



# COMMUNITY DEVELOPMENT AGENCY

July 30, 2013

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**SUBJECT: Local Coastal Program Amendments (LCPA)**  
Seventh Board Public Hearing - Adopt Resolution to submit LCPA to California Coastal Commission, with revisions.

Building and Safety  
Environmental Health Services  
Planning  
Federal Grants  
Redevelopment Agency

[www.marincounty.org/cda](http://www.marincounty.org/cda)

Dear Members of the Board,

**RECOMMENDATION:**

Approve revisions to the Local Coastal Program Amendment (LCPA) as recommended in Attachments 1 and 2, provide direction on the issues described in Attachment 3 for continued collaboration with Coastal Commission staff, and adopt the Resolution to submit the LCPA to the Coastal Commission in Attachment 4.

**BACKGROUND:**

At the April 16 hearing, Supervisor Kinsey described how the Coastal Commission and Marin County CDA staffs have been piloting a new model for the Commission and local governments to work more collaboratively on LCP amendments. This strategy is based upon efforts to identify, discuss and resolve issues as early in the LCP process as possible. Following submittal of the LCPA to the Coastal Commission, CDA staff will continue to discuss unresolved issues with Commission staff as they prepare their recommendation on certification of the LCPA for the Coastal Commission itself. This enhanced collaboration between Commission and local government staff is now recognized in the Coastal Commission's Strategic Plan.

As the objectives for the Marin County LCP Amendment have come into sharper focus through ongoing work with the public, the Planning Commission and your Board, the remaining unresolved issues have also become better defined. CDA and Coastal Commission staff began a process to work through these issues, involving several face-to-face meetings and numerous phone conferences since late March of this year. By clarifying concerns of both agencies and mutually seeking to understand how certain proposals would be implemented, staff was able to eliminate some issues from the list of those requiring further discussion. Issues that would require changes in proposed language are reflected in Attachments 1-3.

Attachment 1 identifies regulations where minor clarification or rephrasing was sufficient to bring the issue to tentative resolution and earn preliminary agreement from Coastal Commission staff. County staff recommends your Board approve these changes prior to adopting the Resolution on the LCPA. It must be noted that *final* agreement from Coastal Commission staff is subject to their official evaluation of the entire LCP Amendment submittal package, parts of which are still under their review. Moreover, agreement on language by the Coastal Commission staff does not

guarantee approval of that language by the Coastal Commission itself. However, as work continues to resolve issues prior to Coastal Commission action on the LCPA, Coastal Commission staff will incorporate new agreed-to language into their staff recommendation for certification by the Commission.

Attachment 2 provides additional revisions recommended by CDA staff. Most of these CDA-proposed changes move in the direction of the Commission staff position on the issue, but have not yet been agreed to by them and remain under review. In addition, CDA staff recommends revisions to Policy C-DES-2 to respond to additional County concerns.

Staff recommends your Board adopt the changes proposed in Attachments 1 and 2 into the LCP Amendment so they are included in the Resolution of Submittal (Attachment 4) that you are requested to adopt today.

Attachment 3 provides a brief analysis and the status of issues that are still under active discussion between the Coastal Commission staff and CDA staff. For these, we recommend submitting the language your Board has previously incorporated into the LCP Amendment (see Attachment 5). CDA staff has been working with Coastal Commission staff on resolving these issues, and will continue that effort following submittal of the LCPA. Staff requests any guidance your Board may wish to provide on these issues to help resolve these remaining items. The Board may choose to ratify these in a final Resolution.

Following the conclusion of the discussion on Attachments 1 through 3 staff recommends the Board adopt the Resolution to submit the Local Coastal Program Amendment and related items to the Coastal Commission for certification (see Attachment 4).

**SUMMARY:**

Staff recommends your Board adopt revisions to the LCP Amendment contained in Attachments 1 and 2, and adopt the Resolution to submit the LCPA to the Coastal Commission in Attachment 4.

- **Attachment 1** provides proposed changes that CDA and Coastal Commission staff have tentatively agreed upon.
- **Attachment 2** provides additional changes proposed by CDA staff that have not yet been agreed to by Coastal Commission staff.
- **Attachment 3** provides a brief discussion of remaining unresolved issues requiring further collaboration between Coastal Commission and CDA staff.
- **Attachment 4** is the Resolution for your Board to approve submittal of the Local Coastal Program Amendments to the California Coastal Commission for review and certification.
- **Attachment 5** includes the policies and sections under consideration, including all changes approved by your Board as of April 16, 2013.

**On the Web:** The LCPA Appendices and other referenced sections of the Development Code are provided online at [www.MarinLCP.org](http://www.MarinLCP.org).

**FISCAL/STAFFING IMPACT:**

No fiscal or staffing impact as a result of the LCP amendment is expected since the work to complete the LCPA is budgeted in the current fiscal year and programmed in the Department's Performance Plan.

**REVIEWED BY: (These boxes must be checked)**

<input type="checkbox"/> Department of Finance	<input checked="" type="checkbox"/> N/A
<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

**SIGNATURE:**

**Reviewed by:**

Jack Liebster  
Planning Manager

Brian C. Crawford  
Director

**ATTACHMENTS:**

- Attachment 1: Staff Recommended changes with preliminary Coastal Commission staff approval
- Attachment 2: Staff recommended changes not yet agreed to by Coastal Commission staff
- Attachment 3: Unresolved LCPA issues
- Attachment 4: Board Resolution to Submit the LCPA to the California Coastal Commission
- Attachment 5: Board-approved changes as of April 16, 2013
- **To conserve resources, hard copies of the Appendices, Background Reports, and referenced sections of the Development Code are available upon request. If you would like to request a copy, you may do so in person at the Planning Department front counter located in Suite 308 of the Marin County Civic Center, or by calling the Department at (415) 473-6269.**