MARIN COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 2026-114

A RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS AUTHORIZING THE SUBMITTAL OF AMENDMENTS TO THE LOCAL COASTAL PROGRAM (LCP), INCLUDING THE COASTAL LAND USE PLAN (COASTAL LUP), THE COASTAL LAND USE MAPS AND THE COASTAL ZONING CODE (IMPLEMENTATION PLAN), AND THE COASTAL ZONING MAP TO THE CALIFORNIA COASTAL COMMISSION.

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SECTION I: FINDINGS

1. **WHEREAS**, Section 30500 of the Public Resources Code requires each County and City within the coastal zone to either prepare a Local Coastal Program for that portion of the Coastal Zone within its jurisdiction, or request the Coastal Commission to do so. Marin County has a certified Local Coastal Program, which in Marin County is comprised of the Coastal Land Use Plan (Coastal LUP) and the Implementation Plan, consisting of the zoning maps and the Coastal Zoning Code, also known as the Marin County Code, Title 20. The County's first LCP was certified by the California Coastal Commission in May of 1982 and has since been amended from time to time.

2. **WHEREAS,** the Coastal LUP and corresponding land use maps detail the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and, where necessary, a listing of implementing actions.

3. **WHEREAS,** the Marin County Development Code Title 20 (Coastal Zoning Code) and corresponding zoning maps are components of the County's certified LCP Implementation Plan, and carry out the policies and programs in the Coastal Land Use Plan by indicating which land uses are appropriate in each part of the Coastal Zone. The Coastal Zoning Code also contains specific requirements that apply to development projects and detailed procedures for applicants to follow in order to obtain a Coastal Development Permit.

4. **WHEREAS,** on January 24, 2023, the Board of Supervisors adopted the 6th Cycle (2023-2031) Housing Element (2023 HE Update), 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 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.

5. **WHEREAS**, on January 24, 2023, the Marin County 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.

6. **WHEREAS,** the 2023 HE 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.

7. **WHEREAS,** recent state law updates and staff's review of the Coastal Zoning Code require further amendments to ensure consistency with state law and the prevention of any inconsistencies.

8. **WHEREAS,** County staff proposed amendments to the Local Coastal Program are intended to: (1) Provide text corrections and cross-indexing clarifications; (2) effectuate Marin County's certified 6th Cycle (2023-2031) Housing Element by implementing revisions to the Marin's certified Local Coastal Program 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; (3) Align with State laws; (4) Establish Coastal Form Based Code; and (5) adopt state density bonus law implementation guidance in the coastal areas.

9. **WHEREAS**, drafts of the proposed LCP amendment were first published online on February 28, 2025, for public review and inspection. Following extensive public outreach, meetings with various stakeholders, and public comments received, the LCP amendment documents were revised and made available online for public review on August 19, 2025. Following comments received from the Coastal Commission on September 26, 2025, the LCP amendment documents were further revised and published online on January 11, 2026. Following comments received from the Coastal Commission on February 13, 2026, the LCP amendment documents were further revised and published online on March 10, 2026, for public review and inspection, at least six weeks prior to the Planning Commission's first duly noticed public workshop of April 6, 2026.

10. **WHEREAS,** the Planning Commission held workshop sessions on April 6, 2026, and May 28, 2026, to consider preliminary draft amendments, receive public comment, and provide feedback to County staff.

11. **WHEREAS,** the Planning Commission held a duly noticed public hearing on June 15, 2026, at which time it reviewed the proposed amendments, considered all public comments, and recommended the Board of Supervisors approve the proposed LCP amendments.

12. **WHEREAS**, pursuant to Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines Section 15162 and 15168, no additional environmental review is required to approve the 2026 Coastal Land Use Plan amendments for the following reasons:

1. The amendments are within the scope of the Supplemental Marin Countywide Plan Environmental Impact Report prepared for the 2023 Housing Element (SCH Number 2021120123).

2. The amendments are exempt from CEQA pursuant to Sections 15250 and 15251(f) of the California Environmental Quality Act (CEQA) Guidelines, the preparation, approval, and certification of a Local Coastal Program amendment is exempt from the requirement to prepare an Environmental Impact Report because the California Coastal Commission's review and approval process has been certified by the Secretary of the Resources Agency as the functional equivalent of the environmental review process required by CEQA pursuant to Public Resources Code Sections 21080.5 and 21080.9.

13. **WHEREAS**, Public Resources Code Section 30514 provides, in relevant part, that, "Any proposed amendments to a certified local coastal program shall be submitted to, and processed by, the commission in accordance with the applicable procedures and time limits specified in Sections 30512 and 30513."

14. **WHEREAS**, California Code of Regulations, Title 14, Section 13551, requires the County to adopt a resolution to submit an amendment to the LCP to the Coastal Commission for review and approval.

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

16. **WHEREAS,** on November 3, 2026, the Board of Supervisors adopted the Marin County Local Coastal Program amendments authorizing amendments to the Land Use Plan and Implementation Program.

17. **WHEREAS,** the amendments to the Marin County Local Coastal Program are intended to be carried out in a manner fully in conformity with the Coastal Act (Public Resources Code section 30510), and will take effect automatically upon final Coastal Commission certification.

SECTION II: LEGAL AUTHORITY

The Marin County Board of Supervisors' action on the proposed Local Coastal Program Amendments 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 II: ACTION

NOW THEREFORE, THE MARIN COUNTY BOARD OF SUPERVISORS DOES HEREBY RESOLVE AS FOLLOWS:

1. The Board of Supervisors hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full.

2. The Board of Supervisors authorizes the Community Development Agency Director, or designee, to submit the adopted amendment to the LCP Coastal Land Use Plan and related amendments to the Coastal Zoning Code to the California Coastal Commission for certification pursuant to Public Resources Code Section 30514 and California Code of Regulations, Title 14, Section 13551(b) as an amendment which will take effect automatically once certified by the Coastal Commission. If the Coastal Commission approves the amendment package, it will take effect automatically upon Coastal Commission approval. If the Coastal Commission modifies the amendment package, only the modifications will require formal action by the Board of Supervisors.

SECTION III: 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 Sackett, Rodoni, Colbert, Moulton-Peters, Lucan

NOES: None

ABSENT: None

ERIC LUCAN, PRESIDENT
MARIN COUNTY BOARD OF SUPERVISORS

ATTEST:

Deputy Clerk