

Option C: Table of Proposed Countywide Plan Revisions In Response to Court Order

<i>Location</i>	<i>Current Text</i>	<i>Proposed Revised Text</i>
Housing Element, p. 6	Many of these existing plans contains goals, policies, and programs that are not consistent with the Countywide Plan (CWP). When inconsistencies exist, the CWP prevails. Concurrent with the Housing Element update, the CWP Land Use and Safety Elements are also being amended to designate additional areas for residential development and to address new State law requirements. In the future, as other elements of the CWP are being updated, the County will review the Housing Element for internal consistency.	Concurrent with the Housing Element update, the CWP Land Use and Safety Elements were also amended to designate additional areas for residential development and to address new State law requirements. In the future, as other elements of the CWP and other planning documents and policies are being updated, the County will review the Housing Element for internal consistency.
Housing Element, p. 131	Community Plans To help implement the Countywide Plan while also recognizing the unique character of the local communities, the County has adopted 22 Community Plans and Area Plans. While many of these plans were adopted in the 1980s and 1990s, three new plans have been adopted since 2015: Black Point Community Plan (2016), Green Point Community Plan (2016), and the Santa Venetia Community Plan (2017). While the community plans help to address the specific characteristics of the respective area, many community plans have policies that are a barrier to multifamily housing. Due to the need of this type of housing in the unincorporated County, the community plan policies should not override or supersede development policies set forth in the CWP. This Housing Element includes a program to amend the CWP to clarify that all development, including that located in community plan areas must comply with density policies in the CWP. This amendment is anticipated to be completed concurrent with the Housing Element adoption.	Community Plans To help implement the Countywide Plan while also recognizing the unique character of the local communities, the County has adopted 22 Community and Area Plans. While many of these plans were adopted in the 1980s and 1990s, three new plans have been adopted since 2015: Black Point Community Plan (2016), Green Point Community Plan (2016), and the Santa Venetia Community Plan (2017). While the community plans help to address the specific characteristics of the respective area, many community plans have background language and in some cases policies or standards that discourage multifamily housing. Housing Element policies and implementation programs such as Development Code amendments, Local Coastal Program amendments, incentives for affordable housing, measures to facilitate ADUs, active monitoring of No Net Loss, modification of parking standards, and exploration of solutions for septic systems in multifamily housing actively support AFFH and opportunities for expanded housing options within the Countywide Plan, including Community Plans. Additionally, requirements under State law for

		approval qualified housing proposals would allow construction of multifamily housing in high resource communities throughout the County. .
Housing Element, p. 247;	Program 29: Place-Based Planning and Neighborhood Improvements [...] <i>Planning:</i> Existing community plans contain goals, policies, and programs that are inconsistent with the Countywide Plan. Where such conflicts exist, the Countywide Plan prevails. The County will pursue and adopt, where appropriate , planning activities in targeted areas. Planning will be comprehensive and address a variety of elements, including but not limited land use, circulation, safety (including evacuation routes), environmental justice, community facilities and resources and open space and recreation. The County will diligently implement these activities, including budgeting, annually committing or pursuing funding and other resources consistent with existing goals to apply a race equity lens to budgeting, annually reporting on progress in implementation and making adjustments as appropriate in collaboration with community groups and individuals.	Program 29: Place-Based Planning and Neighborhood Improvements [...] <i>Planning:</i> The County will pursue and adopt, where appropriate, planning activities in targeted areas. Planning will be comprehensive and address a variety of elements, including but not limited land use, circulation, safety (including evacuation routes), environmental justice, community facilities and resources and open space and recreation. The County will diligently implement these activities, including budgeting, annually committing or pursuing funding and other resources consistent with existing goals to apply a race equity lens to budgeting, annually reporting on progress in implementation and making adjustments as appropriate in collaboration with community groups and individuals.

Housing Element, p. 253	Program 32: Comprehensive Review of Zoning and Planning Policies The County’s Development Code and planning policies have been incrementally developed over time and may have inherited language rooted in segregation. The County will conduct a comprehensive review of its zoning and planning policies to remove discriminatory language or policies that may directly or indirectly perpetuate segregation. This includes reviewing the use of the terms “single-family” residential use, “protecting the character of the neighborhood,” and findings of conditional approval in different regulatory documents. <table><tr><td>Specific Actions and Timeline</td><td> ▪ In 2024, conduct a comprehensive review of zoning and planning policies and make appropriate revisions to remove discriminatory language and policies. </td></tr></table>	Specific Actions and Timeline	▪ In 2024, conduct a comprehensive review of zoning and planning policies and make appropriate revisions to remove discriminatory language and policies.	Program 32: Comprehensive Review of Zoning and Planning Policies The County’s Countywide Plan, Development Code and planning policies have been incrementally developed over time and may have inherited language rooted in segregation. The County will conduct a comprehensive review of all zoning and planning policies to remove discriminatory language or policies that may directly or indirectly perpetuate segregation. This includes reviewing the use of the terms “single-family” residential use, “protecting the character of the neighborhood,” and other language and other land use mechanisms that may deter fair housing choice. <table><tr><td>Specific Actions and Timeline</td><td> ▪ In 2024, conduct a comprehensive review of zoning and planning policies and assess the results and provide the Board explore with a variety of measures options for implementation. In 2025, make appropriate revisions to remove discriminatory language, policies and other land use mechanisms that may deter fair housing choice. </td></tr></table>	Specific Actions and Timeline	▪ In 2024, conduct a comprehensive review of zoning and planning policies and assess the results and provide the Board explore with a variety of measures options for implementation. In 2025, make appropriate revisions to remove discriminatory language, policies and other land use mechanisms that may deter fair housing choice.
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Housing Element, D-70 (AFFH Appendix)	Community Plans The Community Plans and other area plans contain policies for land use and development related specifically to a local area, for example Bolinas, Strawberry, and Tamalpais Valley. They set forth goals, objectives, policies, and programs for	Community Plans The Community Plans and other area plans contain policies for land use and development related specifically to a local area, for example Bolinas, Strawberry, and Tamalpais Valley. They set forth goals, objectives, policies, and programs for				

	specific communities. Most Community Plans were completed in the 1980s and 1990s. The most recent Community Plans, the Blackpoint and Greenpoint Community Plans, were completed in 2016. They are intended to reflect the specific design of local communities and are used to evaluate discretionary applications. Staff found that the Community Plans contained exclusionary language for the development of multi-unit projects and include discriminatory language such as “protecting community character.” For example, one of the Community Plans says, “It is important that the social patterns, personal interactions, sights and sounds that typify single family neighborhoods be maintained and strengthened” and “...discourage any expansion of the areas designated for multi-family housing development.” Others prescribe very low-density development and discuss the preservation of community character as predominately single-family neighborhoods. Some aspects of the Community Plans are inconsistent with State law and have the effect of limiting multi-unit housing. Amendments to the Countywide Plan included in the Housing Element Update restrict the use of Community Plans where they conflict with additional multi-unit development. Additionally, one of the programs included in the Housing Element is a comprehensive review of zoning and planning policies, including making revisions to remove discriminatory language and policies.	specific communities. Most Community Plans were completed in the 1980s and 1990s. The most recent Community Plans, the Blackpoint and Greenpoint Community Plans, were completed in 2016. They are intended to reflect the specific design of local communities and are used to evaluate discretionary applications. Staff found that the Community Plans contained exclusionary language for the development of multi-unit projects and include discriminatory language such as “protecting community character.” For example, one of the Community Plans says, “It is important that the social patterns, personal interactions, sights and sounds that typify single family neighborhoods be maintained and strengthened” and “...discourage any expansion of the areas designated for multi-family housing development.” Others prescribe very low-density development and discuss the preservation of community character as predominately single-family neighborhoods. Some aspects of the Community Plans are inconsistent with State law and have the effect of limiting multi-unit housing. In practice, requirements of State law and the permitting requirements for multifamily development on qualifying sites would have the effect of allowing multifamily development even where language in community plans discourages or limits it. Further, County documents include programs and policies to address policy inconsistencies, such as the Countywide Plan. For example, one of the programs included in the Housing Element is a comprehensive review of zoning and planning policies, including making revisions to remove discriminatory language and policies.
Countywide Plan, 1.4-4	Another overall principle to guide the reading, interpretation, and implementation of the Plan is that none of its provisions will be interpreted by the County in a manner that violates state or federal law. For example, Policy CD-5.2 (“Assign financial responsibility for growth”)	Another overall principle to guide the reading, interpretation, and implementation of the Plan is that none of its provisions will be interpreted by the County in a manner that violates state or federal law. including state housing law regarding affirmatively furthering fair housing, or the authority of any

	requires new development to pay for its fair share of the cost of public facilities. This policy will be implemented subject to applicable legal standards. In reading every provision of the Plan, one should infer that it is limited by the principle, “to the extent legally permitted.” Similarly, no provision of the Countywide Plan, including its community plans, may be applied by the County in a manner that conflicts with state housing law, or the policies and programs contained in the Housing Element and/or the ordinances implementing those policies. There are a number of community plans containing policies and programs to support implementation of the Countywide Plan. When reading, interpreting, and implementing the community plans, none of their provisions can conflict with the Countywide Plan or state housing law.	state agency. For example, Policy CD-5.2 (“Assign financial responsibility for growth”) requires new development to pay for its fair share of the cost of public facilities. This policy will be implemented subject to applicable legal standards. Every provision of the Plan is limited by the principle, “to the extent legally permitted.” Similarly, no provision of the Countywide Plan, including its community plans, may be applied by the County in a manner that conflicts with state housing law. There are a number of community plans containing policies and programs to support implementation of the Countywide Plan. When reading, interpreting, and implementing the community plans, none of their provisions can conflict with state housing law.
Countywide Plan, 1.5-3	The Countywide Plan establishes and maps land uses according to the following categories. Additional policy guidance can be obtained from the various local community plans. No provision of the Countywide Plan, including its community plans, may be applied by the County in a manner that conflicts with state law, or the policies and programs contained in the Housing Element and/or the ordinances implementing those policies.	The Countywide Plan establishes and maps land uses according to the following categories. Additional policy guidance can be obtained from the various local community plans. No provision of the Countywide Plan, including its community plans, may be applied by the County in a manner that conflicts with state law..
Countywide Plan, 3.4-3	Implementation tools such as the County Development Code are used to carry out the goals of the Countywide Plan. Some of the policies and programs in the Countywide Plan will require rezoning of individual properties for them to be consistent with the land use designations and the policies in the Plan. Many unincorporated communities are guided by community plans that provide specific direction regarding land use, transportation, community facilities, building design, and environmental quality, as well as issues unique to a particular community. Such issues may include,	Implementation tools such as the County Development Code are used to carry out the goals of the Countywide Plan. Some of the policies and programs in the Countywide Plan will require rezoning of individual properties for them to be consistent with the land use designations and the policies in the Plan. Many unincorporated communities are guided by community plans that provide specific direction regarding land use, transportation, community facilities, building design, and environmental quality, as well as issues unique to a particular community. Such issues may include, but are not

	but are not limited to: customized building and site design standards to protect key resources; protection of important ridgeline and view corridors; evaluation and refinement of the Ridge and Upland Greenbelt and Baylands Corridor; regulations concerning home size; affordable housing sites; hazards; evacuation routes; flooding; and bicycle and pedestrian circulation. A Community plan is considered part of the Marin Countywide Plan and sets forth goals, objectives, policies, and programs to address specific issues relevant to that particular community. For residential and mixed use projects where there are land use designation or development density and floor area ratio differences, the Countywide Plan shall prevail, except this policy shall not apply for applications that include Development Agreements.	limited to: customized building and site design standards to protect key resources; protection of important ridgeline and view corridors; evaluation and refinement of the Ridge and Upland Greenbelt and Baylands Corridor; regulations concerning home size; affordable housing sites; hazards; evacuation routes; flooding; and bicycle and pedestrian circulation. A Community plan is considered part of the Marin Countywide Plan and sets forth goals, objectives, policies, and programs to address specific issues relevant to that particular community. For residential and mixed use projects where there are land use designation or development density and floor area ratio differences, the County will weigh and balance these differences by seeking to advance the overall vision and goals of the applicable Community Plan within the requirements of applicable state law and adopted development standards in a manner that best achieves the Countywide Plan's overall goals and affirmatively furthers fair housing, except this policy shall not apply for applications that include Development Agreements.
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