



MARIN COUNTY

COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

December 20, 2005

Board of Supervisors
County of Marin
Civic Center
San Rafael, California 94903

SUBJECT: Report and Policy Discussion Regarding Potential Reuse Requests on Specified Private Open Space Lands Located within the City Centered Corridor

Dear Supervisors:

RECOMMENDATION:

Staff recommends that the Board accept this report and either: 1) direct staff to pursue establishing criteria for reuse of private open space parcels within the City Centered Corridor; or 2) discontinue further work on such criteria.

SUMMARY:

The Community Development Agency (CDA) staff initiated this request in order to receive direction from the Board on whether it is appropriate to establish criteria that would apply to reuse requests for private open space lands in the City Centered Corridor. These lands are designated by the Countywide Plan (CWP) as Open Space (OS) and zoned Open Area (OA). Until recently, this issue has not been considered by the CDA to the extent no requests have been made to the County to change the CWP and zoning on any private open space parcel. In order to consider development of private open space, a CWP amendment and Rezoning would be required.

Marin County's longstanding heritage of land conservation and environmental protection is reflected by the preservation of over 84% of the County for agricultural uses, public open space (federal, state, and local park lands), and private open space. In general, publicly-owned lands, such as the Golden Gate National Recreation Area, Point Reyes National Seashore, Mount Tamalpais State Park, and the County's Open Space District preserves, are permanently protected. The CWP's OS and the OA zoning designations on these public lands have also been assigned to certain lands that are in private ownership. Within the unincorporated areas of the County, there are currently 66 privately-owned open space parcels. These parcels were designated as private open space in order to preserve their natural, scenic, environmental, and/or recreational values.

According to the County's records, the majority (40) of the 66 private open space parcels are located in the Coastal Recreation Corridor, where their potential reuse should be avoided due to a combination of restrictive coastal development policies and regulations and environmental constraints. Similarly, incompatibility with surrounding agricultural and open space uses and limitations on individual sewage disposal systems constrain the potential reuse of private open space parcels in the Inland Rural Corridor, of which there are only five parcels. (Please refer to Attachment 1 for a list of private open space parcels in the Coastal Recreation and Inland Rural Corridors.) The remaining 21 private open space parcels are located in the City Centered Corridor. (Please refer to Attachment 2.) The 21 parcels are held under eight different ownerships, including two homeowners' associations (Marin City Townhomes and Regency Estates), one institution (Carmelite Monastery), and five private owners (Koons, Gateway Apartment Partners, San Rafael Rock Quarry, Stephens, and Kregel).

The CWP policies generally focus urbanized development within the City Centered Corridor to the extent infrastructure, public facilities, and public services are available, and the lands are not in environmentally-sensitive areas, such as baylands, wetlands, stream conservation areas, and ridge and upland greenbelt areas. Due to development pressures, the potential exists that one or more of the owners of the private open space parcels may seek to amend the CWP and change the OA zoning to allow for development. In anticipation of this emerging issue, the Board may wish to discuss and decide whether it is appropriate to establish criteria to be considered in reviewing future reuse requests. Should your Board agree with this approach, staff has prepared the following draft criteria for your Board's consideration.

In order for a CWP amendment and Rezoning of private open space parcels located in the City Centered Corridor to be considered, the applicant shall demonstrate that:

1. The property qualifies as an infill site where all public services (fire and law enforcement) and infrastructure (water and sewer) are available;
2. The development would not occur on sensitive environmental features and constrained areas, such as baylands, wetlands, creeks, unstable slopes, and ridgelines;
3. The property no longer provides public benefits from the parkland and/or recreational uses that were originally contemplated;
4. The development would not reduce or eliminate existing public access or the availability of open space and recreational opportunities that benefit the community;
5. The development would provide substantial public benefits with an emphasis on creating additional long-term affordable housing opportunities for low and very low income households; and
6. The development would provide equivalent parkland facilities within the planning area or in-lieu fees, if applicable, to compensate for the removal of park/open space that may have been required to satisfy a prior development's parkland requirements.

Following a discussion of this matter, your Board may provide direction to staff about the appropriateness of the above criteria and/or other criteria that should be considered in conjunction with potential reuse requests for private open space lands in the City Centered Corridor. Alternatively, if the Board does not wish to encourage such requests, your Board may direct staff to discontinue further work on developing the criteria.

RECOMMENDATION:

Staff recommends that your Board conduct a meeting, accept this report, and either: 1) direct staff to pursue establishing criteria for reuse of private open space parcels; or 2) discontinue further work on such criteria.

Respectfully submitted,

Reviewed by:

Thomas Lai
Principal Planner

Alex Hinds
Director

- Attachments:
1. Private Open Space Parcels in the Coastal Recreation and Inland Rural Corridors
 2. Private Open Space Parcels in the City Centered Corridor and Aerial Photos of the Parcels in the City Centered Corridor

**PRIVATE OPEN SPACE PARCELS IN
THE COASTAL RECREATION AND INLAND RURAL CORRIDORS**

Assessor's Parcel Number	Zoning	Property Owner(s)
104-030-02	C-OA	AUDUBON CANYON RANCH INC
104-030-07	C-OA	AUDUBON CANYON RANCH INC
104-130-49	C-OA	AUDUBON CANYON RANCH INC
104-160-17	C-OA	AUDUBON CANYON RANCH
104-190-32	C-OA	AUDUBON CANYON RANCH INC
104-210-15	C-OA	AUDUBON CANYON RANCH INC
104-230-21	C-OA	AUDUBON CANYON RANCH INC
106-020-33	C-OA	AUDUBON CANYON RANCH INC
106-050-10	C-OA	AUDUBON CANYON RANCH INC
106-210-02	C-OA	AUDUBON CANYON RANCH INC
106-210-58	C-OA	AUDUBON CANYON RANCH INC
106-210-65	C-OA	AUDUBON CANYON RANCH INC
106-210-66	C-OA	AUDUBON CANYON RANCH INC
109-330-05	C-OA	HOWARD WAITE TR EST OF
112-011-14	C-OA	TEACHERS BEACH ASSOCIATION
112-151-21	C-OA	AUDUBON CANYON RANCH INC
112-300-26	C-OA	NATURE CONSERVANCY
114-040-49	C-OA	NATURE CONSERVANCY
114-040-50	C-OA	NATURE CONSERVANCY
114-040-55	C-OA	NATURE CONSERVANCY
114-040-56	C-OA	MARGARET POWER TR ETAL
114-040-57	C-OA	JACK AND GLORIA SCHERBEL
114-040-58	C-OA	NATURE CONSERVANCY
114-062-13	C-OA	AUDUBON CANYON RANCH INC
119-020-01	C-OA	AUDUBON CANYON RANCH INC
121-080-08	OA	NICASIO LANDOWNERS ASSOC INC
166-060-12	A60,OA	VEDANTA SOCIETY OF NORTHERN CAL
166-080-02	OA	NORTHWESTERN PACIFIC R R CO
166-080-06	OA	NORTHWESTERN PACIFIC R R CO
166-170-17	C-OA	AUDUBON CANYON RANCH INC
170-112-01	OA	WALA & WALA CO LLC
188-160-15	C-OA,OA	AUDUBON CANYON RANCH INC
188-160-26	C-OA,OA	AUDUBON CANYON RANCH
191-300-01	C-OA	BOLINAS BEACH PRESERVATION
192-233-01	C-OA	BOLINAS BEACH PRESERVATION
192-243-01	C-OA	BOLINAS BEACH PRESERVATION
192-253-01	C-OA	BOLINAS BEACH PRESERVATION
192-263-01	C-OA	BOLINAS BEACH PRESERVATION
193-162-11	C-OA	AUDUBON CANYON RANCH INC
195-280-17	C-OA,OA	AUDUBON CANYON RANCH INC
195-290-09	C-OA	AUDUBON CANYON RANCH INC
195-300-07	C-OA	SEADRIFT LAGOON PROPERTY
195-300-15	C-OA	SEADRIFT ASSOCIATION
195-300-16	C-OA	SEADRIFT ASSOCIATION
197-120-26	OA	MEADOW CLUB

**PRIVATE OPEN SPACE PARCELS
IN THE CITY CENTERED CORRIDOR**

Assessor's Parcel Number	Lot Size*	Location (Community)	Property Owner(s)	Notes
027-066-05	0.15 ac. (6,650 sq. ft.)	Mill Valley	DEBORAH KOONS	1.Part of Fern Canyon Road right-of-way, not a separate building site 2.Under common ownership with residence across Fern Canyon Road at 2 Walden Lane, Mill Valley 3.Abuts Marin Municipal Water District watershed lands
052-500-01	2.20 ac.	Marin City	GATEWAY APARTMENT PARTNERS/MARIN CITY COMMUNITY LAND CORPORATION	1.Part of common park and recreation facilities 2.Established by the Marin City U.S.A. Master Plan
052-520-35				
052-520-36				
052-520-37	1.61 ac.	Marin City	MARIN CITY TOWNHOUSES OWNERS ASSOCIATION	1.Part of common park and recreation facilities 2.Established by the Marin City U.S.A. Master Plan
052-520-38				
052-530-23				
164-290-59	27.6 ac.	Marinwood	REGENCY ESTATES HOMEOWNERS ASSOCIATION	1.Community open space with scenic easement 2.Established by the Las Gallinas Ranch Subdivision 3.Abuts Marinwood Community Services District lands
164-290-85				
164-290-89				
164-290-81	40.00 ac.		CARMELITE MONASTERY	1.Restricted by scenic easement
180-123-03	1.11 ac. (48,351 sq. ft.)	Santa Venetia	DAVID KREGEL	1.Used as a commercial tennis facility 2.Required by YMCA Master Plan.
184-010-18	208.11 ac.	San Rafael	SAN RAFAEL ROCK QUARRY INC.	1.Submerged parcels in San Rafael Bay
184-010-19				
184-010-20				
184-010-44				
184-010-45				
184-010-46	5.59 ac.		JOHN AND CHALYS STEPHENS	1.Submerged parcel in San Rafael Bay
184-010-47	87.25 ac.	San Rafael	SAN RAFAEL ROCK QUARRY INC.	1.Submerged parcels in San Rafael Bay
184-010-48				
184-010-51				
TOTAL	373.62 ac.			

* Based on Assessor's Office estimates

