MARIN COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARIN COUNTY AMENDING THE MARIN COUNTY LOCAL COASTAL PROGRAM LAND USE PLAN TO: (1) IMPLEMENT THE 2023–2031 MARIN COUNTY HOUSING ELEMENT UPDATE; (2) CHANGE THE LAND USE DESIGNATIONS FOR 36 PARCELS IDENTIFIED IN THE 2023–2031 MARIN COUNTY HOUSING ELEMENT TO THE HOUSING OVERLAY DESIGNATION; AND (3) AMEND THE LAND USE MAPS FOR THE 36 PARCELS TO REFLECT THE UPDATED LAND USE DESIGNATIONS

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SECTION I: FINDINGS

1. **WHEREAS**, Section 30500 of the Public Resources Code (PRC) requires each county and city within the coastal zone to either prepare a Local Coastal Program (LCP) for that portion of the Coastal Zone within its jurisdiction or request the California Coastal Commission to do so. Marin County has a certified LCP, which consists of the Land Use Plan (Coastal LUP) and the Implementation Plan, including the zoning maps and the Coastal Zoning Code, also known as Title 20 of the Marin County Code. The County's first LCP was certified by the California Coastal Commission in May 1982 and has since been amended from time to time. The standard of review for amendments to the LUP by the California Coastal Commission is conformance with the Chapter 3 policies of the California Coastal Act (PRC Division 20). The standard of review for amendments to the Implementation Plan is consistency with, and adequacy to carry out, the policies of the County's certified LUP.

2. **WHEREAS**, the Housing Element is a mandatory component of the Countywide Plan, the County's General Plan, required by State law to ensure local governments adequately plan to meet the housing needs of everyone in the community.

3. **WHEREAS**, on January 24, 2023, the Board of Supervisors adopted the 6th Cycle (2023–2031) Housing Element, which was certified by the California Department of Housing and Community Development on June 19, 2023. In adopting the 2023 Housing Element Update, the Board of Supervisors identified and approved Housing Element sites, including sites located within areas governed by the Local Coastal Program (LCP). The adoption of the Housing Element Update amended the land use designation and corresponding map for each identified housing site, except for those located within the Coastal Zone, for which implementation was deferred to a future date.

4. **WHEREAS**, on January 24, 2023, the Marin County Board of Supervisors certified a Housing Element and Safety Element Final Environmental Impact Report (HESE FEIR), State Clearinghouse (SCH) Number 2021120123, for updates to the Countywide Plan (Housing Element) and the Safety Element. The proposed amendments are within the scope of the Supplemental Marin Countywide Plan Environmental Impact Report prepared for the 2023 Housing Element.

5. **WHEREAS**, the 2023 Housing Element Update contains programs that require the County to amend the Coastal Land Use Plan and the Coastal Zoning Code (Title 20) to implement Housing Element goals and policies within program-established timelines.

6. **WHEREAS**, to effectuate the 6th Cycle (2023-2031) Housing Element policies, County staff proposed amendments to the LCP that include: (1) Text corrections and cross-indexing clarifications; (2) implementing revisions that will accommodate the capacity for the housing as proposed in the Housing Element to meet the County's Regional Housing Needs Allocation (RHNA) obligation, by amending both the Coastal Land Use Plan and the Implementation Plan, codified as Coastal Zoning Code, Title 20, including corresponding land use and zoning maps; (3) Alignment with State housing laws; (4) Establish Coastal Form Based Code; and (5) adopt state density bonus law implementation guidance in the coastal areas.

7. **WHEREAS**, in the 6th cycle (2023-2031), the RHNA established by the State and the Association of Bay Area Governments (ABAG) for the unincorporated Marin County is 3,569 units.

8. **WHEREAS**, given the current land use designation of parcels within the 2023 Housing Element sites inventory, approximately 36 sites out of 153, are located within the coastal areas and must be redesignated to accommodate the RHNA, as required by Government Code Subsections 65583(c)(l) and 65583.2(h) and (i).

9. **WHEREAS**, Programs HE-1.1, HE-1.4, and HE-Program 8 of the Marin County 2023 Housing Element directly or indirectly support amending the Land Use Designation for vacant or underutilized properties to appropriate multifamily residential and/or mixed-use zoning districts to accommodate the RHNA in each income category.

10. **WHEREAS**, amendments to the Coastal LUP, including the land use maps, further the objectives of Housing Element Program 1a of the Marin County 2023 Housing Element, which establishes the Housing Overlay Designation (HOD) and requires that sites designated HOD accommodate 20 percent or more lower-income units identified in the Housing Sites Inventory. Development of these properties is subject to a Coastal Development Permit pursuant to the Coastal Act, Public Resources Code (PRC) Section 30600.

11. **WHEREAS**, the Planning Commission of Marin County held duly noticed public hearing workshops on April 6, 2026 and May 28, 2026, to consider preliminary draft amendments, receive public comment, and provide feedback to County staff. On June 15, 2026, the Planning Commission held a duly noticed public hearing where they reviewed the proposed amendments, considered all public comments, found that the LUP map amendment portion of the proposed LCP Amendment conforms to the Chapter 3 policies of the California Coastal Act, and unanimously recommended, with one Commissioner absent, approval of the proposed LUP amendment to the Board of Supervisors.

12. **WHEREAS**, the proposed amendments are consistent with and conform to the certified Local Coastal Program, including the Land Use Plan. Additionally, the proposed amendments are consistent with Public Resources Code section 30512, which requires that Land Use Plans meet the requirements of, and conform to, the Chapter 3 policies of the Coastal Act. The proposed amendments also comply fully with Public Resources Code section 30513, as they conform to and adequately carry out the provisions of the certified Land Use Plan.

13. **WHEREAS**, the proposed land use redesignations will allow development densities and types of uses that are compatible with the objectives, policies, programs, and land use designations of the certified 2023 Housing Element Update.

14. **WHEREAS**, the proposed land use designations are compatible with the level of utilities and community services available to the land.

15. **WHEREAS**, the proposed land use designation amendment is in the best interests of the public health, safety, and welfare.

16. **WHEREAS**, the sites will accommodate housing type(s) that are needed to house the local workforce in support of the local economy, and the proposed Coastal Land Use Plan amendment is intended to accommodate housing at all income levels, including affordable housing.

17. **WHEREAS**, in order to amend the Implementation Plan map to change the zoning designation for the housing element sites, a separate ordinance will be adopted.

18. **WHEREAS**, on November 3, 2026, the Marin County Board of Supervisors held a duly noticed public hearing to take public testimony and consider amendments to the Local Coastal Program Land Use Plan.

SECTION II: LEGAL AUTHORITY

The Marin County Board of Supervisors' action on the proposed Local Coastal Program Land Use Plan Amendments to implement the 2023–2031 Marin County Housing Element Update, change the land use designation for 36 parcels identified in the 2023-2031 Housing Element Update to Housing Overlay Designation, and amend the associated land use maps for the 36 parcels is intended to carry out the following provisions of the Public Resources Code:

1. Section 30004(a): The Legislature further finds and declares that (a) to achieve maximum responsiveness to local conditions, accountability, and public accessibility, it is necessary to rely heavily on local government and local land use planning procedures and enforcement; and

2. Section 30500(c): The precise content of each local coastal program shall be determined by the local government, consistent with Section 30501, in full consultation with the California Coastal Commission and with full public participation; and

3. Section 30512.1(a): The California Coastal Commission's review of a land use plan shall be limited to its administrative determination that the land use plan submitted by the local government does, or does not, conform with the requirements of Chapter 3 (commencing with Section 30200). In making this review, the Coastal Commission is not authorized by any provision of this division to diminish or abridge the authority of a local government to adopt and establish, by ordinance, the precise content of its land use plan; and

4. Section 30512.2(c): The Commission shall require conformance with the policies and requirements of Chapter 3 (commencing with Section 30200) only to the extent necessary to achieve the basic state goals specified in Section 30001.5.

SECTION III: ACTION

NOW THEREFORE, THE MARIN BOARD OF SUPERVISORS HEREBY approves the proposed Local Coastal Program Land Use Plan amendments as follows:

1. The Local Coastal Program Coastal Land Use Plan is hereby amended, as depicted in Exhibit A, including the Land Use Designations for the Assessor's Parcels listed in the corresponding Land Use Plan Map for each parcel listed below, attached hereto as Exhibit B.

2. The Coastal Land Use Plan amendments established through this Ordinance implement Countywide Plan Policy CD-2.3, which creates a Housing Overlay Designation where the review of housing development projects will be streamlined through the application of objective design standards.

Assessor's Parcels	Existing Land Use Plan Designation	Proposed Land Use Plan Designation
166-181-01	C-NC[1]	C-NC:HOD
166-202-01	C-NC	C-NC:HOD
166-202-04	C-NC	C-NC:HOD
166-213-01	C-NC	C-NC:HOD
166-213-02	C-NC	C-NC:HOD
119-270-24 (formerly 119-240-73)	C-OS[2] and C-SF4[3]	C-OS:HOD and C SF4:HOD
119-270-25 (formerly 119-240-73)	C-OS	C-OS:HOD
119-270-26 (formerly 119-240-73)	C-OS	C-OS:HOD
119-270-27 (formerly 119-240-73)	C-OS	C-OS:HOD
119-270-21 (formerly 119-260-03 and 119-270-12)	C-NC	C-NC:HOD
119-234-01	C-NC	C-NC:HOD
119-202-05	C-SF4	C-SF4:HOD
119-222-08	C-NC	C-NC:HOD
119-198-04	C-NC	C-NC:HOD
119-198-05	C-NC	C-NC:HOD
119-203-01	C-NC	C-NC:HOD
119-203-03	C-NC	C-NC:HOD
102-080-19	C-SF3[5]	C-SF3:HOD
102-080-20	C-SF3	C-SF3:HOD
195-193-35	C-NC	C-NC:HOD
195-211-05	C-SF6[4]	C-SF6:HOD
195-193-15	C-SF6	C-SF6:HOD
195-193-18	C-SF6	C-SF6:HOD
102-080-23	C-NC	C-NC:HOD
102-080-10	C-SF3	C-SF3:HOD
102-051-08	C-NC	C-NC:HOD
102-051-09	C-NC	C-NC:HOD[6]
102-051-07	C-NC	C-NC:HOD
102-075-09	C-NC	C-NC:HOD
102-041-44	C-SF6 and C-AG3	C-SF6:HOD and C AG3:HOD
102-062-03	C-SF6	C-SF6:HOD
102-060-05 (formerly 102-062-04)	C-SF6	C-SF6:HOD
102-060-06 (formerly 102-062-04)	C-SF6	C-SF6:HOD

102-075-02	C-NC	C-NC:HOD
102-075-06	C-NC	C-NC:HOD
102-075-07	C-NC	C-NC:HOD

1. C-NC (Coastal, Neighborhood Commercial)
2. C-OS (Coastal, Open Space)
3. C-SF4 (Coastal, Single-Family, 1-2 units per acre)
4. C-SF6 (Coastal, Single Family, 4-7 unit per acre)
5. C-SF3 (Coastal, Single Family, 1 unit per 1-5 acres)
6. C-AG (Coastal, Agricultural, 1 unit per 1-9 acres)
7. HOD: Housing Overlay Designation

SECTION IV: EFFECTIVE DATE

Pursuant to 14 California Code of Regulations § 13551(b), this ordinance shall be, and is hereby declared, to take effect automatically and immediately upon the California Coastal Commission's approval and certification.

SECTION V: VALIDITY

If any section, subsection, sentence, clause, or phrase of the provisions depicted in this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions adopted under this Ordinance. The Board of Supervisors of Marin County hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses, or phrases thereof shall be declared invalid.

SECTION VI: VOTE

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, on the 3rd day of November, 2026, by the following vote to wit:

AYES: SUPERVISORS

NOES:

ABSENT:

_____
ERIC LUCAN, PRESIDENT
MARIN COUNTY BOARD OF SUPERVISORS

ATTEST:

_____
Clerk of the Board of Supervisors

Exhibits:

1. Exhibit A: The Local Coastal Program Coastal Land Use Plan Text Amendments
2. Exhibit B: Coastal Land Use Plan Map Amendments