



MEMORANDUM

DATE: April 11, 2013

TO: General Plan Advisory Committee

CC: City Council
Planning Commission
City Manager
Department Heads

FROM: Mike Moore, Planning and Building Director

SUBJECT: Draft MV2040 General Plan

It's finally here . . .

After months of meetings and discussion, the City of Mill Valley has a new draft General Plan. On April 25, the General Plan Advisory Committee will begin its review of the draft plan before sending it on the Planning Commission, and ultimately, the City Council for public hearings and adoption.

Much of the prior work of the GPAC, along with that of the three Working Groups (and the public and City staff), has focused on translating the community's vision and values into a framework of goals, policies and programs intended to guide Mill Valley over the next 30 years. Since the completion of the GPAC's review of the final goal, policy and program recommendations in early February, staff and our consultants have been at work pulling all of this information together into a document that reflects the considerable time and energy of all who have participated in this important community process. And although we are a just few weeks behind the overall schedule set by the City Council, this great effort has been accomplished in a little more than 15 months.

The purpose of this memo is to provide an overview of the document and help the GPAC focus its review. Let's start with the table of contents. As you may recall from the "General Plan 101" session about a year ago, state law requires that a General Plan contain seven chapters – called "Elements" – that address the topics of Land Use, Circulation, Housing, Safety, Conservation, Open Space and Noise at the level of detail required by state law and in a manner that reflects local issues and needs. MV2040 follows somewhat of the same pattern. After a brief "Introduction", the draft plan contains 8 "Elements":

- Land Use
- Mobility
- Community Vitality (including Arts and Culture)
- Natural Environment
- Climate Action
- Hazards and Public Safety
- Noise
- General Plan Administration

Each Element follows the same basic format:

- “Purpose” that describes the basic legal requirements and context for the Element.
- “Existing Conditions” that provides a summary of important data, maps and other information that creates the foundation for the subsequent goals, policies and programs.
- “Trends to Watch” is a summary of what’s happening in the community, in the region and in the world that could affect Mill Valley into the future.
- “Goals, Policies and Programs” that provide the guidance and direction to effectively manage the forces of change consistent with community values. The goals, policies and programs in the draft General Plan , except where noted, are the final recommendations of the General Plan Advisory Committee.

The “General Plan Administration” Element is somewhat different than the other Elements in that it describes the process of getting to a new draft General Plan and some basic guidance on how to manage the Plan into the future so that it remains vital and dynamic. The “Appendices” that follow contain a variety of technical information and a “Glossary”. The “Implementation Plan” and “Environmental Review” are still be worked on. More about those later in this memo. The GPAC has already reviewed the components of the Housing Element and you will recall that the Housing Element has its own content and format requirements, as well as a separate review process by the State Department of Housing and Community Development (HCD). The initial review by HCD is presently underway and will be completed by or before April 29, 2013. They will issue a comment letter that we will provide to the GPAC and public once we receive it.

One last comment on the draft. As it is intended to be a “working” draft: that is, the version that goes through the hearing process and gets marked up and revised as a result of those hearings, it is being presented without the same attention to graphics and color as the General Plan Workbook. Once the General Plan is adopted, the final version will have more of that detail and make it more interactive (particularly in an electronic version).

To assist in the review of the Plan, the following summarizes some of the content highlights of each Element.

Land Use

- Much of the “Existing Conditions” text, including the descriptions of the major residential and commercial areas of the City, comes directly from the 1989 General Plan with some updates to reflect current circumstances.
- The plan includes a Land Use Map, which is a requirement of state law, but the City has been without one for many years. The new Land Use Map is based upon the City’s

existing zoning districts and the new “Land Use Designations” (pages 17 and 18) are described and defined. The descriptions of the commercial designations anticipates the work that the Planning Commission has already done to redefine the City’s commercial zoning districts.

- Land Use goals, policies and programs include the “Downtown” and other commercial area recommendations from the Community Vitality Working Group; residential policies and programs (from the 1989 General Plan); Historic Preservation goals, policies and programs; and policies and programs related to annexation and provision of City services (also from the 1989 General Plan)

Mobility

- The plan looks at existing and future (2035) traffic conditions and recommends new policies that revise the City’s 1989 Level of Service standards. The “future” traffic analysis and discussion of Level of Service standards (pages 34-39) that lead to the new LOS program recommendations came after the GPAC had completed its review of the Mobility goals, policies and programs because of the timing of the future traffic analysis.

Community Vitality

- As noted in the Land Use summary, the goals, policies and programs related to Downtown and the other major commercial areas was moved from Community Vitality. The Element focuses on general economic vitality, healthy community and arts and culture. The work of the Arts and Culture Sub-Committee of the Community Vitality Working Group is reflected in this section.

Natural Environment

- The “Existing Conditions” section of this Element takes the “Open Space” narrative from the 1989 General Plan and updates and expands its review of the natural features and communities that create the natural context that is such an essential element of Mill Valley’s character.
- In order to keep the focus of this Element on the natural environment, the hazards and climate change topics that were addressed by the work of the Natural Environment Working Group have become their own separate Elements and are summarized, in turn, below.

Climate Action

- The “Existing Conditions” section of this Element comes from the City’s draft Climate Action Plan that was prepared back in 2009.
- The goals, policies and programs are those related to reducing the community’s carbon footprint, climate adaptation and zero waste recommendations from the Natural Environment Working Group and the General Plan Advisory Committee.
- Appendix “D” provides a detailed analysis of how all of the General Plan’s climate action related goals, policies and programs (those identified by the leaf symbol) work together to reduce Greenhouse Gas Emissions to the levels set forth by the City’s local reduction standards and California’s AB 32 standards.

- This Element along with the other related climate action related goals, policies and programs satisfy the requirement for a local climate action plan.

Hazards and Public Safety

- The “Existing Conditions” section of this Element is based on information provided by the City’s Fire and Police Departments.
- The goals, policies and programs are those related to community hazard resilience from the Natural Environment Working Group and the General Plan Advisory Committee.
- The Police and Public Safety recommended goals, policies and programs are new to this document, but in response to direction from the General Plan Advisory Committee.

Noise

- This Element is new to the GPAC, but is based on the requirements of state law.
- The “Existing Conditions” analysis shows that most noise in the community is related to traffic on major arterials and Highway 101, as well as occasional and temporary noise and vibration from construction.
- Projections of future noise conditions in the City are insignificant and can be addressed through Building Code standards and development review conditions.

General Plan Administration

- Includes procedures for annual and 5-year reviews of the General Plan, as wells as the process for amending the plan
- Memorializes the public process and milestones in the creation of the MV2040 General Plan.

Appendices

More technical information has been moved to Appendices “A” through “H”. They include a variety of information, including the evaluation of efforts to reduce Greenhouse Gases (GHG) and a “Glossary” of common General Plan and planning terminology. Additional “Traffic” and “Noise” data each have their own Appendix.

Implementation Plan

The GPAC may recall that when the goal, policy and program recommendations originally came for your review, they were in the format of an “Implementation Plan” that also identified the City department or community group responsible for implementation, potential sources of funding, whether the program was a “high”, “medium” or “low” priority and whether implementation would be “short”, “medium” or “long” term. That document is not included at this time because it needs to reflect whatever the final action programs may be. A draft version will be prepared in anticipation of public hearings and based on input from City staff. A final “Implementation Plan” will be adopted by the City Council as part of the adoption of the General Plan and will be the basis for the subsequent annual reviews of the General Plan.

Environmental Review

A General Plan is a “project” as defined by the California Environmental Quality Act (CEQA) and, therefore, subject to an assessment of potential environmental impacts. It’s important to note that the General Plan, itself, is what is reviewed and not any specific development or capital project that may come about as a result of the General Plan. As such, CEQA actually defines the level of review differently than a specific project. At the “program” level of review, which is what the General Plan falls under, the potential environmental impacts are assessed according to what the General Plan may call for through its various policy and program recommendations. As this General Plan does not call for any changes in existing land use and development patterns or calls for major capital improvements (new roadways, service expansions, etc.) the likely environmental impacts at the program level are likely to be minimal and more importantly, the policy and program recommendations in the General Plan actually serve as mitigations for any potential impacts that may be identified.

Because we needed a complete General Plan in order to clearly define the “project” under CEQA, we have not been able to begin the environmental review process until now. Staff’s intention throughout this process was that the requirements of CEQA could be satisfied through the preparation of an Initial Study (a detailed analysis of how the General Plan potentially affects the various mandatory CEQA assessment topics) and the resulting determination of a Mitigated Negative Declaration (MND). An MND determination means that any potential environmental impacts resulting from the adoption of the MV2040 General Plan can be mitigated. However, in subsequent discussions with the City Attorney, CEQA specialists and staff from other communities, staff is now recommending that an Environmental Impact Report be prepared for the General Plan. While not considerably more effort than the Initial Study and MND, it will add more time to the adoption schedule and postpone the beginning of public hearings. Staff is working with a consultant and will have more details on this effort and impacts to the schedule at the GPAC meeting.

Staff Recommendation

There are two scheduled GPAC meetings to review the draft General Plan: April 25 and May 2. Each meeting is scheduled to begin at 6:30 and go to 9:30. If any additional meetings are necessary, we can work that out according to the direction of the GPAC.

Since the GPAC has already reviewed the goals, policies and programs, staff would recommend that the review focus on two things: “what’s missing” and “is it consistent” . “What’s missing” refers to anything that isn’t in the Plan that should be. That could be some missing text; a map that has some missing detail or isn’t there at all; or a goal, policy or program that isn’t there or doesn’t quite say what it needs to. Consistency is critical to the General Plan. State law says that a plan must be internally consistent, meaning that it must provide similar and mutually supportive policy direction and action throughout. No one element or goal, policy or program is more important than another. They must all work together to support and implement the community vision and values. If any of you have specific editorial changes – typos, bad grammar, sentence fragments, etc. – please just send them directly to me.