C-EH-10.a Study Bluff Retreat.</p>	<p>C-EH-10.a Study bluff retreat. The County shall seek funds for a study to identify lots and/or structures threatened with cliff retreat within their economic life (100 years) and taking into account potential sea level rise. <i>[Adapted from Unit I Shoreline Protection and Hazards Policy 3, p. 41]</i></p> <p><u>Unit I Shoreline Protection and Hazards Policy 3, p. 41</u> The County shall seek public funds to contract with the State Division of Mines and Geology to initiate <u>for</u> a study to identify lots and/or structures threatened with cliff retreat within their economic life (100 years) and <u>taking into account potential sea level rise expectancy.</u> 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><u>Policy 4, pg. 41</u> 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>C-EH-2 Avoidance of Environmental Hazards. 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, or flood hazard areas, to demonstrate that:</p> <ol style="list-style-type: none"> 1. The area of construction is stable for development, 2. The development will not create a hazard or diminish the stability of the area, and 3. The development during its economic life (100 years) will not require the construction of shoreline protective devices. <p><i>[Adapted from Unit II Hazards Policy 5.a., p. 207]</i></p> <p><u>Unit II Policy 5.a., p. 207</u> <u>Hazards</u> a. C-EH-2 Avoidance of Environmental Hazards. Require An</p>

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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:

- Lands located in the "Alquist-Priolo" earthquake hazard zones, as said zones may be amended.
- Development within 300 feet of the mean high tide of the sea.
- Development on parcels with slopes averaging over 35 percent.
- All lots within the Seadrift sandspit to include the Patios, Calles and Seadrift Subdivision.

(Those lands covered by this "geologic hazards" policy are shown on the geologic hazard maps on file in the Marin County Planning Department)

Policy Status

The concepts of this policy is similar to Unit II Hazards policy addressing hazards and requiring applicants to accept liability, which have been carried forward to **Policy C-EH-2 Avoidance of Environmental Hazards** and **C-EH-3 Applicant's Assumption of Risk**.

applicants for development in ~~an~~ 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, or flood hazard areas, ~~shall be required to demonstrate that:~~

1. the area of construction is stable for development,
2. the development will not create a hazard or diminish the stability of the area, and
3. the development during its economic life (100 years) will not require the construction of shoreline 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.~~

C-EH-3 Applicant's Assumption of Risk. 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.

Unit II Policy 5.a., p. 207

- a. ~~An applicants for development in an areas 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.~~ **C-EH-3 Applicant's**

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	<p><u>Assumption of Risk. In addition, as a condition of coastal permit approval, for development in hazardous areas, require the applicant shall be required to sign record a waiver of liability 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.</u></p>
<p>Policy 5, pg. 42 The following policy from Section 30235 of the Coastal Act is incorporated into the County LCP: 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>Policy Status The concept of this policy is similar to Unit II Shoreline Structure Policies 1 and 2, p. 132, which has been carried forward to Policy C-EH-13 Shoreline Protective Devices. Therefore, this particular policy has been deleted.</p>	<p>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.</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"> 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 or beach nourishment, is practical or preferable. 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. <p><i>[Unit II Shoreline Structure Policies 1 and 2, p. 132]</i></p>

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Unit II Shoreline Structure Policies 1 and 2, p. 132

~~Shoreline protective works. The County discourages 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. 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:~~

- a. ~~The structure 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) coastal related use in a developed area, or to protect existing development or a public beaches, in danger from erosion.~~
- b. ~~No other non-structural alternative such as sand replenishment or beach nourishment, is practical or preferable.~~
- 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.~~
- 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.~~
- 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.~~
- 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.~~
- 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.~~

~~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.~~

Unit I Shoreline Protection and Hazards Policy 5, pg. 42

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	<p>The following policy from Section 30235 of the Coastal Act is incorporated into the County LCP: 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>Policy 6, pg. 42 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>Policy Status The concept of this policy has been incorporated into Policy C-EH-18 Re-Establishment of Dunes in Conjunction with Shoreline Protective Devices.</p>	<p>C-EH-18 Re-Establishment of Dunes in Conjunction with Shoreline Protective Devices. 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. <i>[Unit I Shoreline Protection and Hazard Policy 6, p. 42]</i></p> <p>Unit I Shoreline Protection and Hazard Policy 6, p. 42 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, <u>where feasible</u>. 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>Policy 7, pg. 42 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>Policy Status The concepts of this policy have been incorporated in Policy C-EH-20 Advance Planning for Emergency Shoreline Protection Needs.</p>	<p>C-EH-20 Advance Planning for Emergency Shoreline Protection Needs. 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. <i>[Unit I Shoreline Protection and Hazard Policy 8, p. 42]</i></p> <p>Unit I Shoreline Protection and Hazard Policy 7, pg. 42 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>

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<p><u>Policy 8, pg. 42</u> 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><u>Policy Status</u> The concepts of this policy have been incorporated in Policy C-EH-20 Advance Planning for Emergency Shoreline Protection Needs.</p>	<p>C-EH-20 Advance Planning for Emergency Shoreline Protection Needs. 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. <i>[Unit I Shoreline Protection and Hazard Policy 8, p. 42]</i></p> <p style="text-align: center;"><u>Unit I Shoreline Protection and Hazard Policy 8, p. 42</u> 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><u>Policy 9, pg. 43</u> 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><u>Policy Status</u> This policy has been carried to Program C-EH-21.a Proper Engineering of Emergency Shoreline Protective Devices.</p>	<p>Program C-EH-21.a Proper Engineering of Emergency Shoreline Protective Devices. Insofar as time allows and based on the nature of the emergency, emergency permit applications for shoreline protective devices shall be accompanied by an engineering report as described in Implementing Program C-EH-13.a. 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) an analysis of alternatives, including the “no action” alternative. Emergency shoreline protective devices shall be approved on a temporary basis only, and removal of the shoreline protective device shall be required unless a coastal permit is approved for its retention. <i>[Adapted from Unit I Shoreline Protection and Hazard Policy 9, p. 43]</i></p> <p style="text-align: center;"><u>Unit I Shoreline Protection and Hazard Policy 9, pg. 43</u> 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</p>

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	<p>report requirement or shall specifically establish why the need for such protective devices was not foreseen.</p>
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Unit I Public Services	
Existing Policy	Proposed Policy
General	
<p><u>Policy 1, pg. 48</u> 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><u>Policy Status</u> This policy has been carried forward with modifications to Policy C-PFS-1, Adequate Services.</p>	<p>C-PFS-1 Adequate Services. Ensure that adequate services e.g., water supply, sewage disposal, and transportation, including public transit as well as road access and capacity if appropriate) are available prior to approving new development, including land divisions. Lack of available services shall be grounds for denial of the project or for a reduction in the density otherwise indicated in the land use plan. <i>[Adapted from Unit II Public Services Policy 1, p. 187 and CWP Goal PFS-1, p. 3-198]</i></p> <p><u>Unit II Public Services Policy 1, p. 187</u> 1. 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, Ensure that adequate public services and resources (i.e. e.g. water supply, sewage disposal, and transportation, including public transit and as well as road access and capacity if appropriate) are available to serve the proposed prior to approving new 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.</p> <p><u>Marin Countywide Plan Goal PFS-1, p. 3-198</u> Adequate Public Facilities and Services. Provide basic public facilities to accommodate the level of development planned by cities and towns and the County. Ensure that adequate public services and resources (e.g., water supply, sewage disposal, and transportation, including public transit as well as road access and capacity if appropriate) are available prior to approving new development, including land divisions. 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.</p>
<p><u>Policy 2, pg. 48</u> 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><u>Policy Status</u> The land use maps do not provide for industrial and energy facilities. This policy</p>	<p>n/a</p>

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<p>has not been carried forward.</p>	
<p>Water Supply</p>	
<p>Policy 3, pg. 48 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>Policy Status This policy has been carried forward to Policy C-PFS-14, Ensure Adequacy of Water Supply Within Water System Service Areas.</p>	<p>C-PFS-14 Ensure 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:</p> <ol style="list-style-type: none"> 1. For agricultural or horticultural use if allowed by the water system operators. 2. The community or mutual water system is unable or unwilling to provide service; or, 3. The physical distribution improvements are economically or physically infeasible to extend to the proposed project site. <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 <i>[Adapted from Unit I Public Services Policy 3, p. 48, and Unit II, Public Services Policy 2.a, p. 187]</i></p> <p style="text-align: center;">Unit I Public Services Policy 3, pg. 48 C-PFS-14 Ensure Adequacy of Water Supply Within Water System Service Areas. Ensure that new development within the a water system service area of a community or mutual system the use of individual domestic water wells to serve new construction shall be permitted provided: 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: a. For agricultural or horticultural use if allowed by the water system operators. a) b. The community or mutual system is unable or unwilling to provide service, or, b) the physical distribution system improvements are economically or physically and/or economically unfeasible infeasible to construct 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.</p> <p style="text-align: center;"><u>The exceptions specified in 1., 2., or 3. shall not be granted because of a water shortage that is caused by periodic drought.</u></p>

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	<p>Unit II Public Services Policy 2.a, 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. C-PFS-14 Adequacy of Water Supply Within Water System Service Areas. Ensure that new development w<u>Within the a water system service area of a community or mutual water system,</u> is served with adequate, safe water supplies. Prohibit development the use of individual domestic water wells or other individual water sources to serve for new development, <u>shall be permitted provided including land divisions, on lots in areas served or within the boundaries of a public or private water system, with the following exceptions:</u></p> <ol style="list-style-type: none"> <u>1. For agricultural or horticultural use if allowed by the water system operators.</u> <u>2.a) ¶The community or mutual water system is unable or unwilling to provide service; or,</u> <u>3.b) ¶The physical distribution improvements are economically or physically infeasible to extend to the proposed project site.</u> <p><u>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. 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 water fixtures and other water-saving devices.</u></p>
<p>Policy 4, pg. 48 New community and mutual water wells serving five or more parcels shall demonstrate by professional engineering studies, including, as necessary, long-term</p>	<p>C-PFS-13 New Water Sources Serving Five or More Parcels. Require that coastal permit applications for new water wells or other sources serving 5 or more parcels demonstrate by professional engineering or other studies, including as</p>

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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.

Policy Status

This policy has been carried forward to policy **C-PFS-13** New Water Sources Serving Five or More Parcels.

necessary, long-term monitoring programs, in-stream flow studies, or hydrologic studies, that such groundwater or stream withdrawals will not have adverse direct or cumulative impacts on coastal resources, including groundwater basins, aquifers, and streams. 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.

[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]

Unit I Public Services Policy 3, pg. 48

C-PFS-13 New Water Sources Serving Five or More Parcels. Require that coastal permit applications for New community and mutual water wells serving five-5 or more parcels shall demonstrate by professional engineering or other studies, including, as necessary, long-term monitoring programs, in-stream flow studies, or hydrologic studies, that such groundwater or stream withdrawal will not have adversely direct or cumulative impacts on affect coastal resources, including groundwater basins, aquifers, and streams. Such engineering studies shall provide the basis for of establishing safe sustained yields from these sources wells. 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.

Unit II Public Services Policy 2.a, p. 187

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 **C-PFS-13 New Water Sources Serving Five or More Parcels. Require that cCoastal pPermit- applications for new water wells or other sources serving 5 or more parcels demonstrate by professional engineering or other studies, including as necessary, long-term monitoring programs, in-stream flow studies, or hydrologic studies, that such groundwater or stream withdrawals will not have adverse direct or cumulative impacts on coastal resources, including groundwater basins, aquifers, and streams. Such studies shall provide the basis for establishing safe sustained yields from these sources. 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**

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	<p>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 water fixtures and other water-saving devices.</p> <p>Unit II Public Services Policy 2.e.3, p. 189</p> <p>e. Development standards for wells and other sources.</p> <p>(3) Community sources. C-PFS-13 New Water Sources Serving Five or More Parcels. Require that coastal permit applications for nNew community or mutual water wells or other sources serving 5 or more parcels shall demonstrate by professional engineering or other studies studies, including as necessary, long-term monitoring programs, <u>in-stream flow studies, or hydrologic studies</u>, that such groundwater or stream withdrawals will not <u>have adversely affect direct or cumulative impacts on</u> coastal resources, including groundwater basins, aquifers, and streams. Such engineering studies shall provide the basis for establishing safe sustained yields from these sources. <u>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.</u></p>
<p>Policy 5, pg. 48</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>Policy Status</p>	<p>C-PFS-16 Standards for Water Supply Wells and Other Water Sources.</p> <ol style="list-style-type: none"> 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.

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Carried forward to policy **C-PFS-16** Standards for Water Supply Wells and Other Water Sources.

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 and variance chapters 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.
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. 07/29/10)

[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. 22.56.1301A]

Unit I Public Services Policy 5, p. 48

~~Prior to the authorization of subdivision or construction of projects utilizing~~

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, the applicant Community Development Agency shall require on-site tests that demonstrate that a sustained water yield pumping rate, or equivalent, of at least 1.5 gallons per minute gpm per for each residential unit or subdivided parcel. Additional requirements for fire protection, including increased Higher yields rates, water storage and other facilities and fire hydrants shall be installed may be required for fire protection purposes, as recommended by the applicable fire protection agency.~~
2. ~~The well 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.~~
3. ~~The well shall not have adverse direct or cumulative impacts on coastal resources.~~
4. ~~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 required by the coastal permitting and variance chapters of the Development Code, 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.~~

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5. 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.

Unit II Public Services Policy 2.a, p. 187

~~2. 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. In areas where individual water wells or other individual domestic water sources are permitted, the Community Development Agency shall 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.~~

~~b. The well 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.~~

~~c. The well shall not have adverse direct or cumulative impacts on coastal resources.~~

~~d. 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 required by the coastal permitting and variance chapters 22.56 and 22.86 of the Development Code, 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.~~

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e. 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 water fixtures and other watersaving devices.~~

Unit II Public Services Policy 2.e(2), p. 189

~~2. Water supply.~~

~~e. Development standards for wells and other sources.~~

~~(2) Individual sources.~~

1. In areas where individual water wells or other individual domestic water sources are permitted, the applicant shall demonstrate from on-site tests that ~~demonstrate~~ a sustained ~~water yield pumping rate, or equivalent,~~ of at least 1.5 gpm ~~per~~ for each residential unit ~~or subdivided parcel is available prior to the issuance of a building permit or tentative map.~~ Higher yields, storage and other facilities may be required for fire protection purposes, as recommended by the appropriate fire protection agency.
2. The well 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.
3. The well shall not have adverse direct or cumulative impacts on coastal resources.
4. 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 required by the coastal permitting and variance chapters of the Development Code, 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.
5. 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.

Policy 6, pg. 48

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

C-PFS-4 High-Priority Visitor-Serving Land Uses.

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 in the system to serve VCR-zoned property and other visitor-serving uses.

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<p>core.</p> <p><u>Policy Status</u> The concept of this policy has been carried forward to C-PFS-4 High-Priority Visitor-Serving Land Uses.</p>	<p><u>Unit I Policy 6, pg. 48</u> <u>C-PFS-4 High-Priority Visitor-Serving Land Uses.</u> In acting on any coastal project permit for expansion or enlargement of community the water or community sewage treatment facilities of the Bolinas Public Utility District, the County shall determine that adequate water treatment capacity is guaranteed from the expanded facilities available in the system to serve VCR-zoned property in the village core and other visitor-serving uses.</p>
<p>Septic System Standards</p>	
<p><u>Policy 7, pg. 48</u> 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><u>Policy Status</u> Carried forward with adaptations to policy C-PFS-9 Require Sewage Disposal Systems to Meet Applicable Requirements.</p>	<p><u>C-PFS-9 Require Sewage Disposal Systems to Meet Applicable Requirements.</u> Require sewage disposal systems to meet all Regional Water Quality Control Board rules and regulations that are currently in effect, unless that Board approves a waiver from those rules and regulations. Require all sewage disposal systems on newly created lots to comply in all respects, without variance, with applicable regulations. <i>[Adapted from Unit I Public Services Policies 7 and 9, p. 48-49, and County Regulations Sec. 301]</i></p> <p><u>Unit I Septic System Standards Policy 7, p. 48</u> <u>C-PFS-9 Require Sewage Disposal Systems to Meet Applicable Requirements.</u> 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 Require sewage disposal systems to meet all Regional Water Quality Control Board on April 17, 1979 rules and regulations that are currently in effect, unless that Board approves a waiver from those rules and regulations.. 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. <u>Require all sewage disposal systems on newly created lots to comply in all respects, without variance, with applicable regulations.</u></p> <p><u>Unit I Septic Systems Standards Policy 9, p. 49</u> <u>C-PFS-9 Require Sewage Disposal Systems to Meet Applicable Requirements.</u> 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 Require sewage</p>

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	<p><u>disposal systems to meet all Regional Water Quality Control Board Guidelines or such other program and standards approved by the Board shall be installed. rules and regulations that are currently in effect, unless that Board approves a waiver from those rules and regulations. Require all sewage disposal systems on newly created lots to comply in all respects, without variance, with applicable regulations.</u></p>
<p><u>Policy 8, pg. 49</u> 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><u>Policy Status</u> The concept of this policy has been carried forward to policy C-PFS-11 Alternative On-Site Sewage Disposal Systems.</p>	<p>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.</p> <p>Approval of an alternative system shall require, at a minimum:</p> <ol style="list-style-type: none"> 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 the 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 in order to periodically assess system functioning. <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 the discretion to exempt from the operating permit requirement alternative systems installed solely for the repair of existing systems.</p> <p><i>[Adapted from Unit I Public Services Policy 8, p. 49, and County Regulations Sections 801, 802, and 803]</i></p> <p><u>Unit I Policy 8, pg. 49</u> <u>C-PFS-11 Alternative On-Site Sewage Disposal Systems.</u> Approve <u>Alternate</u> ive on-site sewage waste disposal systems shall be approved only where a public entity the County Health Officer or designee has formally assumed responsibility for inspecting, monitoring and enforcing determines that the maintenance of the system in accordance with criteria adopted by the Regional Water Quality Control Board. <u>(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.</u></p>

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<p><u>Policy 9, pg. 49</u> 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><u>Policy Status</u> This policy has been carried forward with adaptations to policy C-PFS-8 Sewage Disposal Systems Requirements for New Lots.</p>	<p>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 regulations. <i>[Adapted from Unit I Public Services Policies 7 and 9, pp. 48-49, and County Regulations Sec. 301]</i></p> <p><u>Unit I Septic Systems Standards Policy 9, p. 49</u> C-PFS-8 Sewage Disposal Systems Requirements for New Lots. 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 <u>Require sewage disposal systems to meet all Regional Water Quality Control Board Guidelines or such other program and standards approved by the Board shall be installed. rules and regulations that are currently in effect, unless that Board approves a waiver from those rules and regulations. Require all sewage disposal systems on newly created lots to comply in all respects, without variance, with applicable regulations.</u></p>
<p><u>Policy 10, pg. 49</u> 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><u>Policy Status</u> This policy has been carried forward to policy C-PFS-17 Conservation of Water.</p>	<p>C-PFS-17 Conservation of Water. In order to minimize the generation of wastewater and to encourage the conservation of Coastal water resources, require the use of water saving devices as prescribed by the local water provider in all new developments. <i>[Adapted from Unit I Public Services Policy 10, p. 49] [Note – may combine with C-PFS-8]</i></p> <p><u>Unit I Policy 10, pg. 49</u> C-PFS-17 Conservation of Water. <u>In order to minimize the generation of wastewater and to encourage the conservation of Coastal water resources, require the use of water saving devices as prescribed by the local water provider shall be required in all new developments.</u></p>
<p><u>Policy 11, pg. 49</u> 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><u>Policy Status</u> This policy has been carried forward to Program C-PFS-10.a Continue Stinson Beach Water Quality Monitoring Program.</p>	<p>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. <i>[Adapted from Unit I Public Services Policy 11, p. 49]</i></p> <p><u>Unit I Public Services Policy 11, pg. 49</u> Program C-PFS-10.a Continue Stinson Beach Water Quality Monitoring Program. <u>Support the existing water quality monitoring agreement between program conducted by the North Central Coast</u></p>

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	<p>Regional Commission, the Stinson Beach County Water District, and the consistent with the agreement with the Regional Water Quality Control Board, and conducted by the Water District, shall be continued.</p>
<p>Bolinas Sewage Disposal System</p>	
<p><u>Policy 12, pg. 49</u> 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><u>Policy Status</u> This policy has been carried forward to C-PFS-4 High Priority Visitor-Serving Land Uses.</p>	<p>C-PFS-4 High-Priority Visitor-Serving Land Uses. 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 in the system to serve VCR-zoned property and other visitor-serving uses. <i>[Adapted from Unit I Public Services Policies 6 and 12, pp. 48-49]</i></p> <p><u>Unit I Policy 12, pg. 49</u> C-PFS-4 High-Priority Visitor-Serving Land Uses. In acting on any coastal project permit for the extension or enlargement of the <u>community water or community sewer treatment facilities</u>, 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 and other visitor-serving uses.</p>
<p>Transportation</p>	
<p><u>Policy 13, pg. 49</u> 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:</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <p><u>Policy Status</u> This policy is similar to the concepts in Unit II Public Services policy 4.a p. 191, which has been carried forward to C-TR-2 Scenic Quality of Highway One.</p>	<p>C-TR-2 Scenic Quality of Highway One. Ensure that Highway One shall remain a scenic two-lane roadway. Ensure that improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway 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 turnouts, as a safety and convenience improvement; and other minor improvements necessary to adequately accommodate public transit. Avoid incursions and other adverse impacts in Stream Conservation and Wetland Conservation Areas. These improvements shall limit the site alterations to the minimum amount necessary to carry out the project and minimize environmental impacts. <i>[Adapted from Unit II Public Services Policy 4.a, p. 191]</i></p> <p><u>Unit II Public Services Policy 4.a, p. 191</u> <u>Transportation and road capacity</u> a. Highway 1. C-TR-2 Scenic Quality of Highway One. Highway 1 provides an important and limited access route to the coastal zone. As required by the Coastal Act, Ensure that Highway 1 <u>One</u> shall remain a scenic two-lane roadway. <u>Ensure that</u> improvements shall not, either individually or cumulatively, detract from the rural scenic characteristics of the highway and , beyond repair and</p>

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	<p>maintenance, shall be limited to the following minor projects <u>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 consistent with the goals of this policy, provided that no filling of streams or wetlands occurs. Avoid incursions and other adverse impacts in Stream Conservation and Wetland Conservation Areas. These improvements shall limit the site alterations to the minimum amount necessary to carry out the project and minimize environmental impacts.</u></p>
<p><u>Policy 14, pg. 49</u> 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.</p> <p><u>Policy Status</u> Staff does not recommend carrying this policy forward; however, the concept to support and provide adequate and affordable public transportation to the coastal zone has been carried forward to policies C-TR-10 and C-TR-11</p>	<p>C-TR-10 Provide 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. <i>[Adapted from CWP Goal TR-3, p. 3-162]</i></p> <p>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 recreational automobile travel to recreational areas in the Coastal Zone. <i>[Adapted from CWP Policy TR-3.6, p. 3-163]</i></p> <p><i>[A strike out and <u>underline</u> version of the proposed policy and programs are not provided since the proposed policies are an adaptation of the concepts in the existing language and has been significantly rewritten]</i></p>

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<p>Policy 15, pg. 64 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> <p>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.</p> <p>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.</p> <p>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.</p> <p>Policy Status The concept of this policy has been carried forward, adapted, and divided among policies C-HAR-4, C-HAR-6, C-HAR-7, and C-HAR-8.</p>	<p>C-HAR-4 Structures of Special Character and Visitor Appeal. Preserve and restore structures with special character and visitor appeal in coastal communities. <i>[Adapted from Unit I New Development and Land Use Policy 16(as amended),, p. 64]</i></p> <p>C-HAR-6 Alterations and Additions to Structures of Special Character and Visitor Appeal. 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. <i>[Adapted from Unit I New Development and Land Use Policies 15 p. 64 (as amended) and Unit II New Development and Land Use Policy 1.a.(2), p. 206]</i></p> <p>C-HAR-7 Proposed Demolition of Structures of Special Character and Visitor Appeal. 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. <i>[Adapted from Unit II New Development and Land Use Policy 1.a.(3), p. 206]</i></p> <p>C-HAR-8 Villages That Have Special Character and Visitor Appeal. Ensure that within mapped areas having special character and visitor appeal, including historic areas, in Stinson Beach, Bolinas, Tomales, Marshall, Point Reyes Station, Olema, and Inverness all new construction conforms in scale, design,</p>

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	<p>materials and texture with the surrounding community character. <i>[Adapted from Unit I New Development Policies 15, 16, and 17 (as amended) and Unit II New Development and Land Use Policy 1.a.(1), p. 206]</i></p>
<p><u>Policy 16, pg. 64</u> 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"> a. The “design Guidelines For Construction in Historic Areas and For Pre-1930 Structures” and, b. The “Historic Review Checklist,” both located in Appendix F of the Unit I LCP. <p><u>Policy Status</u> The concept of this policy has been carried forward to policy C-HAR-5 Proposed Development that Affects Areas and Structures of Special Character and Visitor Appeal.</p>	<p>C-HAR-5 Proposed Development that Affects Areas and Structures of Special Character and Visitor Appeal. Review all coastal project 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"> 1. The "Design Guidelines for Construction in Areas of Special Character and Visitor Appeal and for pre-1930 Structures" and, 2. The "Coastal Village Community Character Review Checklist", both located in the Appendix of the Local Coastal Program. <p><i>[Adapted from Unit I New Development and Land Use Policy 16 (as amended), p. 64]</i></p> <p><u>Unit I Policy 16, pg. 64</u> C-HAR-5 Proposed Development that Affects Areas and Structures of Special Character and Visitor Appeal. Review aAll coastal pProject pPermits for projects <u>that (1) are located within the boundaries of an those historic areas; designated as having special character and visitor appeal, including historic areas, and (2) and for projects involvge pre-1930 buildings, shall be reviewed in accordance with to conform to:</u></p> <ol style="list-style-type: none"> a. <u>1. The “dDesign Guidelines Ffor Construction in-Historic Areas of Special Character and Visitor Appeal and Ffor Ppre-1930 Structures” and,</u> b.—The “<u>Coastal Village Community Character Historic-Review Checklist,” both located in Appendix-F-of the Unit-I-LCP Local Coastal Program-</u>
<p><u>Policy 17, pg. 64</u> All Coastal Project Permits for historic structures shall be revised by established local planning or design review groups, where these groups exist.</p> <p><u>Policy Status</u> The concept of this policy has been carried forward and adapted to policy C-HAR-8 Villages That Have Special Character and Visitor Appeal.</p>	<p>C-HAR-8 Villages That Have Special Character and Visitor Appeal. Ensure that within areas having special character and visitor appeal, including historic areas, as mapped in Stinson Beach, Bolinas, Tomales, Marshall, Point Reyes Station, Olema, and Inverness all new construction conforms in scale, design, materials and texture with the surrounding community character.</p> <p><u>Unit I Policy 17, pg. 64</u> C-HAR-8 Villages That Have Special Character and Visitor Appeal. <u>Ensure that within areas having special character and visitor appeal, including historic areas, as mapped in Stinson Beach, Bolinas, Tomales, Marshall, Point Reyes Station, Olema, and Inverness aAll Coastal Project Permits for historic structures shall be revised by established local planning</u></p>

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	<p>or design review groups, where these groups exist. new construction conforms in scale, design, materials and texture with the surrounding community character.</p>
<p>Archaeological Resources</p>	
<p><u>Policy 18, pg. 64</u> 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><u>Policy Status</u> The concept of this policy is similar to Unit II New Development Policy 2.a., p. 206, which has been carried forward to policy C-HAR-I Maintenance of Information on Archaeological and Paleontological Resources.</p>	<p>C-HAR-I Maintenance of Information on Archaeological and Paleontological Resources. 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. <i>[Unit II New Development and Land Use Policy 2.a., p. 206]</i></p> <p style="text-align: center;"><u>Unit II New Development and Land Use Policy 2.a, p. 206</u> The County shall maintain a file on known and suspected archaeological and paleontological sites in the coastal zone, in cooperation with the area clearinghouse, <u>for use in carrying out Policy C-HAR-2.</u> 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 Northwest Information Center (NWIC). The file shall be kept confidential in order to prevent vandalism of sites.</p>
<p><u>Policy 19, pg. 64</u> 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><u>Policy Status</u> The concept of this policy is similar to Unit II New Development Policy 2.b., p. 206, which has been carried forward to policy C-HAR-2 Potential Impacts of Development on Archaeological and Paleontological Resources.</p>	<p>C-HAR-2 Potential Impacts of Development on Archaeological and Paleontological Resources. 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 reasonable mitigation measures, including avoidance and permanent protection as open space, if feasible, as recommended in the field survey. <i>[Adapted from Unit II New Development and Land Use Policy 2.b., p. 206a and Countywide Plan Programs HAR-1.d and HAR-1.3]</i></p> <p style="text-align: center;"><u>Unit II New Development and Land Use Policy 2.b, p. 206</u> <u>C-HAR-2 Potential Impacts of Development on Archaeological and Paleontological Resources.</u> Prior to the approval of any a coastal project <u>permit for any</u> development proposed within an area of known or suspected <u>likely</u> archaeological or paleontological significance, <u>including</u></p>

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	<p><u>sites identified in the file described in Policy C-HAR-1., the County shall 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 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 mitigation measures shall be required, including avoidance and permanent protection as open space, if feasible, as recommended in the field survey.</u></p>
<p>Policy 20, pg. 65 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>Policy Status The concept of this policy is similar to Unit II New Development Policy 2.b., p. 206, which has been carried forward to policy C-HAR-2 Potential Impacts of Development on Archaeological and Paleontological Resources.</p>	<p>See Existing Policy 19, pg. 64 above.</p>
<p>Visual Resources</p>	
<p>Policy 21, pg. 65 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"> • 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. • 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 1 or Panoramic Highway 	<p>C-DES-4 Limited height of new structures. Limit all new construction to a maximum height of twenty-five (25) feet with the following exceptions:</p> <ol style="list-style-type: none"> 1. In the Highlands neighborhood of Stinson Beach, the maximum height shall be no more than seventeen (17) feet. 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 (<i>see also Environmental Hazards Policy C-EH-11: In the Flood Velocity Zone at Seadrift, Accommodate Minimum Floor Elevations as Required by FEMA</i>) 3. On the shoreline of Tomales Bay, the maximum height shall be fifteen (15) feet. (See also Community Development Policy C-CD-6: Standards for Development on the Shoreline of Tomales Bay)

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<p><u>Policy Status</u> The policy has been carried forward and modified to Policy C-DES-4 Limited Height of New Structures.</p>	<p><i>[Unit I New Development and Land Use Policy 21, p.65]</i></p> <p><u>Unit I New Development and Land Use Policy 21, p. 65</u> 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: <u>C-DES-4 Limited height of new structures.</u></p> <ul style="list-style-type: none"> • All new construction in Bolinas, Stinson Beach and Muir Beach shall be limited to a maximum height of Limit all new construction to a <u>maximum height of twenty-five (25) feet with the following exceptions:</u> except that <u>1. In the Highlands neighborhood of Stinson Beach, the maximum height shall be no more than seventeen (17) feet;</u> <u>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 Environmental Hazards C-EH-8 In the Flood Velocity Zone at Seadrift, Accommodate Minimum Floor Elevations as Required by FEMA) and in the Seadrift section of Stinson Beach;</u> <u>3. On the shoreline of Tomales Bay, the maximum height shall not exceed be fifteen (15) feet.</u> • 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 1 or Panoramic Highway.
<p>Housing</p> <p><u>Policy 22, pg. 66</u> 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"> • The structure poses an immediate and established health or safety hazard; or • 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 • Such demolition coupled with subsequent reconstruction would provide replacement housing of comparable rental value either on site or within the immediate coastal zone area. <p><u>Policy Status</u> The policy has been carried forward with modifications to C-HS-I Protection of Existing Affordable Housing.</p>	<p>C-HS-I Protection of Existing Affordable Housing. Continue to protect and provide affordable housing opportunities for very low, low, and moderate income households. Prohibit the demolition of existing deed restricted very low, low, and moderate income housing except when:</p> <ol style="list-style-type: none"> 1. Demolition is necessary for health and safety reasons; or 2. The costs of rehabilitation would be prohibitively expensive and impact the affordability of homes for very low, low and moderate income households. 3. The 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. <p><i>[Adapted from Unit I New Development and Land Use Policy 22 pg. 66, and Unit II Policy 4, pg. 207]</i></p> <p><u>Unit I New Development and Land Use Policy 22, pg. 66</u> <u>C-HS-I Protection of Existing Affordable Housing.</u> Continue in order to protect and provide housing opportunities for persons of very low, low,</p>

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and moderate income households. (as defined by "HUD" Guidelines), as well as preserve the existing character of coastal villages, Prohibit the demolition of existing structures deed restricted very low, low, and moderate income housing except providing such housing opportunities shall be demolished only when:

- 1. The structure poses an immediate and established Demolition is necessary for health or and safety hazard reasons; or
- 2. 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.); The costs of rehabilitation would be prohibitively expensive and impact the affordability of homes for very low, low and moderate income households, and
- 3. Such demolition The units to be demolished coupled with subsequent reconstruction would provide replacement housing are replaced on a one-for-one basis with units of comparable rental value either on site or within the immediate coastal zone area.

Unit II New Development and Land Use Policy 4, p. 207

4. Housing. C-HS-I Protection of Existing Affordable Housing.

Continue to The County of Marin strongly encourages the protection and provide affordable provision of housing opportunities for very low, in its coastal zone for persons of low, and moderate income households. Prohibit the demolition of existing deed restricted very low, low, and moderate income housing except when: (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. 1. The demolition of existing low and moderate income housing shall be permitted only when such demolition is necessary for health and safety reasons; or ,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 costs of rehabilitation would result in housing costs which would not be affordable to low and moderate households; and 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

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	<p style="text-align: center;">reconsidered if and when a community sewer is installed</p> <p>c. The 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. 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>Policy 23, pg. 66 Housing assistance programs that provide moderate-cost housing opportunities in existing units shall continue to be administered in the coastal zone.</p> <p>Policy Status 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.</p>	<p>n/a</p>
<p>Grading</p>	
<p>Policy 24, pg. 66 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>Policy Status The concept of this policy is similar to Unit II New Development and Land Use Watershed and Water Quality Protection Policy 6.a., p. 208, which has been carried forward to Policy C-WR-4 Grading and Vegetation Removal.</p>	<p>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. <i>[Unit II New Development and Land Use Watershed and Water Quality Protection/Grading Policy 6.a, p. 208]</i></p> <p>Unit II New Development and Land Use, Policy 6.a, pg. 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.</p> <p>a. C-WR-4 Grading and Vegetation Removal. Design Development shall be designed to fit a site's topography, soils, geology, hydrology, and any other existing conditions. and be oriented 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</p>

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	<p>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 <u>undeveloped</u>.</p>
<p>Policy 25, pg. 66 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>Policy Status The concept of this policy is similar to Unit II New Development and Land Use Watershed and Water Quality Protection Policy 6.b., p. 208, which has been carried forward to Policy C-WR-6 Soil Exposure</p>	<p>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. <i>[Adapted from Unit II New Development and Land Use Policy 6.b., p. 208]</i></p> <p>Unit II New Development and Land Use Policy 6(b) p. 208 b.—C-WR-6 Soil Exposure.-Allow any For necessary grading operations, <u>only such that</u> 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. <u>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.</u> 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.</p>
<p>Policy 26, pg. 66 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"> • 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. • 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- 	<p>C-WR-3 Storm Water Runoff. 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 runoff rate from the project site for a storm of up to 100-year intensity does not exceed the runoff rate from the site in its pre-project (existing) state. Where a drainage problem unrelated to a proposed project already exists, the Department of Public Works should encourage the project applicant and neighboring property owners to develop a solution. <i>[Adapted from Unit I New Development and Land Use Policy #26, paragraph 3 (p. 67)]</i></p> <p>Program C-WR-3.a Require Drainage Plans. Coastal permit applications for development that would alter the land or drainage patterns shall be accompanied by a preliminary drainage plan, where appropriate as determined by the Department of Public Works that shows existing and</p>

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site gullyng 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.

- 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.
- 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.
- Where topsoil is removed by grading operations, it shall be stock-piled for reuse and shall be protected from compaction and wind or erosion during stockpiling.
- All debris shall be removed from the site upon the completion of the project.
- Permit applications for grading which involve cut slopes in excess of 8 feet or fill in excess of 5 feet shall include a report from a registered soils or civil engineer.

Policy Status

The concepts in this policy were adapted and divided among **Policy C-WR-3, Program C-WR-3.a, Policy C-WR-5, Policy C-WR-7, Policy C-WR-8, and Policy C-WR-9.**

proposed drainage for the site, structures, driveway, and other improvements. The plan must indicate the direction, path, and method of water dispersal for existing and proposed drainage channels or facilities. The drainage plan must also indicate existing and proposed areas of impervious surfaces. Hydrologic calculations may be required to determine whether there would be any additional surface run-off resulting from the development.

C-WR-5 Cut and Fill Slopes. Design cut and fill slopes so that they are no steeper than is safe for the subject material or necessary for the intended use. A geotechnical report may be required.

(PC app. 03/16/09)

[Marin County Code 24.04.640]

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.

[Adapted from Unit II New Development and Land Use Policy 6.b., p. 208 and from Dev Code 22.70.070.C.3. and Marin County Code 24.04.625]

C-WR-8 Disturbed Soils. Use temporary vegetation, hydroseeding with non-invasive native seeds, seeding, 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.

[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.

[Unit II, New Development and Land Use Policy 6.e., p. 209]

[A ~~strike out~~ and underline version of the proposed policy and programs are not provided since the proposed policies are an adaptation of the concepts in the existing language and has been significantly rewritten]

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Existing Policy	Proposed Policy
Muir Beach	
<p><u>Policy 27, pg. 79</u> Redesignate residential lot size of parcels along Redwood Creek from 10,000 square feet to 1 acre minimum lot size. (See also Policy 11-8)</p> <p><u>Policy Status</u> The recommended rezonings have been implemented via Ordinance 2638. Parcels 199-191-12 & 13, 199-192-10, 11, 12, 13 and 17-20; 199-213-05; 199-212-02,12, and 15; 199-211-02 were all rezoned from R-A:B-2 to C-R-A:B-4.</p>	n/a
<p><u>Policy 28, pg. 79</u> Make no LCP recommendation for agricultural lands of over 60 acres. (See also Policy II - 29)</p> <p><u>Policy Status</u> This policy forward since it is no longer relevant.</p>	n/a
Stinson Beach (excluding Seadrift)	
<p><u>Policy 29, pg. 79</u> 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><u>Policy Status</u> The policy was mistakenly left out of the draft document. New language is proposed.</p>	Staff note: see proposed changes to draft document for new language.
<p><u>Policy 30, pg. 79</u> 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</p>	n/a

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<p>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><u>Policy Status</u> Staff does not recommend carrying this policy forward because the rezonings have been implemented.</p>	
<p><u>Policy 31, pg. 8</u> 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><u>Policy Status</u> This area appears to be part of the Area of Deferred Certification. This language has not been carried forward. These areas are still zoned R-1.</p>	n/a
<p><u>Policy 32, pg. 8</u> The properties presently zoned R-1 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</p> <p><u>Policy Status</u> All of the seaward parcels on Mira Vista that were zoned R-1 have been rezoned via Ordinance 2638 to C-RSP-2.0. This policy has been implemented and has not been carried forward. 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</p>	n/a
<p><u>Seadrift</u></p>	
<p><u>Policy 33, pg. 80</u> <u>Access program.</u> The access program for the land and water surrounding the Seadrift subdivision consists of two separate sub-elements.</p> <p><u>Ocean Beach Access.</u> 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</p>	n/a

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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 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

This policy, plus Unit I Public Access Policy #13, p. 9 address public access at Seadrift; these policies were both essentially replaced by the Seadrift Settlement Agreement; we need to decide how to incorporate the terms of that agreement into the LCP

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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.

Policy Status

This policy has been carried forward into policy **C-PFS-10** and program **C-PFS-11.a.**

C-PFS-10 Ensure that Existing Development is Adequately Served by On-Site Sewage Disposal Systems.

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:

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

[New policy, not in Unit I or II; adapted from County Regulations Sec. 304]

C-PFS-10.a Continue Stinson Beach Water Quality Monitoring Program.

Continue in effect 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.

[Adapted from Unit I Public Services Policy 11, p. 49]

Unit I Public Services Policy 11, p. 49

Program C-PFS-10.a Continue Stinson Beach Water Quality Monitoring Program.

~~Support the existing water quality monitoring agreement between the North Central Coast Regional Commission, program conducted by the Stinson Beach County Water District, and consistent with the agreement with 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.~~

Policy 35, pg. 81

Visual Resources. Height of new construction at Seadrift shall be restricted to one story. (See Also Policy IV-21.)

Policy Status

This policy is similar to the requirements contained in New Development and Land Use policy 21, p. 65, which has been carried forward to **C-DES-4.**

C-DES-4 Limited Height of New Structures. Limit all new construction to a maximum height of twenty-five (25) feet with the following exceptions:

1. In the Highlands neighborhood of Stinson Beach, the maximum height shall be no more than seventeen (17) feet.
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 Environmental Hazards Policy C-EH-11: In the Flood Velocity*

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	<p><i>Zone at Seadrift, Accommodate Minimum Floor Elevations as Required by FEMA)</i></p> <p>3. On the shoreline of Tomales Bay, the maximum height shall be fifteen (15) feet. (See also Community Development Policy C-CD-6: Standards for Development on the Shoreline of Tomales Bay)</p> <p><i>[Adapted from Unit I New Development and Land Use Policy 21, p.65]</i></p> <p>Unit I New Development and Land Use Policy 21, p. 65</p> <p>21. 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: <u>Limit height of new structures.</u></p> <ul style="list-style-type: none"> • All new construction in Bolinas, Stinson Beach and Muir Beach shall be limited to a maximum height of <u>Limit all new construction to a maximum height of twenty-five (25) feet with the following exceptions;</u> except that In the Highlands neighborhood of Stinson Beach, the maximum height shall be <u>no more than seventeen (17) feet;</u> In FEMA special flood hazard (V) zones within the Seadrift Subdivision, the maximum building height of 15 feet shall be <u>measured from the minimum floor elevation required by the flood hazard zone designation (See also Environmental Hazards C-EH-8 In the Flood Velocity Zone at Seadrift, Accommodate Minimum Floor Elevations as Required by FEMA) and in the Seadrift section of Stinson Beach,</u> On the shoreline of Tomales Bay, the maximum height shall not exceed <u>be fifteen (15) feet.</u> • 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 1 or Panoramic Highway.
<p>Policy 36a-d, pg. 81-84</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>C-SB-3 Density and Location of Development in Seadrift. For purposes of this policy, the Seadrift subdivision is divided into five sub-areas as follows:</p> <p><u>Area 1:</u> This area includes lots fronting on the Pacific Ocean and generally south of Seadrift Road. Those properties in Area 1 present the least potential for adverse impacts by new development activities because of their size, location relative to lagoon waters, and build out potential. Development on existing lots in Area 1 may proceed (consistent with other LCP policies) based upon a 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.</p>

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Area 4: 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.

Area 5: That unsubdivided land consisting of 26 acres adjacent to the Bolinas Lagoon and the entrance gate of Seadrift.

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

Area 2: This area includes lots generally between Seadrift Lagoon and Seadrift Road (total lots: 94, Separation of Areas 2 and 4 occurs at lot lines between AP#195-320-19 and 195-320-57 and AP #195-051-24 and 195-051-23, 29). Those properties in Area 2 are smaller lots with a large amount of buildout potential adjacent to the interior Seadrift Lagoon. Development on existing lots in Area 2 may proceed (consistent with other LCP policies) based upon a 30,000 square foot minimum lot size. Contiguous (side-by-side) lots under like ownership shall be consolidated to achieve the minimum parcels size requirement.

Area 3: This area includes lots fronting on Bolinas Lagoon and generally west of Dipsea Road. Development on existing lots in Area 3 may proceed (consistent with other LCP policies) based upon a 30,000 square foot minimum lot size. Contiguous (side-by-side) lots under like ownership shall be consolidated to achieve the minimum parcels size requirement.

Area 4: This area includes lots fronting on Dipsea Road. Area 4 is further divided into Areas 4A and 4B with the division occurring between parcels 195-070-07 and 195-070-08. Development on existing lots in Area 4 may proceed (consistent with other LCP policies) based upon a 112,500 square foot (2.5 acre) minimum lot size. Contiguous properties under like ownership shall be merged to achieve the minimum parcels size requirement.

Based upon a Memorandum of Understanding for the settlement of litigation between the County, 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.
3. 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;
4. 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,

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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

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 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.

Area 5: That unsubdivided land consisting of 26 acres adjacent to the Bolinas Lagoon and the entrance gate of Seadrift.

1. All improvements shall be located a minimum of 100 feet from the waters of Bolinas Lagoon;
2. Development shall be limited to one-story in height, not to exceed 18 feet;
3. Development shall be designed to provide future vehicle and pedestrian access over the site as follows:
 - a. Pedestrian easements to provide limited public access to and along the Bolinas Lagoon edge.

[Adapted from Unit I, New Development Policy 36, p. 81 and Policy 38, p. 85]

Unit I New Development Policy 36, p. 81

[adapted for use as part 'b' of draft policy]

~~36-b. Density and Location of Seadrift Development.~~ For purposes of this policy, the Seadrift S subdivision is divided into sub-areas as follows: ~~(Refer to Figure 4.)~~

Area 1: ~~Those~~ This area includes lots fronting on the Pacific Ocean and generally south of Seadrift Road, ~~(total lots: 123);~~

[see the section for 'Area 1' below for additional language added to this section]

Area 2: ~~Those~~ This area includes lots generally between Seadrift Lagoon and Seadrift Road (total lots: 94, Separation of Areas 2 and 4 occurs at lot lines between AP #195-320-19 and 195-320-57 and AP #195-051-24 and 195-051-23).

[see the section for 'Area 2' below for additional language added to this section]

Area 3: ~~Those~~ This area includes lots fronting on Bolinas Lagoon and generally west of Dipsea Road, ~~(total lots: 19);~~

[see the section for 'Area 3' below for additional language added

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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 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.

e. Area 5. 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.

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:

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;
2. All improvements shall be located a minimum of 100 feet from the waters of Bolinas Lagoon;
3. Development shall be limited to one-story in height, not to exceed 18 feet from average finished grade;
4. Development shall be designed to provide future vehicle and pedestrian access over the site as follows:
 - a. Roadway dedications to provide possible future connections of the causeway;
 - b. Pedestrian easements to provide limited public access to and along the Bolinas Lagoon edge.

Status

This policy has been carried forward with modifications to **C-SB-3 Density and**

to this section]

Area 4: ~~Those~~ This area includes lots fronting on Dipsea Road (~~total lots: 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.

[see the section for ‘Area 4’ below for additional language added to this section]

Area 5: That unsubdivided land consisting of 26 acres adjacent to the Bolinas Lagoon and the entrance gate of Seadrift.

[see the section for ‘Area 5’ below for additional language added to this section]

~~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.~~ *[language was revised as shown and combined with ‘Area 1’ section above]* 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.~~ *[language was revised as shown and combined with ‘Area 2’ section above]* Those properties in Area 2 are smaller lots with a large amount of build-out potential adjacent to the interior Seadrift Lagoon. Development on existing L lots in Area 2 shall be rezoned to may proceed (consistent with other LCP policies) based upon a 30,000 square foot minimum parcel lot size. Contiguous (side-by-side) lots under like ownership shall be consolidated to achieve the minimum parcel size requirement.

~~e. Area 3.~~ *[language was revised as shown and combined with ‘Area 3’ section above]* ~~These properties of varying size are located immediately adjacent to Bolinas Lagoon.~~ Development on existing lots 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 the minimum building site parcel size established by the rezoning requirement.

~~d. Area 4.~~ *[language was revised as shown and combined with ‘Area 4’ section above]* ~~Except as noted herein, properties~~ Development on existing lots in Area 4 shall be rezoned from the existing 75,000

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<p>Location of Development in Seadrift</p>	<p>square foot minimum parcel size to <u>may proceed (consistent with other LCP policies) based upon a 112,500 square foot (2.5 acre) minimum parcel lot size.</u> Contiguous properties under the same <u>like</u> ownership shall be merged to create building sites totaling up to this achieve the minimum lot parcel size requirement, where possible. <u>achieve the minimum lot parcel size requirement, where possible.</u> This Policy shall be implemented by means of a master plan zoning district.</p> <p>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:</p> <ol style="list-style-type: none"> 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. 3. 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
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~~will benefit from the proposed access;~~

~~9.4.~~ 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 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.

~~e. Area 5. [language was revised as shown and combined with ‘Area 5’ section above] 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.~~

~~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:~~

- ~~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;~~
- ~~2.1.~~ All improvements shall be located a minimum of 100 feet from the waters of Bolinas Lagoon;
- ~~3.2.~~ Development shall be limited to one-story in height, not to exceed 18 feet from average finished grade;
- ~~4.3.~~ Development shall be designed to provide future vehicle and pedestrian access over the site as follows:

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	<p>(a) Roadway dedications to provide possible future connections of the causeway; (b)(a) Pedestrian easements to provide limited public access to and along the Bolinas Lagoon edge.</p>
<p>Policy 37, pg. 85 <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 beach and tideland areas, protection of wildlife and habitat resources and maintenance of views along the coast.</p> <p>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.</p> <p>Policy Status This policy has not been carried forward as the language does not provide specific policy direction, is out of date and no longer relevant.</p>	<p>n/a</p>
<p>Policy 38, pg. 85 <u>Public trust.</u> 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:</p> <p>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</p>	<p>C-CD-21 Notify State Lands Commission. 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. <i>[Adapted from Unit I, New Development Policy 38, p. 85]</i></p> <p style="text-align: center;"><u>Unit I New Development and Land Use Policy 38, p. 85</u> Public Trust. Portions of the Seadrift Subdivision may be subject to the</p>

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<p>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.</p> <p>Policy Status The content of this policy has been carried forward to C-CD-21 Notify State Lands Commission.</p>	<p>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:</p> <p>The County of Marin will C-CD-21 Notify State Lands Commission. <u>n</u>otify 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.</p>
<p>Bolinas</p>	
<p>Policy 39, pg. 85 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>Policy Status This policy has not be carried forward since it has been implemented. These parcels have been rezoned to C-ARP-5 and C-ARP-10 via Ordinance 2638.</p>	<p>n/a</p>
<p>Policy 40, pg. 86 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>Policy Status This policy has been carried forward to C-BOL-3 New Development on the Gridded Mesa.</p>	<p>C-BOL-3 New Development on the Bolinas Gridded Mesa. Permit new construction and the redevelopment and rehabilitation of existing structures on the Bolinas Mesa in accordance with the adopted policies of the Bolinas Gridded Mesa Plan.</p> <p>Unit I Policy 40, pg. 86 C-BOL-3 New Development on the Bolinas Gridded Mesa. Permit new construction and the rRedevelopment/ and rehabilitation of existing structures and new construction on the <u>Bolinas Gridded Mesa shall be permitted</u> 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>