

Section 1

INTRODUCTION/BACKGROUND

1.1 INTRODUCTION

This document and the accompanying large-scale land use map comprise the Mill Valley General Plan, which was adopted by the City Council by Resolution 89-49 on December 18, 1989 to guide the City's inevitable change during the 1990's and beyond and, in doing so, to protect the community's small town character, scenic beauty and population diversity.

This document covers planning for the City of Mill Valley, with its approximately 13,000 residents. It is a companion document to a plan prepared at the same time for the areas under County jurisdiction adjacent to the City – Tamalpais Valley, Almonte, Homestead Valley, Muir Woods Park, and West Alto, which have a total of about 9,000 residents.

This General Plan was drafted by a diverse group of Mill Valley residents, with assistance from the City Planning Director and other city staff, and a team of outside consultants headed by EDAW. The process benefited greatly from the comments received from many Mill Valley residents at community forums and public meetings and in answers to public questionnaires. The Plan is the result of three years of work prior to its reviewed by the City Planning Commission and its adoption by the City Council in this form.

General plans are required by state law, and must meet detailed legal requirements. This Plan complies with all of them, and provides extensive analysis and detailed statements of its policies. It is thus intended to be, in part, a guide book for those wishing to develop or change the use of or modify existing buildings. At the same time this Plan is intended to do much more than merely meet the legal requirements or be a development handbook. It is intended to be a statement of how the citizens of Mill Valley view their community, how they want it to be in the future, and, most importantly, how they intend to deal with the planning and development issues facing the community.

1.1.1 Plan Goals

The two principal goals of this Plan are:

- To protect and enhance the natural beauty and small town character of Mill Valley; and
- To encourage continued diversity of housing, income levels, and lifestyles in the community.

Developing a community plan means analyzing possibilities and making choices. During this process, some of a community's goals will at times conflict with others, and

decisions have to be made and priorities have to be established. The framework for the decisions made in this Plan is that both new development and changes in existing property should be consistent with the following important community values:

- Preserving the quality and diversity of the community's residential neighborhoods;
- Maintaining healthy, attractive commercial areas that primarily serve local residents;
- Maintaining the scenic quality of the bayfront, ridgelines, and hillsides;
- Preserving and, where feasible, enhancing creeks, marshes, and other natural areas;
- Protecting people and buildings from earthquakes, landslides, flooding, wildfires, and other natural hazards;
- Minimizing traffic congestion and encouraging the use of public transit; and
- Accommodating more low- and moderate-income households than is possible under conditions in the private housing market.

1.1.2 Major Issues

Planning issues in Mill Valley are similar to those in other small, primarily residential suburbs that are already largely developed. In Mill Valley, significant growth is not anticipated and there are no proposals to convert agricultural lands to urban development; there are no proposals for major new street or sewer systems; and there are no plans to build new schools. But there are nevertheless issues of major importance in Mill Valley. They are summarized in this introduction and covered more fully in the rest of the Plan.

Pressures for Growth and Change

These pressures have two sources: First, Mill Valley's attractiveness and proximity to San Francisco makes many people want to live here; this has created a significant demand for new housing and has contributed to the sharp rise in land and housing prices. Second, Mill Valley's population is changing; this creates a variety of housing needs. For example, in keeping with state and nationwide trends, Mill Valley residents are living longer, having fewer children, and living in smaller households than in previous times. Divorce is more frequent, and so are single-parent households.

Understanding these pressures, this Plan establishes clear policies for development of the last large parcels of undeveloped residential land in the City, and sets rules for changes in existing neighborhoods; i.e., it anticipates proposals to add units to existing

homes, to build ever-larger homes on the remaining undeveloped infill lots, and, increasingly, to demolish small homes and replace them with larger ones.

Buildout of Large Undeveloped Parcels

This Plan provides guidelines for the ultimate development of the last remaining privately-owned tracts of open land in the City. These properties comprise a total of 288 acres and are often referred to as the "RP" parcels, because they were previously zoned RP - Planned Residential. The largest of these parcels are in the Kite Hill, Alto Hill, Shelter Ridge, Warner Ridge and Cascade Canyon areas.

These properties, for the most part, represent the sections of town that were passed over in the past as the more readily developable properties were developed. Most have significant on-site environmental constraints such as areas of geologic instability, steep slopes and high fire hazard, and many include ridgelines or open grassy hillsides of high scenic value. In addition, most are also located in areas of town that have significant off-site limitations on their development potential, such as inadequate utilities, limited access options, substandard roads, excessive emergency response time and inadequate sewer and drainage facilities.

The general approach during the plan revision process was to acknowledge the identified environmental constraints as limitations on development rather than trying to identify the extensive mitigation measures such as street widening, intersection signalization, or increased channelization projects which would be neither acceptable to existing residents nor, because of the limited undeveloped land remaining in the community, economically feasible to implement. This approach has the additional benefit of reducing on- and off-site mitigation fees which would otherwise have to be borne by the property owners.

Under the Plan, these properties can only be developed with single-family homes at relatively low densities. As a result, the total buildout potential on the 288 acres has been reduced from the previously permitted range of 293-1044 units to 84-87 homes. The Plan provides property owners with reasonable uses of their lands, while taking into account community concerns and the property's environmental constraints. The Plan thus attempts to resolve the years of controversy that have accompanied previous proposals for these lands. In doing so, the Plan establishes zoning densities, access points, and the position of both homes and open areas on each of the properties.

Infill Development in Existing Neighborhoods

The Plan provides for an innovative, clear, and fair means of providing for new residential development, and for changes to present homes, in the City's established neighborhoods. Perhaps second only to traffic as a community concern is the fear that some property owners in a neighborhood may seek to remodel, enlarge, or replace dwellings in ways that interfere with others' light, air, views, and privacy. This Plan balances the rights of the property owners with the rights of neighborhood residents to protect their quality of life. The Plan's regulatory policies, providing for limits on the bulk, height, and setbacks of homes in existing neighborhoods, rely on a much simpler and clearer formula than has previously been used. This method, utilizing in part floor

area ratios (specifying how much floor space is allowable, based on the area of the lot) is described fully in the Plan.

Traffic

Increasing traffic on Mill Valley's generally narrow and often-winding streets is, to many people, the community's major unresolved problem. While, unquestionably, any new development will add at least some additional traffic, the total new development allowable under this Plan should keep the increase to a minimum. Also, unquestionably, solutions to traffic problems are extremely difficult. For example, widening East Blithedale, one of the two major approaches to the City, would require the acquisition and demolition of dozens of homes, a totally unacceptable idea in the community. The Plan therefore seeks to provide for new housing and commercial development at densities that minimize their impact on traffic.

Affordable Housing

Perhaps the most difficult issue that arose during the preparation of this Plan was that of seeking to maintain the community's population diversity by providing housing available to people in many income ranges. This has always been one of Mill Valley's strengths--while expensive housing was built, but there was also a substantial supply of relatively less costly dwellings. The real estate boom in the Bay Area has made this balance increasingly difficult to maintain. Therefore, in determining allowable densities for the former RP properties, careful study was given to whether relatively higher densities would allow more affordable housing to be built. It was determined that, at 1989 real estate prices, the densities required to achieve even moderately affordable housing on these properties would be so high and the resulting traffic and other environmental impacts so great, as to be totally unacceptable to the community.

But the Plan maintains, and indeed increasingly emphasizes, other steps to achieve low- and moderate-income housing. These include requiring in-lieu housing fees from those building two or more new homes, with the money earmarked for the development of affordable housing elsewhere in the community.

Commercial Areas

Based upon generally accepted criteria, Mill Valley has more commercial property than is typical for a town of its size. Most of the City's commercial areas are close to, or require access through, residential neighborhoods. The Plan thus seeks to balance the goal of minimizing traffic impacts on residential areas with the goal of maintaining healthy business areas. This means encouraging businesses that primarily serve the Mill Valley area. At the same time, it is understood that, in Marin County's highly-competitive retail climate, many businesses cannot survive without drawing at least some customers from outside the area.

In addition, the Plan recognizes that the Lytton Square area is not only the City's commercial center, but also its civic and cultural center. The Plan thus proposes special restrictions on uses and requires new commercial development there to respect the

public investment in civic buildings, the Plaza, parking improvements, and the City's general efforts to maintain the area's attractiveness.

Schools

The Plan recognizes the importance of a strong public school system to serve the community, and advocates continued close cooperation between the City government and the Mill Valley School District and the Tamalpais Union High School District. In particular, the Plan provides for efforts to address jointly any changes in school sites that may result from changes in school-age population or in school funding.

Natural Resources

The Plan continues to reflect the value the community places on the protection and, where possible, the enhancement of the community's natural resources including the bayfront, creeks, native vegetation, and visually prominent ridgelines and hillsides.

The Plan also addresses the other subjects required by law, but in a less specific way. This is not intended to signify any lesser importance, but simply reflects the City's practical decision to allocate the time and energies at its disposal to addressing the most pressing land use and public policy issues which the City will be facing during the 1990's.

1.2 BACKGROUND

The approximately 13,000 people who reside within the Mill Valley City Limits comprise only approximately 60% of the total population within the area generally known as Mill Valley and which is referred to in planning terms as the "Mill Valley Sphere of Influence".

Also located within the Sphere of Influence immediately contiguous to the City are a number of unincorporated communities (Tamalpais Valley, Almonte, Homestead Valley, Muir Woods Park and West Alto), which together contain a total population of approximately 9,000 people. In the past, both the City of Mill Valley and the County of Marin have had separate general plan documents which cover the area included within the City's Sphere of Influence.

Mill Valley

The area within the City limits was covered by the Mill Valley General Plan which was adopted in 1975. As has been the case with most of the other small cities in Marin County, except for the Housing Element which was most recently revised in December 1984, the General Plan had not been reviewed nor revised since its adoption.

County Area

The unincorporated communities were included in Marin County's Tamalpais Planning Area Community Plan which was adopted in 1975 and the Strawberry Community Plan which was adopted in 1973. Both of these plans were elements of the Marin Countywide Plan. Except for an amendment that occurred in 1981 which covered a portion of the

Tam Junction area, these plans also had been reviewed, revised nor updated since that time.

It was generally accepted that the plans for both jurisdictions were out of date, needed revision and/or did not comply with the requirements of the California Government Code. As a result, both jurisdictions decided to undertake a review, revision and update of their respective planning documents at the same time. Since the residents of the incorporated and unincorporated area share many of the same community goals, values and problems, and land use decisions and traffic generated in one jurisdiction, directly affects the other and vice versa the City approached the County Board of Supervisors to request that they participate in a joint planning effort to develop a coordinated set of land use goals and policies for the entire area included within Mill Valley's Sphere of Influence. Following several public discussions of the City's proposal, the concept was endorsed by the Board of Supervisors and the required funding was allocated.

1.2.1 Study Area

The study area for this joint planning project is generally described as being bounded on the east by Sausalito and Highway 101, on the north by the towns of Corte Madera and Larkspur, on the west by Mount Tamalpais State Park and the lands of the Marin Municipal Water District and on the south by the Golden Gate National Recreation Area. The total study area encompasses between eight and nine square miles. **Figure 1A** indicates the boundaries of the Planning Area.

1.2.2 Planning Documents

The joint planning effort has resulted in the following three separate products:

- 1. A new Mill Valley General Plan covering the area currently within the Mill Valley City Limits.**

This document constitutes the state mandated General Plan for the City of Mill Valley. It has been reviewed by the Mill Valley Planning Commission and adopted by the City Council and is intended to guide land use planning and related circulation, conservation and safety policies and programs of the City for the next 10 to 15 years.

- 2. A Tamalpais Planning Area Community Plan covering the unincorporated area within the Mill Valley Sphere of Influence.**

This document will be reviewed by the County Planning Commission and adopted by the Board of Supervisors. In addition, it is anticipated that this document also will be reviewed by Mill Valley Planning Commission and adopted by the City Council as the City's General Plan policies for the area within Mill Valley's Sphere of Influence but currently outside the City limits. This planning document will also be the basis for the required City rezoning of the unincorporated land.

Figure 1A – Planning Area Boundary

3. An Environmental Impact Report which covers both planning documents.

This project also included the preparation of an Environmental Impact Report which complies with the requirements of CEQA. To the extent possible, the preparation of this EIR was incorporated into the development of the goals and policies of the planning documents. The EIR will be considered by both the City and County Planning Commissions and the City Council and Board of Supervisors.

1.2.3 Organization of the Planning Process

A parallel three-tiered organizational structure at both the City and County levels was utilized during the preparation of the plans. At the City level, the top tier was an Overview Committee which consisted of the City Council and Planning Commissioners. This group guided the planning process and provides policy direction. Reporting to this Overview Committee was a citizens advisory committee, the Steering Committee which was appointed by the City Council. The Steering Committee consisted of 10 community residents and functioned as the primary decision-making body during the preparation of the draft plan. Two members of the City Overview Committee and a member of the County Steering Committee served as liaisons to the City Steering Committee. The third tier in the planning process consisted of a series of subcommittees or task forces (comprised of Steering Committee members) which addressed the major planning issues.

At the County level, the Overview Committee consisted of the Supervisors from the third and fourth districts and three County Planning Commissioners. A 13-person Steering Committee selected by the County functioned in a decision-making capacity on issues that related to County concerns. A member of the County Overview Committee and representatives of the cities of Mill Valley and Sausalito served on the County Steering Committee. Subcommittees of the Steering Committee were appointed to deal with special issues. Early in the process, the Overview and Steering Committees of both the County and the City held joint sessions.

1.3 STATE LAW REQUIREMENTS FOR GENERAL PLANS

California Planning and Zoning law requires that each local jurisdiction prepare and adopt a comprehensive, long-term general plan to clearly state the City's land use policies and guide physical development not only within the City limits but also in the entire Sphere of Influence. (Government Code Section 65300 et. seq.). For general law cities, such as Mill Valley, the General Plan must contain a set of mandatory elements which address local conditions and establish development objectives and policies for the following topics:

- Land Use
- Circulation
- Housing

- Conservation
- Open Space
- Noise
- Safety

These mandatory elements may be combined in any manner, provided that the specific requirements for each topic are thoroughly addressed. In order to ensure that the General Plan will function as one cohesive document, State laws requires that the plan be "internally consistent". This means that the policies and implementation programs of one element must not contradict, but rather be consistent with the policies and implementation programs of the other elements. Following adoption of the General Plan, State law requires that all land use decisions made by the City be consistent with the General Plan. It also requires that the City's Zoning Ordinances and other implementation tools be amended to be consistent with the General Plan.

1.4 ORGANIZATION OF THIS GENERAL PLAN

The 1990 Mill Valley General Plan is organized such that the four sections following this introduction comprise all seven of the mandatory elements.

Section 2: **LAND USE** includes the mandatory Land Use, Conservation and Open Space elements.

Section 3: **HOUSING** constitutes the mandatory Housing element.

Section 4: **TRANSPORTATION** constitutes the mandatory Circulation element.

Section 5: **PUBLIC HEALTH & SAFETY** contains the mandatory Noise and Safety elements.

A separate document, the **APPENDIX**, contains additional information which is only summarized in this Plan.

In addition to the requirements of California Planning and Zoning Law, the provisions of the California Environmental Quality Act (CEQA) are also applicable to the preparation and adoption of a General Plan. Following the preparation of an Initial Environmental Study and the circulation of a Notice of Preparation, a complete Environmental Impact Report (EIR) was prepared on the Plan. While this EIR is **Section 6** in the Plan, much of the discussion of existing and future environmental conditions is covered in the text of the preceding four sections of the Plan and, wherever possible, the topics of the EIR are referenced in these sections.