

Key

	Tier 1: Policies that are high priority; programs that should be implemented within 5 years.
	Tier 2: Policies that are lower priority; program that should be implemented in years 5-20.
	Tier 3: Policies and programs that have lower relative priority and will not be included in the new General Plan.
	Tier 4: Policies or programs that have been fully implemented and will not be included in the new General Plan.

Policy/Program	Status/Achievements	Staff Recommendations for Update	MCL Comments	PC Subcommittee Comments	Staff Responses	PC Recommendation	City Council Comments & Questions	Staff Responses
Program 1.1 Establish Stream Protection Zone (see GP for full text)	NMC 19.35, Waterway & Riparian Protection adopted April, 2001 Stream Management Guidelines (SMG), adopted by CC April 10, 2001 Applied to new development projects located near streams and water bodies identified on EN Map 1	Delete. Program completed.	Would like a program to define stream or creek so there's a better basis for compliance with the appropriate General Plan policy or program. Also define by type of creek: example ephemeral, intermittent. The group feels that human-made ditches are often creeks that have been relocated, but serve the original function of passage of water, wildlife habitat and riparian vegetation, such as on the site of Atherton Ranch. Map EN1 now only shows the main stems of Novato, Warner, Pacheco and Ignacio Creeks. Add other streams and creek on maps and apply relevant policies and programs to these	Agree with staff recommendation re: better defining streams/creeks, excluding man-made drainages, and updating Map EN1. However, note that older man-made drainages may well be comparable to a "natural stream" and provide similar habitat and should have some protection (e.g., the agricultural drainage to bay outside Hamilton).	Chapter 19.35 (Waterway and Riparian Protection) of the Zoning Code applies to waterways identified on EN Map 1, which show perennial and intermittent streams based on USGS maps. The CD Director may also apply regulations to "significant tributaries." The applicable regulations include a discretionary permit for any construction/alteration within min. 50 feet of banks, submittal of a stream management plan, erosion control, grading and vegetation removal restrictions. Staff would be supportive of adding a program that would call for better definition of streams/creeks (particularly one that would both better define "significant tributaries" and that would exclude human-made drainage ditches that are not jurisdictional wetlands	Agrees with staff recommendation.	Any loose ends to tie up with MCL?	MCL has been sent all materials and notified of meetings, but has not submitted supplemental comments.

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			<p>creeks and streams. Example: stream behind San Marin High feeds into Novato Creek; creek near/behind NoVaRo II and where it daylights. The group felt it important to create a creek baseline map asap.</p>		<p>from our regulatory protections since these arise frequently in our dealings with applicants (e.g., in attempting to construct a deck or other yard improvements).</p> <p>Staff would also support a program calling for periodic updates to Map EN1 based on best available data. Marin Map will soon publish updated stream mapping based on more detailed topographic and hydrologic data.</p> <p>Staff would not be supportive of mapping or regulating ephemeral drainages unless they are jurisdictional waterways. Marin County has attempted for several years to do so, starting with the San Geronimo Valley. The process has been very costly and contentious and will not likely be repeated elsewhere in the unincorporated areas.</p> <p>Staff believes that Chapter 19.35 as written allows for evaluation at the time of any development proposal, putting the cost burden on the party seeking development while still protecting the environment.</p>			

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Program 2.1 Require mitigation for loss of riparian vegetation. On-site mitigation is preferred wherever possible.	Implemented. NMC 19.35.060.E, Watercourse Protection Standards & Design Criteria Project specific environmental review may identify additional mitigation	Delete. Program complete, qualitative standards adopted.		Add to Policy 2 (which states: "Protect vegetation in watercourse areas.")	Staff agrees this language can be included in Policy 2 rewrite.	Agrees with staff recommendation.		
Program 2.3 Develop educational programs to inform property owners about protecting native vegetation in watercourse areas.	Specific educational program not developed Handouts available to public include: PW Creek Care for Property Owners County MCSTOPP handouts, online	Delete or refer to web postings only.		Is there potential to add handout links to city website?	Yes. Staff has no problem with adding General Plan programs to provide public information on the City website. This applies in several chapters, so a common means of stating this will be developed.	Agrees with staff recommendation.		

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<p>Program 3.1 Refer to comment to the State Department of Fish and Game and Marin County Flood Control District any grading, filling, or construction proposal that would alter a watercourse shown on EN Map 1.</p>	<p>Project referrals for private project applications within a watercourse area done on regular basis</p>	<p>Delete. Routine practice required by CEQA for development projects.</p>	<p>Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.</p>		<p>One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.</p>	<p>Agrees with staff recommendation.</p>		

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Program 5.2 Prohibit further degradation and require restoration of previously-degraded riparian areas as a condition of development approval when restoration is feasible, taking into account the project's size and cumulative impacts.	NMC 19.35, Waterway and Riparian Protection Stream Management Guidelines Environmental Review	Program is implemented. Incorporate language into Policy 5.		Found the program wording, "when restoration is feasible" too vague. Who defines the reasonableness for restoration of habitat?	The Waterway and Riparian Protection Chapter of the Zoning Code only requires restoration when damage has or will result to wetlands from development activity. If additional restoration beyond the impacts of the proposed project is desired by the project decision-maker (the DRC, Planning Commission or City Council depending on the scope of the development proposal [staff has authority for individual single-family dwellings]), it would have to be sought as part of the project merits, but the ability to require restoration beyond mitigating project impacts is constrained by legal nexus.	Agrees with staff recommendation.		
Program 5.3 Encourage riparian restoration as part of permit approval.	NMC 19.35, Waterway and Riparian Protection Stream Management Guidelines adopted. Ongoing through environmental review for new development.	Delete. Program 5.2 contains stronger language.		Add the requirement for permit approval to Program 5.2.	Not needed. Program 5.2 already says, "as a condition of development approval."	Agrees with staff recommendation.		

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<p>Policy 8 Environmentally Sound Flood Control Measures. Encourage flood control measures that retain the natural features and conditions of watercourses to the maximum feasible extent.</p>	<p>NMC 5.31, Flood Damage Prevention requirements adopted</p> <p>NMC 19.16 Flood Hazard Overlay District standards adopted</p> <p>NMC 19.35.060, Watercourse Protection Standards and Design adopted</p> <p>Stream Management Guidelines adopted</p>	Relocate to Safety Element.	Concern over Flood Control language being moved to the Safety Element. Recommends having the same policy in both elements.	OK with moving to the Safety Element, but want to make sure environmentally sound measures are included.	Staff believes that policies related to the design characteristics of public works projects, including environmental criteria, should occur in the chapter or element dealing with public improvements or flood control devices. We will incorporate language re: environmentally sound measures.	Agrees with staff recommendation.	Agree not to have redundancy as often leads to mistakes. Better once in an appropriate place.	Comment noted.
<p>Program 8.1 Ensure the retention of flood protection easements held by the Marin County Flood Control and Water Conservation District on private property to prevent development in these areas.</p>	<p>Adopted NMC 19.16.050 Flood Hazard Overlay District standards</p> <p>Referral of development projects to Marin County Flood Control</p>	Relocate to Safety Element.	Concern over Flood Control language being moved to the Safety Element.		Staff believes that policies related to the design characteristics of public works projects, including environmental criteria, should occur in the chapter or element dealing with public improvements or flood control devices.	Agrees with staff recommendation.		

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<p>Policy 9 Determination of Wetlands. Recognize the U.S. Army Corps of Engineers (ACE) as the designated permitting agency that regulates wetlands.</p>	<p>New development applications subject to wetland delineation are referred to the U.S. Army Corps of Engineers.</p>	<p>Delete, not a policy statement, just restating federal law.</p>		<p>Should there be a general “cooperation policy” in the GP to acknowledge the City’s relationship with regional and state agencies? (Policies 3.1, 9, 14, 17, 19 and 32 each touch on this)</p>	<p>Staff concurs this is a good suggestion to write a more “blanket” coordination policy that covers working with state and regional agencies on environmental protection efforts.</p>	<p>Agrees with staff recommendation.</p>		
<p>Program 10.3 Encourage wetlands restoration where appropriate.</p>	<p>Adopted NMC 19.36 applicable to all new development projects, does not address existing and/or historic wetlands</p>	<p>Revise and incorporate into Policy 10 statement.</p>		<p>Combine with language in Program 9.1 which states, “Establish programs and ordinances to develop a process for determining, regulating and permitting wetlands”</p>	<p>Staff recommends deleting Program 9.1 since it was implemented with the adoption of Section 19.36 of the Zoning Code, Wetland Protection and Restoration. However, the staff recommendation is to retain this program language and incorporate it into a revised Policy 10.</p>	<p>Agrees with staff recommendation.</p>		

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<p>Policy 11 Bayland Overlay Zone. Establish a Bayland Overlay Zone to preserve and enhance natural and historic resources, including wildlife and aquatic habitats, tidal marshes, seasonal marshes, lagoons, wetlands, agricultural lands and low-lying grasslands overlaying historic marshlands.</p>	<p>Adopted NMC 19.16.030, Baylands Overlay District Applicable to all property within zone</p>	<p>Delete, overlay zone was established.</p>	<p>See below.</p>		<p>See below.</p>	<p>Agrees with staff recommendation.</p>		

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<p>Program 11.1 Revise the Zoning Ordinance to include a Bayland Overlay Zone consisting of bayland areas.</p>	<p>NMC 19.16.030, Baylands Overlay District, adopted in 2001, Zoning Map identifies Bayland Overlay Zones</p>	<p>Delete, program implemented.</p>	<p>Create a Baylands Corridor (like Map 3-1A of the County of Marin GP). Corridor restriction should be stronger than an Overlay Zone (MCL thinks San Rafael is doing this for their GPU). The group will provide more complete information re: responding to staff's request to clarify regulations that they believe are lacking from our Baylands Overlay District.</p>		<p>The Baylands Overlay District (Sect. 19.16.030) is applied to areas of historic baylands which are undeveloped. The regulations require discretionary approval of any development or site modification with a constraints analysis & habitat restoration plan, require min. 100' buffers from mean highest high water and many design and environmental protection criteria.</p> <p>Staff has asked MCL to clarify additional regulations that the Committee believes are lacking from the Baylands Overlay District and which additional properties the Committee believes the Overlay District should apply to?</p>	<p>Agrees with staff recommendation.</p>		
<p>Program 12.2 Encourage protection of migratory and other birds, anadromous fish and endangered species.</p>	<p>Adopted NMC 19.16.030, Bayland Overlay District</p> <p>Env. Review typically identifies need for protection & requires mitigation in new development projects</p>	<p>Delete, not really a program.</p>		<p>Add language to Policy 12.</p>	<p>Staff concurs.</p>	<p>Agrees with staff recommendation.</p>		

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Policy 14 Tidal Areas. Cooperate with State and Federal agencies to ensure that areas subject to tidal action remain in their natural state.	Adopted NMC 19.16, UP required for development within a B-Overlay district. Referral to State & Federal agencies done through project review	Retain.		Why not delete this like other policies that require regional and state cooperation with regional and state agencies (or roll into a larger “cooperation policy”)?	Staff concurs that this specific policy should be deleted and “rolled up” into a broader policy speaking to cooperation with state and regional agencies on environmental protection issues. See response to Policy 9 above.	Agrees with staff recommendation.		
Policy 15 Agriculture in Bayland Areas. Encourage the continuation of agricultural uses in Bayland Areas that do not adversely affect wetlands or sensitive wildlife habitats and do not damage fish habitat.	Adopted NMC 19.16.030.E.6, agricultural uses are required as a development standard in Bayland areas to provide buffer	Retain. Revise “Encourage the continuation of agricultural uses...” to read “Allow agricultural uses...”		Agree with staff recommendation. However, is there an opportunity to interject something in support of community gardens here?	The issue of community gardens will be addressed in the upcoming Healthy Eating/Active Living White Paper, and will definitely recommend a policy and program(s) related to community gardens. Not sure where in the GP it will be located.	Agrees with staff recommendation.		

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Policy 17 Inter-Agency Coordination. Facilitate coordination and consultation with other agencies with jurisdiction over the bay in the review of development and conservation proposals in the Bayland Overlay Zone.	Development project referral to appropriate agencies done with each development application	Delete, not needed since referrals are routinely done and required by CEQA.	Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.		One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.	Agrees with staff recommendation.		
Policy 18 Species Diversity and Habitat. Protect biological resources that are necessary to maintain a diversity of plant and animal species.	Adopted NMC 19.35, Waterway and Riparian Protection, & NMC 19.36, Wetland Protection and Restoration Environmental review for development projects may identify native plant and animal species, mitigation may be required	Retain		Concern over language not referring to native plants/animals in the description.	Staff concurs and will incorporate into a revised policy.	Agrees with staff recommendation.		

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<p>Policy 19 Special Status Species. Cooperate with State and Federal Agencies to ensure that development does not substantially adversely affect special status species appearing on the State or Federal list for any rare, endangered, or threatened species.</p>	<p>Ongoing with new development projects. Environmental review, if required, for development projects considers native plant and animal species</p>	<p>Delete. Required by CEQA.</p>	<p>Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.</p>	<p>Include language from Policy 19 in Policy 18. What if environmental review is not required?</p>	<p>Staff concurs and will include language re: special status species in Policy 18.</p> <p>Environmental review is required for any development activity that has potential to disturb special status species.</p>	<p>Agrees with staff recommendation.</p>		
<p>Program 25.2 Develop educational programs to inform property owners of good tree management practices.</p>	<p>No known program has been developed.</p>	<p>Delete, insufficient staff resources.</p>		<p>Instead of deleting, move some language to Program 24.1 (“Adopt a tree master plan...” – combine city tree plan recommendation with information for property owners on website.</p>	<p>Staff concurs.</p>	<p>Agrees with staff recommendation.</p>		

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Policy 26 Trees in New Development. Require that the site planning, construction and maintenance of development preserve existing healthy trees and native vegetation on site to the maximum extent feasible. Replace trees and vegetation not able to be saved.	NMC 19.28.040.C.2, Landscape Standards, adopted, requires trees to be retained and preserved and new trees to be planted in new developments.	Retain	Policy 26 doesn't provide a specific tree replacement ratio.		19.39.040 provides the specific requirements for tree retention and replacement. Such specificity isn't appropriate for the General Plan and is contained in the Zoning Code.	Agrees with staff recommendation.	We need to make sure that large projects as well as single family home projects have same high standard to protect existing trees. This was not always so.	Current regulations do not differentiate between small and large projects re: tree replacement.
Program 31.3 Analyze energy consumption aspects of site design and service delivery, such as drive-up windows.	CEQA updated in 2009 to include guidelines for analyzing GHG emissions for new development.	Delete, addressed in State law.	Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.		One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.	Agrees with staff recommendation.		

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Program 32.1 Use the environmental review process to determine whether air emissions from proposed development would exceed BAAQMD standards.	Evaluated as part of CEQA analysis.	Delete, already addressed as part of CEQA process.	Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.		One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.	Agrees with staff recommendation.		
Policy 34 Local Efforts. Encourage local efforts to improve air quality.	CEQA review of new development projects. Installation of 8 EV charging stations.			Add to Policy 32 ("Regional Planning to Improve Air Quality. Continue to cooperate with the Bay Area Air Quality Management District (BAAQMD) in implementing the regional Clean Air Plan.")	Staff concurs and will incorporate into a revised Policy 32 that will also incorporate EN Objective 9.	Agrees with staff recommendation.		
Program 34.1 Use the City's development review process and CEQA regulations to evaluate and mitigate the local and cumulative effects of new development on air quality.	CEQA review of new development projects.	Delete, already addressed as part of CEQA process.	Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.		One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.	Agrees with staff recommendation.		

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<p>Program 34.4 Review all new industrial development for potential air quality impacts on sensitive receptors. Require adequate buffer zones between industrial development and sensitive receptors to ensure public health and to prevent odor-based nuisance.</p>	<p>CEQA and development review process</p> <p>NMC 19.22.080 prohibits noxious, odorous emissions detrimental to health, safety & general welfare of the community</p>	<p>Delete, already addressed as part of CEQA process.</p>	<p>Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.</p>		<p>One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.</p>	<p>Agrees with staff recommendation.</p>		

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<p>Program 34.5 Support a strong street tree planting and community forest component of the proposed Tree Preservation Ordinance and tree management program to help improve local air quality.</p>	<p>NMC 17 Trees and shrubs NMC 19.39, Woodland and Tree Preservation The Public Works Maintenance Islands Division maintains approximately 23,000 street trees. Novato was designated as a Tree City in FY 12/13. A comprehensive Street Tree Management Plan has not been prepared.</p>	<p>Retain and combine with Program 24.1. Will require funding. Consider adding a policy to continue participation in the National Arbor Tree City program.</p>		<p>Combine with Program 24.1 (“Consider adopting a Tree Management Program”).</p>	<p>This is staff’s recommendation as well.</p>	<p>Agrees with staff recommendation.</p>		

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Policy 37 Using CEQA to Reduce Water Quality Impacts. Use the provisions of the California Environmental Quality Act (CEQA) process to identify measures to prevent erosion, sedimentation, and urban runoff pollution resulting from development.	CEQA review used when required in new development projects	Delete, CEQA is required by State Law, water quality is an area required to be analyzed.	Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.		One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.	Agrees with staff recommendation.		
Program 37.1 Include analysis and mitigation measures to reduce the harmful effects of runoff as part of project review.	CEQA review used when required in new development projects	Delete, see above	Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.		One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.	Agrees with staff recommendation.		
Program 40.1 Use the environmental review process to determine areas that are potential mineral resources.	State designates sites. State resources are used during environmental review to determine areas that are mineral resources	Delete. Required by CEQA for development projects.	Concern that programs and policies are being deleted because the policy or program calls for applying CEQA.		One objective of the General Plan update is to reduce the overwhelming number of policies and programs (currently 721). Staff does not believe it is necessary or advisable to include policies or programs that direct staff to comply with provisions of state or federal law.	Agrees with staff recommendation.		

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<p>Program 41.2 Coordinate with the Marin County Open Space District to establish a funding program to acquire and maintain open space of local importance.</p>	<p>No County funding program was identified and created to acquire more open space.</p>	<p>Delete.</p>	<p>Program 41.2 is being deleted due to a lack of funding. MCL thinks Measure A and MOST provide funds for acquisition, and would recommend retaining the program due to this future potential.</p>	<p>Has City purchased land outside Marin Valley Mobile Country Club?</p>	<p>County Parks Measure A is a countywide parks/open space/agricultural funding program. Most funds are currently dedicated to parks maintenance and little to acquisition for Novato.</p> <p>Marin Open Space Trust (MOST) can do open space acquisition, but their challenge has been ongoing maintenance as well.</p> <p>Staff does not believe this program is necessary for the City to continue to collaborate with other agencies on future funding or acquisition efforts.</p> <p>Response to PC Subcommittee question: The only City purchase of open space was that surrounding MVMCC in 2014.</p>	<p>Replace with a new policy encouraging the designation of and land acquisition within Priority Conservation Areas.</p>	<p>We might also add that if special circumstances present themselves like they did for lands surrounding MVMCC, then City would consider a collaboration.</p>	<p>No county coordination occurred with lands surrounding MVMCC.</p>

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Program 41.3 Work with state and federal agencies and non-profits to fund acquisition and maintenance of open space	Acquired substantial portions of Hamilton Field through the federal Lands to Parks program. Acquired open space surrounding the Marin Valley Mobile Country Club from Trust for Public Lands.	Retain.		See question above – what was the source of funds for purchasing open space adjacent to MVMCC?	Half of the funding was from MVMCC and half from Measure F funds.	Agrees with staff recommendation.		
Program 44.1 Review the 1992 report <u>Target 2000</u> and develop an updated Master Plan for Parks and Recreation facilities.	City has implemented specific park plans but has not developed a citywide Master Plan for parks and recreation facilities.	Retain and update.		The Recreation, Cultural and Community Services Advisory Commission were unanimously in support of creating a new Master Plan as a high priority	Staff proposes to retain this program.	Agrees with staff recommendation.		

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Program 44.6 Nexus study for impact fees for non-residential development	Nexus study not done. Development impact recreation/cultural fees are only collected from residential development and feasibility of collecting from non-residential is unknown.	Delete	Program 44.6 is being deleted due to non-collection of non-residential development fees and monies that could go to Park and Rec. facilities. MCL feels this program should remain and could fund trails in commercial areas, benches at Pacheco Pond, etc.		Staff does not recommend retention of this program for the following reasons: <ul style="list-style-type: none"> • Preparation of a nexus study to legally establish an impact fee is costly, • A nexus study would likely determine that relatively few Novato employees use recreational facilities, so a resulting fee would likely be very small, and Novato’s commercial impact fees are already very high compared with other agencies.	Agrees with staff recommendation.		
Policy 45 Community and Neighborhood Parks. Consider implementing planning and funding for community parks. Encourage neighborhood parks emphasizing homeowner association ownership.		Delete. Policy is vague.		Could the policy be tightened?	Staff does not believe the policy statement is needed. Policy 44 speaks to creating a range of city parks, and Program 44.1 calls for preparation of park plans. Program 45.1 will be retained re: encouraging larger developments to incorporate on-site open space/recreation areas.	Agrees with staff recommendation.		

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<p>Program 45.1 Consider requiring developers to provide neighborhood parks in keeping with their project and also contribute toward communitywide parks consistent in the anticipated use of community facilities by potential residents of the proposed development.</p>	<p>Hamilton residential developers built parks, ball fields, amphitheater, tot lots, playgrounds.</p> <p>In other areas, like former Atherton Ranch, the developer provided a playground, maintained by the homeowners association. Other recent projects, such as Canyon Green and the proposed project on Main Gate Road have been required to provide central open spaces accessible to all residents.</p>	<p>Carry forward and clarify that this is applicable to larger residential developments.</p>	<p>Program 45.1 should be expanded to require on-site outdoor areas for non-residential development (similar to open space requirements for multi-family housing). Create new open space areas; link to trails and other outdoor amenities.</p>	<p>Should carry forward – but who’s definition of “larger non-residential developments” that would call for on-site open space? Why not implement in smaller developments (while understanding the profit constraints on developers)? Agree with MCL comments.</p>	<p>The City implements park requirements for new residential development requiring a subdivision in Section 9.20 of the Municipal Code. There is a formula to determine the amount of new park space needed based on the type of housing and size of the project. The City has the discretion to require on-site dedication of land for public park or accept an in-lieu fee based on the fair market value of the acreage. Projects of 50 units or less are required to pay the fee since there is no desire to acquire very tiny park areas for improvement and maintenance by the City.</p> <p>Staff agrees that the program could be rewritten to <i>encourage</i> the inclusion of on-site open space/recreational areas in larger residential and non-residential developments, of which there will be very few in the future since there are very few unentitled or developed sites remaining. However it’s not realistic to think these will be public parks. The City would in most instances not have sufficient funds to make</p>	<p>Agrees with staff recommendation.</p>		

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					<p>improvements and to maintain small, project-focused open space amenities. In large developments, which we are unlikely to see, it might be possible to obtain a publically dedicated open space as part of the project entitlement process as a negotiated item, since the intent would be for the recreational amenity to serve a population beyond that of the project. For example, if the American Assets (Fireman’s Fund) site was to redevelop, it might be beneficial to attempt to secure either public access to open space amenities or to secure the dedication of land and/or improvements for a public park, since the surrounding residential areas are underserved by existing parks. Staff believes it would be difficult to attempt to articulate standards beyond those currently in the Zoning Code and Quimby ordinance to be more specific.</p>			

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Policy/Program	Status/Achievements	Staff Recommendations for Update	MCL Comments	PC Subcommittee Comments	Staff Responses	PC Recommendation	City Council Comments & Questions	Staff Responses
Program 45.3 Identify locations for additional community parks	Created Hamilton Community Facilities Implementation Plan, Phase 1 & 2 in late 1990's that identified and evaluated a 60+ acre community park, with pay to play areas, teen sports activities, sculpture garden and active recreation areas A Parks Master Plan would be a tool to determine and identify locations.	Incorporate into Program 44.1 which calls for preparation of a city-wide parks master plan, including assessing the need and importance of pocket parks given the national obesity epidemic.		The Recreation, Cultural and Community Services Advisory Commission were supportive of pocket parks, understanding that maintenance costs are an issue.	Staff proposes to include reference to pocket parks as part of a revised Program 44.1, but note that they are a funding challenge for maintenance.	Agrees with staff recommendation.	As part of any plan should be a funding plan for capital improvements and maintenance that doesn't fall on the City.	A Parks and Recreation Master Plan is a planning document that, on a very conceptual level, can estimate future renovation or construction costs and can recommend in a very general way, potential funding sources (e.g. grants, private funding, city restricted capital funds). It typically does not lay out a detailed financing plan, with funding identified from non-city sources.
Policy 47 Hamilton Field. Develop and rehabilitate appropriate parks and recreation facilities on portions of Hamilton Field that become City-owned.	Implemented a number of community recreation facilities working with developers, partners and community. Developed Hamilton Community Facilities Implementation Plan Phase I and II.	Delete. City is attempting to remove the Lands to Parks designations for much of the City-owned property.		Keep the policy until the Hamilton Field development is complete.	Staff believes this policy statement could remain applicable to the parcel owned by the City behind the Skate Park, which is currently designated for park use, but would not recommend applying it to the City's other vacant parcels which are subject to the Lands to Parks designation from the federal government. If such designation is removed, the City would like to retain flexibility in terms of identifying alternative	Retain the policy until Hamilton redevelopment has been completed, but remove the phrase "that becomes City-owned" since some future park facilities may be built on land the City does not	Agree with need for flexibility in the type of land use.	

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	<p>Community built the Children’s play park in S. Hamilton Park, Developer built Amphitheater Park, S. Hamilton Park, improved the Hamilton Community Center, assisted with building Thigpen Sports Court, renovated the Arts Center. City built Skate Park, renovated the Hamilton Pool, renovated the old Firehouse into a museum, built spur trail of SF Bay Trail on Reservoir Hill, and SF Bay Trail trailhead at S. Hamilton Park. Successfully implemented negotiations with State Coastal Conservancy for building new trail segment of SF Bay Trail along levee to close gap in trail.</p>				<p>uses that could generate revenue. Staff continues to recommend deletion of this policy.</p>	<p>own, such as the Army Landfill.</p>		

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Policy/Program	Status/Achievements	Staff Recommendations for Update	MCL Comments	PC Subcommittee Comments	Staff Responses	PC Recommendation	City Council Comments & Questions	Staff Responses
<p>Policy 48 Greenways. Provide a system of greenways, consisting of natural lands, wildlife corridors, open space, watersheds, forests, landscaped borders, and landscaped pathways for pedestrians and bicycles. Greenways should connect major open space areas, and habitat areas including perimeter open space, creeks, Stafford Lake, O’Hair Park, and Scottsdale Pond, with the developed parts of the City.</p>	<p>Developer provided Ignacio Boulevard interpretive pathway and greenbelt. Interpretive signs, seating and landscaping were installed along a natural creek area where military base housing was located prior.</p>	<p>Retain</p>	<p>Policy 48 should be expanded to include Redwood Boulevard as part of a City Greenway.</p>		<p>Staff has recommended retaining this policy, but Redwood Boulevard does not seem to fit the description of a Greenway.</p>	<p>Agrees with staff recommendation.</p>	<p>Creekway by library, and is it meanders through town should be enhanced where possible in the future. Find ways to keep safe for all and not be an area for loitering.</p>	<p>Extending the existing path along the creek behind the library would require private property participation and would work best if there was a continuous path that was well lit, highly visible in most areas, and had creek-facing business/uses to have more eyes on the path for better security. The path behind the library is not easily seen from the street and does not have active uses immediately adjacent to it that face it. City efforts to improve this the last few years have helped.</p>

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Policy/Program	Status/Achievements	Staff Recommendations for Update	MCL Comments	PC Subcommittee Comments	Staff Responses	PC Recommendation	City Council Comments & Questions	Staff Responses
Program 50.7 Obtain formal support for Bay Trail connection to the south from Las Gallinas Sanitary District	The San Francisco Bay Trail project is discussing closing the gap with Galinas.	Retain, but modify to refer to connections from the Hamilton trail to the north and south.		OK, but don't understand the City's input/scope.	The City is an active participant in planning and implementing portions of the Bay Trail, and can advocate for our priorities in new segments.	Agrees with staff recommendation.		
Program 50.8 Work with the Bay Area Ridge Trail Council to implement the Novato portion of the Bay Area Ridge Trail, encircling San Francisco Bay on ridge lines.	Worked with Ridge Trail Council representative to develop draft Trails Master Plan and trail connection adjacent to Brookside Meadows subdivision.	Retain		OK, but don't understand the City's input/scope.	See above.	Agrees with staff recommendation.		

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Policy/Program	Status/Achievements	Staff Recommendations for Update	MCL Comments	PC Subcommittee Comments	Staff Responses	PC Recommendation	City Council Comments & Questions	Staff Responses
Policy 51: Environmental Education. Provide opportunities for environmental education, recreation and wildlife interpretation that integrate and link the City’s parks and trails systems to environmental education, scientific research, and restoration activities within the watershed as well as, the community’s cultural heritage.	Completed wildlife overlook area at Scottsdale Marsh, with interpretive signs; Included wildlife interpretive signs at Scottsdale Pond. Completed Reservoir Hill Vista Trail and overlook, connecting to SF Bay Trail and containing interpretive signs of wildlife and area; Ignacio Boulevard interpretive path created with educational signs about the area; Miwok Park renovation included the addition of interpretive signs about the history and wildlife of the area; performed archeological dig at Miwok Park and uncovered artifacts that are now preserved and available for educational purposes at Marin	Retain	Want to keep Policy 51 (Hamilton Wetlands Restoration) and Program 51.1 (Hamilton Educational Facility).		Policy 51 is proposed by staff to be retained.	Agrees with staff recommendation.		

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Policy/Program	Status/Achievements	Staff Recommendations for Update	MCL Comments	PC Subcommittee Comments	Staff Responses	PC Recommendation	City Council Comments & Questions	Staff Responses
	Museum of the American Indian in Miwok Park; Scientist as Artist public art project and community exhibit created by Buck Institute to fulfill public art requirement, that brought science to life.							
Program 51.1 Work with regional, state and federal agencies and other interest groups to develop an environmental educational and interpretive center at Hamilton with connections to the Bay Trail, Hamilton community park and wetland restoration activities in the vicinity.	No work done to move this forward.	Delete	Want to keep Policy 51 (Hamilton Wetlands Restoration) and Program 51.1 (Hamilton Educational Facility).	Not sure why this is to be deleted.	Staff agrees that Program 51.1 should remain. There may be future opportunities to create an interpretive center. The program could be expanded to include educational programs, and not just an interpretive facility.	Agrees with staff recommendation.		

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Key

	Tier 1: Policies that are high priority; programs that should be implemented within 5 years.
	Tier 2: Policies that are lower priority; program that should be implemented in years 5-20.
	Tier 3: Policies and programs that have lower relative priority and will not be included in the new General Plan.
	Tier 4: Policies or programs that have been fully implemented and will not be included in the new General Plan.

Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 1 Ecology of Creeks and Streams. Preserve and enhance the ecology of creeks and streams.</p>	<p>NMC 19.35, Waterway & Riparian Protection adopted April, 2001 Stream Management Guidelines (SMG), adopted by CC April 10, 2001 Zoning Ordinance and Stream Management Guidelines are used to evaluate development projects located near streams and water bodies identified on EN Map 1</p>	<p>Retain</p>		
<p>Program 1.1 Establish Stream Protection Zone (see GP for full text)</p>	<p>See above. Applied to new development projects located near streams and water bodies identified on EN Map 1</p>	<p>Staff would be supportive of adding a program that would call for better definition of streams/creeks (particularly one that would both better define “significant tributaries” and that would exclude human-made drainage ditches that are not jurisdictional wetlands from our regulatory protections since these arise frequently in our dealings with applicants (e.g., in attempting to construct a deck or other yard improvements). Staff would also support a program calling for periodic updates to Map EN1 based on best available data. Marin Map will soon publish updated stream mapping based on more</p>	<p>Retain and focus on re-defining streams/creeks and periodically updating EN 1, as suggested by staff.</p>	<p>See staff recommendation in the center column.</p>

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
		<p>detailed topographic and hydrologic data.</p> <p>Staff would not be supportive of mapping or regulating ephemeral drainages unless they are jurisdictional waterways. Marin County has attempted for several years to do so, starting with the San Geronimo Valley. The process has been very costly and contentious and will not likely be repeated elsewhere in the unincorporated areas.</p> <p>Staff believes that Chapter 19.35 as written allows for evaluation at the time of any development proposal, putting the cost burden on the party seeking development while still protecting the environment.</p>		
<p>Policy 2 Vegetation in Watercourse Areas. Protect vegetation in watercourse areas.</p>	<p>Implemented. NMC 19.35.060, Watercourse Protection Standards & Design Criteria applied to new development projects</p>	<p>Include protection of riparian vegetation in Policy 1.</p>		
<p>Program 2.1 Require mitigation for loss of riparian vegetation. On-site mitigation is preferred wherever possible.</p>	<p>Implemented. NMC 19.35.060.E, Watercourse Protection Standards & Design Criteria</p> <p>Project specific environmental review may identify additional mitigation</p>	<p>Delete. Program complete, qualitative standards adopted.</p>		
<p>Program 2.2 Encourage planting of native vegetation and discourage planting of exotic, invasive vegetation.</p>	<p>Implemented. NMC 19.35.060.E, Watercourse Protection Standards & Design Criteria</p> <p>Project specific environmental review may identify additional mitigation</p>	<p>Delete. Program complete. Include language in Policy 1.</p>		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Program 2.3 Develop educational programs to inform property owners about protecting native vegetation in watercourse areas.</p>	<p>Specific educational program not developed Handouts available to public include: PW Creek Care for Property Owners County MCSTOPP handouts, online</p>	<p>Staff has no problem with adding General Plan programs to provide public information on the City website. This applies in several chapters, so a common means of stating this will be developed.</p>		
<p>Policy 3 Wildlife Habitat. Endeavor to preserve and enhance wildlife habitat areas in watercourse areas and control human use of these areas as necessary to protect them.</p>	<p>Implemented. NMC 19.35.060 Applied to new projects</p>	<p>Retain</p>		
<p>Program 3.1 Refer to comment to the State Department of Fish and Game and Marin County Flood Control District any grading, filling, or construction proposal that would alter a watercourse shown on EN Map 1.</p>	<p>Project referrals for private project applications within a watercourse area done on regular basis</p>	<p>Delete. Routine practice required by CEQA for development projects.</p>	<p>Does the City refer all grading, filling or construction proposal that affects watercourses on EN Map 1 regardless of whether the activity is subject to CEQA? Are these procedures written down so as staff changes, there is consistency? If not, then retain to ensure activities that are not subject to CEQA are referred since, the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226 and now SF743).</p>	<p>Any activity involving grading, filling, or alteration of the channel of a water course is subject to CEQA. No CEQA exemptions apply to such work, unless there is an emergency need or the work is associated with a small habitat restoration project.</p> <p>A project involving alteration of waterway on EN Map 1 is subject to the requirements of Novato’s Waterway and Riparian Protection Ordinance. It this through the procedures of this Ordinance and the accompanying CEQA review that contact is made with the Army Corps of Engineers, S.F. Regional Water Quality Control Board, C.A. Department of Fish and Wildlife, and the Marin County Flood Control District. With exception of the Marin County Flood Control District, none of the other listed agencies reply to project referrals outside of those submitted through the CEQA process.</p>

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 4 Erosion Control. Minimize soil disturbance and surface run off in the Stream Protection Zones. Pursuant to the City’s grading ordinance, work in and adjacent to the zones shall be conducted during the dry season only, at times when the Community Development Department determines that surface runoff will be minimal or containable.</p>	<p>Implemented by: NMC 5.23, Grading NMC 19.35, Waterway and Riparian Protection Stream Management Guidelines Project Environmental Review</p>	<p>Modify. Combine with Policy 1.</p>		
<p>Policy 5 Habitat Restoration. Restore damaged portions of riparian areas to their natural state, wherever feasible.</p>	<p>Implemented. NMC 19.35, Waterway and Riparian Protection Project environmental review may require additional mitigation</p>	<p>Retain</p>		
<p>Program 5.1 Continue to participate in the Petaluma River project to restore marshland habitat and provide public access as long as it does not adversely affect wildlife habitat.</p>	<p>Unknown – program is not active and City does not have any current information on it.</p>	<p>Delete</p>		
<p>Program 5.2 Prohibit further degradation and require restoration of previously-degraded riparian areas as a condition of development approval when restoration is feasible, taking into account the project’s size and cumulative impacts.</p>	<p>NMC 19.35, Waterway and Riparian Protection Stream Management Guidelines Environmental Review</p>	<p>Program is implemented. Incorporate language into Policy 5.</p>		
<p>Program 5.3 Encourage riparian restoration as part of permit approval.</p>	<p>NMC 19.35, Waterway and Riparian Protection Stream Management Guidelines adopted.</p>	<p>Delete. Program 5.2 contains stronger language.</p>		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
Policy 6 Public Access. Manage public access to watercourses shown on EN Map 1 in a manner that will not degrade the habitat.	Partial implementation: NMC 19.35.060, no specific standards for allowing/restricting public access. A Stream Management Plan required for a development project may propose public access management Mitigation measures and Conditions of Approval for a private project where watercourses are impacted	Retain		
Program 6.1 Develop guidelines for public access to watercourse areas. Include guidelines dealing with appearance and view preservation.	Ongoing, Stream Management Guidelines and NMC 19.35, Waterway and Riparian Protection adopted used in review of development projects	Delete, not a high priority.	In reviewing NMC 19.35, I did not see guidelines for public access. If not in the NMC, then retain.	Staff continues to believe that this would require substantial effort and is of limited applicability. These issues come up very infrequently and can be addressed on a case-by-case basis.
Program 6.2 Evaluate proposals for trails and waterway access relative to potential habitat value.	NMC 19.35, Waterway and Riparian Protection adopted Stream Management Guidelines (SMG) adopted	Delete. Program is addressed by Policy 6.		
Policy 7 Water Quality. Encourage protection of water resources from pollution and sedimentation, and preserve their environmental and recreation values.	NMC 7.4, Urban Runoff Pollution Prevention Ordinance, adopted NMC 19.35, Waterway and Riparian Protection adopted Stream Management Guidelines (SMG) adopted Project environmental review	Retain. Change “Encourage protection of water resources...” to “Protect water resources...”		
Program 7.1 Develop practices to protect water quality and natural ecosystems in the Stream Protection area.	NMC 7.4, Urban Runoff Pollution Prevention Ordinance, adopted NMC 19.35, Waterway and Riparian Protection adopted Stream Management Guidelines (SMG) adopted Project Environmental Review	Delete. Program is implemented.		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 8 Environmentally Sound Flood Control Measures. Encourage flood control measures that retain the natural features and conditions of watercourses to the maximum feasible extent.</p>	<p>NMC 5.31, Flood Damage Prevention requirements adopted NMC 19.16 Flood Hazard Overlay District standards adopted NMC 19.35.060, Watercourse Protection Standards and Design adopted Stream Management Guidelines adopted</p>	<p>Relocate to Safety Element. Incorporate language re: environmentally sound measures.</p>	<p>If moved to Safety Element, will it read exactly the same? Is there a way to highlight policies/programs that could be in two elements like this one so that it is clear that it is also an environmental issue and not just exclusively a flood issue?</p>	<p>The policy will likely remain as written. Since the policy relates to City or County improvements, it should be included in the Public Facilities or Safety Element. The fact that it speaks to environmental principles applied to public works projects does not mean that it needs to be in both elements or somehow highlighted.</p>
<p>Program 8.1 Ensure the retention of flood protection easements held by the Marin County Flood Control and Water Conservation District on private property to prevent development in these areas.</p>	<p>Adopted NMC 19.16.050 Flood Hazard Overlay District standards Referral of development projects to Marin County Flood Control</p>	<p>Relocate to Safety Element.</p>		
<p>Program 8.2 Encourage County to manage floodplains in accordance with Novato General Plan.</p>	<p>The City has adopted NMC 19.16.050, NMC, Flood Hazard Overlay District standards and 19.35.060, Watercourse Protection Standards and Design</p>	<p>Delete, similar to SF-6.1, SF-7</p>		
<p>Policy 9 Determination of Wetlands. Recognize the U.S. Army Corps of Engineers (ACE) as the designated permitting agency that regulates wetlands.</p>	<p>New development applications subject to wetland delineation are referred to the U.S. Army Corps of Engineers.</p>	<p>Rewrite as more of a “blanket” coordination policy that covers working with state and regional agencies on environmental protection efforts.</p>	<p>Agreed with blanket coordination policy statement that covers working with local, state, regional and federal agencies on environmental efforts.</p>	<p>Agreed.</p>
<p>Program 9.1 Establish programs and ordinances to develop a process for determining, regulating and permitting wetlands.</p>	<p>Adopted NMC 19.36, Wetland Protection and Restoration</p>	<p>Delete, program is implemented.</p>		
<p>Policy 10 Wetlands Ecology. Preserve and enhance wetlands ecology.</p>	<p>Adopted NMC 19.36, Wetland Protection and Restoration</p>	<p>Retain</p>		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
Program 10.1 Establish Wetland Protection Standards	Adopted NMC 19.36, Wetland Protection and Restoration	Delete, program implemented.		
Program 10.2 Require development plans to avoid wetlands to the maximum extent feasible.	Adopted NMC 19.36, Wetland Protection and Restoration	Delete, now codified.		
Program 10.3 Encourage wetlands restoration where appropriate.	Adopted NMC 19.36 which is applicable to all new development projects, but does not address existing and/or historic wetlands	Revise and incorporate into Policy 10 statement.		
Policy 11 Bayland Overlay Zone. Establish a Bayland Overlay Zone to preserve and enhance natural and historic resources, including wildlife and aquatic habitats, tidal marshes, seasonal marshes, lagoons, wetlands, agricultural lands and low-lying grasslands overlaying historic marshlands.	Adopted NMC 19.16.030, Baylands Overlay District	Delete, overlay zone was established.		
Program 11.1 Revise the Zoning Ordinance to include a Bayland Overlay Zone consisting of bayland areas.	NMC 19.16.030, Baylands Overlay District, adopted in 2001, Zoning Map identifies Bayland Overlay Zones	Delete, program implemented.	<p>Is San Rafael changing the Overlay Zone to a corridor restriction as mentioned by MCL.</p> <p>Has MCL provided more information on where the Baylands Corridor could be expanded and where the regulations need clarification?</p> <p>Provide copy of Map 3-1A to get a better understanding of what is desired.</p>	<p>San Rafael is not considering a Baylands Overlay Zone.</p> <p>MCL has not responded to date.</p> <p>We believe the request is for Map EN 2 showing the Baylands Overlay areas, which is included as an attachment to the staff report.</p>

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 12 Bayland Area Protection. Regulate development in the Bayland Overlay Zone so that it does not encroach into wetlands or sensitive wildlife habitats, provided that this regulation does not prevent all use of a property. Discourage human activity that damages fisheries, or habitat for birds, fish or other wildlife.</p>	Adopted NMC 19.16.030.E, Bayland Overlay District Development Standards	Retain		
<p>Program 12.1 All new development within the Bayland Overlay Zone shall provide a buffer between wetlands and the development.</p>	Adopted NMC 19.16.030.E.1.a, Bayland Overlay District Development Standards, Buffers Required	Delete, program implemented.		
<p>Program 12.2 Encourage protection of migratory and other birds, anadromous fish and endangered species.</p>	Adopted NMC 19.16.030, Bayland Overlay District Env. Review typically identifies need for protection & requires mitigation in new development projects	Add language to Policy 12.		
<p>Policy 13 Views. Encourage protection of visual access to the San Pablo Bay Shoreline and the Petaluma River.</p>	Adopted NMC 19.16.030, Bayland Overlay District Env. Review typically identifies as impact & requires mitigation	Retain		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Program 13.1 Establish design guidelines for the Bayland Overlay Zone. Consider guidelines for signs, protection of views, and requiring design review for all development in the area.</p>	<p>Adopted NMC 19.16.030.E, Bayland Overlay District Development Standards</p> <p>NMC 19.42.040, all development in B-Overlay zone requires Design Review</p>	Delete, program implemented.	Is development within the Bayland Overlay Zone regulated under temporary use permits only? NMC 19.42.040 is entitled “Temporary Use Permits”. Are there specific guidelines for the Bayland Overlay Zone? If not, retain.	The Baylands Overlay District regulations are in Chapter 19.16. Section 19.16.030D requires a “Use Permit to authorize any proposed development, alterations to land and/or new land use within the B overlay district in addition to the land use permits required by the primary zoning district, except for the routine maintenance of existing facilities.” It also requires preparation of a Constraints Analysis.
<p>Policy 14 Tidal Areas. Cooperate with State and Federal agencies to ensure that areas subject to tidal action remain in their natural state.</p>	<p>Adopted NMC 19.16, UP required for development within a B-Overlay district.</p> <p>Referral to State & Federal agencies done through project review</p>	Retain.		
<p>Policy 15 Agriculture in Bayland Areas. Encourage the continuation of agricultural uses in Bayland Areas that do not adversely affect wetlands or sensitive wildlife habitats and do not damage fish habitat.</p>	<p>Adopted NMC 19.16.030.E.6, agricultural uses are required as a development standard in Bayland areas to provide buffer</p>	Retain. Revise “Encourage the continuation of agricultural uses...” to read “Allow agricultural uses...”	Why are agricultural uses allowed (thinking of those fields say adjacent to Hamilton wetland restoration)?	Agricultural uses are allowed in the Baylands Overlay areas as both an historic use and one that provides some reasonable return on the land to substantially eliminate development potential. The fields on either side of the Hamilton restoration are in County jurisdiction.
<p>Program 15.1 Work with the County to establish programs that will encourage agriculture that does not degrade the environment in the baylands or cause pollution of Bay waters.</p>	<p>Adopted NMC 19.16.030.E.6</p> <p>Refer new development projects in the Baylands overlay to Marin County as appropriate.</p>	Delete, program not needed.		
<p>Policy 16 Public Access and Water-oriented Uses. Encourage public access to shoreline areas, consistent with wildlife and habitat protection and safety considerations.</p>	<p>Adopted NMC 19.16.030.E.2, Baylands Overlay District, Access and Recreation</p>	Retain.		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 17 Inter-Agency Coordination. Facilitate coordination and consultation with other agencies with jurisdiction over the bay in the review of development and conservation proposals in the Bayland Overlay Zone.</p>	<p>Development project referral to appropriate agencies done with each development application</p>	<p>Delete, not needed since referrals are routinely done and required by CEQA.</p>	<p>Does the City refer all development and conservation proposals in the Bayland Overlay Zone to other agencies regardless of whether they are subject to CEQA? Is this practice in writing to ensure consistency when there is a change in staff? If not (to these questions), consider retaining since the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226 and now SF743).</p>	<p>Projects that are exempt from CEQA are not referred to outside resource agencies. Exempt projects are those that will clearly not have negative physical effects on the physical environment and does not involve unusual circumstances. Therefore, there is no reason to issue a referral to agencies such as the Army Corp of Engineers, CA Department of Fish & Wildlife, and Regional Water Quality Board. These agencies do not respond to general project referrals due to staffing and budgetary constraints; comments are only provided with a CEQA document referral.</p> <p>From broad CEQA perspective, a project can only qualify for a categorical exemption where the proposal will clearly not have a negative physical effect on the environment and does not involve a site with unusual circumstances. In other words, just because a project might be part of a class of activities eligible for an exemption does not mean it qualifies for one. Each review of a project for an exemption is truly a case by case analysis of the project, its location, and potential effect on the environment.</p>
<p>Program 17.1 Provide information to applicants about agencies with jurisdiction over baylands.</p>	<p>Available information is provided to applicants on a project by project basis at pre-application stage or during project completeness review</p>	<p>Delete, not needed.</p>		
<p>Policy 18 Species Diversity and Habitat. Protect biological resources that are necessary to maintain a diversity of plant and animal species.</p>	<p>Adopted NMC 19.35, Waterway and Riparian Protection, & NMC 19.36, Wetland Protection and Restoration</p> <p>Environmental review for development projects may identify native plant and animal species, mitigation may be required</p>	<p>Retain</p>		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
Program 18.1 Develop standards and mitigations to help ensure protection of native plant and animal species and their habitat.	NMC 19.35, Waterway and Riparian Protection, & NMC 19.36, Wetland Protection and Restoration adopted. Stream Management Plans and Wetland Management Plans required for new development. Environmental review, if required, for development projects may identify native plant and animal species	Delete, program implemented.		
Policy 19 Special Status Species. Cooperate with State and Federal Agencies to ensure that development does not substantially adversely affect special status species appearing on the State or Federal list for any rare, endangered, or threatened species.	Environmental review, if required, for development projects considers native plant and animal species	Delete. Required by CEQA.	Consider retaining for those developments that are not subject to CEQA given that the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226).	CEQA exemptions do not apply to sites with special status species.
Policy 20 Agricultural Land. Encourage preservation of agriculture.	Adopted NMC 19.08.010 and zoning map identifying agricultural zones	Retain. Incorporate implementing actions (e.g., Program 20.3).		
Program 20.1 Coordinate with the County of Marin to maintain policies to protect agricultural land.	Novato has minimal agricultural land and the lands designated as agricultural are not adjacent to any land under County jurisdiction. Staff does not know if the City has coordinated with the County in the past, implementation is unknown.	Delete, not needed.		
Program 20.2 Revise development regulations as required to preserve agricultural and maricultural activities on lands designated for agricultural use...	NMC 19.08 Adopted April 2001 applied to new development projects in Agriculture Districts	Delete, program implemented.		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
Program 20.3 Assist public agencies or a non-profit land trust in the acquisition of conservation easements on agricultural lands in the Novato area.	No known requests have been made on agricultural lands; assistance would be provided upon request.	Incorporate into Policy 20.	Retain as a program since there are funds through the Strategic Growth Council for open space, agricultural preservation and parks.	We intend to retain, and would like the leeway to see if this reads better as a policy or program.
Program 20.4 Develop appropriate City policies and programs to protect the right to farm and agricultural land.	Adopted NMC 19.08 April 2001 established land uses permitted and development standards for Agricultural designated land	Delete, program implemented.		
Policy 21 Environmental Impacts of Agriculture. Encourage agricultural activities that minimize adverse effects on environmental resources.	NMC 19.08, Agricultural and Resource Zoning Districts, sets uses and standards for agriculture Environmental impacts of a proposed agricultural project will be evaluated through the CEQA process when required	Delete, not needed.	Consider combining in Policy Statement 20 to read: Agricultural Land. Encourage preservation of agricultural and consider permaculture and mariculture activities within agriculturally zoned properties.	Again, Novato has minimal agricultural land and is unlikely to have land suitable for mariculture, and staff does not actively engage with owners in regulating or encouraging agricultural activities.
Program 21.1 Encourage permaculture, the conscious design and maintenance of agriculturally productive ecosystems.	Have not had any requests for permaculture. NMC 19.28 sets forth landscape standards, permaculture is not referenced in this section	Delete, not really a City function.	Consider combining in Policy Statement 20 to read: Agricultural Land. Encourage preservation of agricultural and consider permaculture and mariculture activities within agriculturally zoned properties.	See above.
Policy 22 Mariculture. Consider maricultural use, the cultivation of marine organisms in their natural environment, of tidelands and on-shore production areas where possible along the shore of the Bay.	Have not had any requests for mariculture uses.	Delete, not needed.	Consider combining in Policy Statement 20 to read: Agricultural Land. Encourage preservation of agricultural and consider permaculture and mariculture activities within agriculturally zoned properties.	See above.

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<p>Policy 23 Native Woodlands. Maintain age and species diversity of native woodlands, and preserve the health of trees and other vegetation wherever feasible.</p>	NMC 19.39, Woodland and Tree Preservation, adopted April 2001	Retain	There should be a penalty for destruction of heritage trees that were scheduled to be saved but were damaged due to improper protection.	Through the development review process and CEQA, the City routinely adopts conditions of approval/mitigation measures requiring tree protection and replacement. It is often the case that where a tree intended for preservation is damaged or declines in health over a certain period of time (e.g., one year after completion of construction), the developer of the project or subsequent owner is required to plant replacement trees at either a 2:1 or 3:1 replacement ratio. The planting and care of the replacement trees could be considered a form of “penalty” for the loss of a tree intended for preservation.
<p>Program 23.1 Require replacement of native trees/woodland with native species when projects result in the loss of woodland habitat.</p>	NMC 19.39, Woodland and Tree Preservation, & NMC 17, Trees and Shrubs, set standards for replacement	Delete, program implemented.	Current standard for replacement should be compatible with the woodland habitat or the particular property. The final result should look natural to the site. In other words, quantity of trees not only criteria for replacement.	Native tree retention/replacement is governed by Chapter 19.39. It requires 3:1 replacement of native trees. The DRC believes this policy should be revisited to allow more discretion to decision-makers in some cases to require larger replacement trees rather than a large number of smaller trees, which may not be a good long-term solution in creating an oak woodland.
<p>Policy 24 Trees on Public Land. Protect native woodlands and significant trees on public lands by planting additional trees needed to maintain age and species diversity, ensuring the proper and timely pruning of trees, and removing non -native species, particularly if they are invasive.</p>	NMC 17.3 regulates trees on public places	Modify to say City will replace trees (1 to 1) that need to be taken out (fallen, diseased or planned removal) & will prioritize native species over non-native species as may be appropriate for the location.	I thought that we had a policy of 3:1 replacement of heritage trees and a 1:1 on others on public land?	There is no code distinction between tree replacement on public vs. private lands. Tree retention/replacement in woodlands is governed by Chapter 19.39. It requires 3:1 replacement of native trees. Heritage tree retention/replacement is governed by Chapter 17-1. When proposing CEQA mitigations for individual tree replacement, staff typically requires a 2:1 replacement.

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<p>Program 24.1 Consider adopting a Tree Management Program, establishing varieties, size and spacing requirements, maintenance standards, and priority planting schedules.</p>	<p>Street tree program prepared; approved street list available on City’s website. The Public Works Maintenance Division maintains the City’s street trees through appropriate trimming, thinning, and pruning. Public Works Department needs to define plant spacing and maintenance requirements for trees and would like to improve the Street Tree List with information for public benefit.</p>	<p>Retain. Would require funding.</p>	<p>Consider re-examining the street tree list to include more native trees to work towards ‘tree lined streets’ like Grant Avenue (hopefully will be over time).</p> <p>So if we retain, we would need to fund someday.</p>	<p>Creation of large tree canopies isn’t always accomplished by use of native trees, many of which are not large but are often drought tolerant. The sycamores on Grant are very large canopy trees that grow rapidly, but are not native.</p> <p>Staff proposes retaining this program, but it will entail consultant expense.</p> <p>Yes, a robust tree management program would require more staffing than the City currently devotes to its urban forest.</p>
<p>Policy 25 Trees on Private Property. Encourage and, where appropriate, require actions by private property owners to protect the health of native woodlands and trees.</p>	<p>NMC Section 17 regulates trees on private property</p> <p>NMC 19.39 adopted for Woodland and Tree Preservation</p>	<p>Retain.</p>		
<p>Program 25.1 Continue requiring the planting of trees in parking lots to provide shade and visual screening.</p>	<p>NMC 19.30.070 regulated trees in parking lots</p>	<p>Replace with a new program requiring update of Zoning Code parking lot standards to encourage better tree growth.</p>	<p>GREAT! Can we consider including use of storm water for the parking lot trees and landscaping to encourage re-use of storm water and reduction of pollutants?</p>	<p>Stringent new storm water requirements are included in the new NPDES permit requirements. These regulations, in fact, work at cross purposes to having large canopy parking lot trees, since standing water in filtration areas will not support many tree species.</p>
<p>Program 25.2 Develop educational programs to inform property owners of good tree management practices.</p>	<p>No known program has been developed.</p>	<p>Delete, insufficient staff resources.</p>	<p>If anyone inquires we can refer them to a tree company like Barlett. That’s where I learned all my info. on maintaining healthy heritage trees.</p>	
<p>Program 25.3 Adopt a tree preservation ordinance that incorporates the City’s Heritage Tree Ordinance.</p>	<p>NMC Chapter 17, Trees and Shrubs, regulates tree removal, including retention of heritage trees. Ordinance updated in 2012.</p>	<p>Delete, program implemented.</p>	<p>See my note on Policy 23.</p>	

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<p>Policy 26 Trees in New Development. Require that the site planning, construction and maintenance of development preserve existing healthy trees and native vegetation on site to the maximum extent feasible. Replace trees and vegetation not able to be saved.</p>	NMC 19.28.040.C.2, Landscape Standards, adopted, requires trees to be retained and preserved and new trees to be planted in new developments.	Retain	Can you confirm whether developers are required to plant 3 trees for each tree removed?	Native tree retention/replacement is governed by Chapter 19.39. It requires 3:1 replacement of native trees. The DRC believes this policy should be revisited to allow more discretion to decision-makers in some cases to require larger replacement trees rather than a large number of smaller trees, which may not be a good long-term solution in creating an oak woodland.
<p>Program 26.1 Consider amending the City's Zoning Ordinance and other regulations to improve policies for tree and native vegetation preservation, planting, maintenance, and replacement.</p>	NMC 19.28, Landscaping, NMC 19.39, Woodland and Tree Preservation, and NMC 17, Shrubs and Trees adopted	Delete, program implemented.		
<p>Policy 27 Scenic Resources. Require that the site planning, construction and maintenance of development preserve existing healthy trees and native vegetation on site to the maximum extent feasible. Replace trees and vegetation not able to be saved.</p>	NMC 19.26, Hillside and Ridgeline Protection, 19.16, Baylands Overlay District, adopted	Retain	Can you confirm whether developers are required to plant 3 trees for each tree removed?	Native tree retention/replacement is governed by Chapter 19.39. It requires 3:1 replacement of native trees.
<p>Program 27.1 Establish Hillside and Ridgeline Protection Standards and Scenic Resource Protection standards to preserve visual values on hillsides, ridgelines, and other scenic resources.</p>	NMC 19.26, Hillside and Ridgeline Protection adopted	Delete, program implemented. Hillside and Ridgeline protection will be the subject of a white paper. A new program to adopt scenic ridgeline requirements may result from that work.	Consider adding encouraging protection of scenic views of existing developments.	Recommending view preservation requirements or policies can be a very slippery slope. How much of a private property's existing viewshed should be retained? At what distance away is someone's view compromised? Views of and from a new hillside development are currently considered as part of the design review process. Staff does not recommend trying to regulate or define view protection.

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<p>Policy 28 Energy Conservation. Consider land use patterns and policies that promote energy conservation.</p>	<p>Adopted 2009 Climate Change Action Plan with the following goal and implementation measures:</p> <p>Goal 6 - Citywide Land Use and Design. Reduce emissions by decreasing Vehicle Miles Traveled (VMT) within the city through strategic land use and design.</p>	<p>Retain and modify based on input from Climate Change Action Plan White Paper.</p>	<p>As we are almost built out there is not much we can do to reduce VMT so folks are opting for lower emission vehicles.</p>	
<p>Policy 29 Energy Conservation Measures in Buildings. Reduce energy consumption by requiring structures to meet the energy conservation requirements stipulated in the State Building Code and State Title 24 regulations.</p>	<p>Buildings comply with State Building Codes & State Title 24 energy requirements. City adopted BERST model green building ordinance in 2010 requiring conservation measures beyond Title 24. City adopted CALGreen Tier 1 standards for new development and remodels in 2013.</p>	<p>Delete, policy implemented through adoption of building codes. State energy conservation requirements are expected to increase over time to require zero net energy homes by 2020 and commercial structures by 2030. New development is required to meet State Codes. Climate Action Plan White Paper may suggest additional measures.</p>	<p>Recently, Tiburon required all new development to install solar, where appropriate. Consider requiring future commercial development to install solar, where appropriate?</p>	<p>Staff believes that a more flexible approach to energy savings in new residences is appropriate. We have adopted Cal Green Tier 1 for new homes, and will consider, along with the County and other Marin jurisdictions, over the next few months whether to recommend increased energy efficiency (i.e., a reduced “energy budget”) beyond the existing Title 24, which was updated last year to increase energy efficiency requirements for about 25%. Requiring higher energy efficiency rather than one particular solution (solar panels) gives owners more flexibility in determining the best efficiency measures for their situation, whether more insulation, fewer windows, advanced heating/cooling systems, etc. Many properties are not well situated for solar.</p>
<p>Program 29.1 Adopt a program to encourage retrofitting of energy-saving features in existing structures by providing information, technical assistance, and other incentives.</p>	<p>Former BERST ordinance and new CALGreen building code addresses remodeling projects and require upgrades for energy-saving features.</p> <p>Adopted 2009 Climate Change Action Plan with the Mitigation Measures 4 and 5 to encourage energy efficiency and conservation programs and public outreach.</p>	<p>Climate Action Plan White Paper may suggest additional measures.</p>		

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<p>Program 29.2 Review, and if necessary revise, planning and regulatory documents to ensure if they adequately promote energy efficiency, make use of sustainable renewable resources, and protection of solar access.</p>	<p>Adopted NMC 19.20.111, Solar Access and Solar Equipment and 19.20.120 Solid Waste and Recycling Materials Storage.</p> <p>Former BERST ordinance and CALGreen building code addresses new construction and remodeling projects and requires upgrades for energy-saving features.</p> <p>Adopted 2009 Climate Change Action Plan with the Mitigation Measures 6 and 7 to encourage municipal and community renewable energy systems.</p>	<p>Delete, program implemented.</p>		
<p>Policy 30 Energy Efficiency in Public Programs. Assure energy efficiency in local government operations.</p>	<p>NMC 4.17, Green Building Ordinance. Climate Change Action Plan (CCAP) adopted in 2009 identifying specific energy efficiency goals and programs.</p>	<p>Retain and modify based on input from Climate Change Action Plan White Paper.</p>		

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<p>Program 30.1 Continue to conduct energy management studies to evaluate opportunities for energy savings and use of local renewable sources.</p>	<p>Energy audit of City buildings and streetlights implemented by Marin Energy Management Team (MEMT). Implemented numerous projects such as ballast replacement, replacement of high bay lights with fluorescent lights, and lighting controls within City-owned facilities.</p> <p>Installed 3 solar systems at the Margaret Todd Senior Center & Hill Gym, Gymnastics Center, and Corp Yard. These installations have a combined capacity of 182 kW.</p> <p>New photovoltaic system installations have been analyzed for Corp Yard, Hamilton Pool and Lynwood Park locations.</p> <p>Adopted 2009 Climate Change Action Plan (CCAP) with Mitigation Measure 6 – Municipal Renewable Energy: Install cost-effective renewable energy systems on all buildings and facilities and purchase remaining electricity from renewable sources.</p>	<p>Modify as necessary to incorporate input from Climate Change Action Plan White Paper.</p>	<p>Are there buildings and/or resources that could implement additional energy efficiencies and/or construct solar (e.g. Hill Gym; Hamilton Gym; Historic houses, city parking lots -- Margaret Todd Center or others). If so, consider retaining since not all public buildings and/or resources have implemented energy savings and solar.</p>	<p>Public Works will continue to evaluate energy usage and costs, and look for opportunities for solar energy projects at City owned facilities.</p> <p>City Hall, Corp Yard, Hill Gym and MTSC already have solar arrays on the structures, and the Hamilton Pool system at the lower parking lot will be installed this year.</p> <p>Measure 2 of the Climate Change Action Plan, which will be incorporated, requires the following for City buildings: “Reduce building energy use by 30% through increased energy efficiency and conservation.”</p> <p>Measure 3 of the CCAP requires the following for City facilities: “Establish energy efficiency protocols to reduce energy consumption through behavior and operational changes.”</p>

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<p>Program 30.2 Incorporate energy conservation measures in the design of capital improvement projects.</p>	<p>NMC 4.17, Green Building Ordinance. Since 2010, the City has embarked on an ambitious project to convert all of the City’s streetlights to more energy-efficient LED fixtures. Utilizing a Department of Energy grant and a zero-percent Pacific Gas and Electric loan for \$250,000, the City converted approximately 1,425 of the existing 3,900 streetlights in two phases. Phase I focused on main arterials and collectors, and Phase II focused on residential areas. Included in the project were approximately 300 programmable photo cells that turn streetlights off at midnight and back on at 5:30 a.m. if it is still dark outside. Phase I and II were implemented in 2012, and the City plans to convert the remaining streetlights once funding is identified. New City Administration Offices and City Hall renovation incorporated energy conservation measures.</p>	<p>Retain and modify to incorporate input from Climate Change Action Plan White Paper (Mitigation Measure 1).</p>		
<p>Program 30.3 Consider using electric, zero-emission vehicles or alternative fuel and alternate energy efficient building materials.</p>	<p>Used energy efficient building materials in new City Administration Offices and City Hall renovation.</p> <p>Purchased three hybrid vehicles for City fleet.</p> <p>Adopted 2009 Climate Change Action Plan (CCAP) with Mitigation Measure 16 – City Low Emission Vehicles: Increase the use of alternative fuel vehicles to reduce GHG emissions.</p>	<p>Retain and modify to incorporate input from Climate Change Action Plan White Paper</p>		

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Policy 31 Development Review Process. Consider energy conservation in the development review process.	Buildings comply with State Building Codes & State Title 24 energy requirements. City adopted BERST model green building ordinance in 2010 requiring conservation measures beyond Title 24. Adopted 2009 Climate Change Action Plan (CCAP) with Mitigation Measure 8 – Green Building Standards.	Delete. Implemented.	Consider retaining since there are many opportunities for solar on commercial buildings and parking lots.	Staff believes that we should adopt progressive green building requirements, which provide applicants options on how to meet energy efficiency and other green building objectives. If we had staff resources devoted to understanding financing options and could demonstrate cost/benefit to commercial property owners this might be worthwhile.
Program 31.1 Consider adopting a solar access ordinance that would require all development applications to be reviewed for potential energy conservation measures and design.	19.20.120 Solar Access and Solar Equipment adopted. Adopted 2009 Climate Change Action Plan (CCAP) with Mitigation Measure 7 – Community Renewable Energy.	Delete, program implemented.		
Program 31.2 Make available to the public PG&E literature and other information on energy conservation and energy efficient design.	Energy saving pamphlets are available at the public counter in the Community Development Department PG&E literature available on line & in bill inserts	Delete, not needed.		
Program 31.3 Analyze energy consumption aspects of site design and service delivery, such as drive-up windows.	CEQA updated in 2009 to include guidelines for analyzing GHG emissions for new development.	Delete, addressed in State law.	This Program was intended to focus on drive up windows. Some cities are prohibiting new development with drive up windows due to increased emissions. Consider re-phrasing program to evaluate whether drive up windows should be prohibited in future developments. How does CEQA deal with drive up windows? Retain.	The new greenhouse gas analysis and thresholds in CEQA make it difficult to create new drive-through facilities, particularly in businesses that generate high traffic, such as fast food outlets. This is why In-N-Out was not successful in locating on Enfrante. If the Council wishes to establish tough regulations on drive-throughs, then can do so, although many businesses will choose not to locate in communities where they cannot include drive through facilities.
Program 31.4 Encourage use of alternative energy-efficient building materials.	Covered in CalGreen building code. CalGreen Tier 1 adopted in 2013 for new development and remodels.	Delete, addressed in State law.		

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<p>Policy 32 Regional Planning to Improve Air Quality. Continue to cooperate with the Bay Area Air Quality Management District (BAAQMD) in implementing the regional Clean Air Plan.</p>	<p>Clean Air Plan continuously updated by BAAQMD, development projects reviewed under CEQA for compliance</p>	<p>Not really a policy statement. Revise by combining with EN Objective 9.</p>	<p>Where is Objective 9? Given that the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226), why can't we re-write as a policy or combine with overall cooperation policy?</p>	<p>EN Objective 9 states, "Work to protect and improve air quality." We do plan to incorporate many of the existing Objectives into policy statements. In the current General Plan there is not a fine distinction between objectives and policy statements.</p>
<p>Program 32.1 Use the environmental review process to determine whether air emissions from proposed development would exceed BAAQMD standards.</p>	<p>Evaluated as part of CEQA analysis.</p>	<p>Delete, already addressed as part of CEQA process.</p>	<p>Since the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226), can we retain for those projects exempt from CEQA?</p>	<p>A project that qualifies for a CEQA exemption is assumed to not have operating or construction characteristics that would generate air quality impacts.</p> <p>The BAAQMD has developed CEQA review guidelines that include screening criteria based on land use type and intensity (density/floor area) that are used to determine when a project should be the subject of a project specific air quality analysis for various air pollutants and Green House Gas emissions. The screening criteria is based on research conducted by BAAQMD considering such factors as land use type, traffic generation, construction methods and equipment, and energy consumption. Most projects qualifying for a CEQA exemption have air pollutant emissions well under the BAAQMD screening criteria.</p> <p>Staff does not recommend retaining or revising Program 32.1 to serve as local requirement to conduct an air quality analysis for projects exempt from CEQA. Such a requirement would be punitive in terms of time and cost to small projects, such as the construction of a single-family residence or a small commercial building.</p>

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<p>Program 32.2 If fireplaces or wood burning stoves/heaters are installed in new development, these fireplaces, stoves, and/or heaters shall meet the most current EPA standards regarding particulate emissions.</p>	<p>Required for new development/remodels BAAQMD Regional Clean Air Plan Standards adopted in 2010 and 2013 CALGreen Code.</p>	<p>Delete, required in CALGreen building code.</p>	<p>I thought that Novato required future fireplaces to be 'EPA approved'?</p>	<p>Correct. Program is not needed.</p>
<p>Program 32.3 The City shall monitor new development to ensure that projections made in the Draft General Plan are not exceeded.</p>	<p>Ongoing</p>	<p>Relocate to Land Use element.</p>		
<p>Policy 33 Vehicle Trips. Encourage transportation facilities and modes that minimize motor vehicle use.</p>		<p>Relocate to Transportation Element.</p>		
<p>Program 33.1 Develop a program for trip reduction and implement as permitted by law.</p>	<p>New non-residential development projects are subject to adopted NMC 19.30.120, Trip and Travel Demand Reduction Measures.</p>	<p>Delete, lack of staff resources.</p>	<p>This Program was also intended for residential developments (e.g. Hamilton) Consider retaining for residential developments over a certain size; or requiring participation in existing shuttles, etc..?</p>	<p>We will consider including future Hamilton projects in the shuttle funding as legally permitted. A program is not needed for this, since the City has great discretion through our Master Plan amendment and other entitlement processes. There are unlikely to be new projects of a size sufficient to warrant a major trip reduction program, and if so, these projects typically would require a legislative action, providing discretion to address this.</p>

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Policy 34 Local Efforts. Encourage local efforts to improve air quality.	CEQA review of new development projects. Installation of 8 EV charging stations.	Incorporate into a larger air quality policy statement.	Since the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226), can we consider requiring installation of EV charging stations for new commercial development?	Novato Zoning Ordinance Section 19.30.120, <i>Trip and Travel Demand Reduction Measures</i> , includes a provision requiring new commercial projects of 50,000 square feet or greater to install electrical vehicle charging stations. A less expensive alternative may be a requirement for new buildings (commercial and/or multi-family) to install electrical conduit between the building's electrical service and parking lot to allow easy installation if needed.
Program 34.1 Use the City's development review process and CEQA regulations to evaluate and mitigate the local and cumulative effects of new development on air quality.	CEQA review of new development projects.	Delete, already addressed as part of CEQA process.	Is this in the city's current development review process for all developments regardless whether they are subject to CEQA? If not retain, since the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226).	The City's development review procedures defer to CEQA with respect to assessing air quality impacts. Projects that qualify for an exemption do not require an air quality analysis. Exempt projects involve land uses of a type, size, and operating characteristics that have been determined to not result in significant physical effects on the environment, including air quality impacts.
Program 34.2 Continue to include responsible agencies in the review of proposed land uses that would handle, store or transport any potential air pollutant sources.	Required by CEQA and development review process. Fire District permitting and inspection of hazardous material storage facilities.	Delete, program not needed.		
Program 34.3 Continue to require and enforce a dust emissions control plan for construction.	NMC 5.23, Grading and requirement of Grading/building permit	Delete, standard requirement for grading.	Does this need improvement? I still get complaints when grading and construction occurs.	There are stringent dust control procedures imposed, consistent with BAAQMD standards. The City actively enforces these, and also responds to complaints.

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<p>Program 34.4 Review all new industrial development for potential air quality impacts on sensitive receptors. Require adequate buffer zones between industrial development and sensitive receptors to ensure public health and to prevent odor-based nuisance.</p>	<p>CEQA and development review process</p> <p>NMC 19.22.080 prohibits noxious, odorous emissions detrimental to health, safety & general welfare of the community</p>	<p>Delete, already addressed as part of CEQA process.</p>	<p>I did not see in the NMC, that the City will require adequate buffer zones between industrial and sensitive receptors. Since the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226), consider retaining for those projects exempt from CEQA especially to protect residential developments and sensitive receptors from impacts of industrial development.</p>	<p>We are not likely to see any proposed expansions of industrial zoning near residential. Permitting for new construction or use changes in existing industrial areas would be subject to the requirements of Section 19.22.080.</p>
<p>Program 34.5 Support a strong street tree planting and community forest component of the proposed Tree Preservation Ordinance and tree management program to help improve local air quality.</p>	<p>Ongoing for private property tree maintenance and removal. (NMC 17 Trees and shrubs).</p> <p>Development projects which have woodlands on-site are required to maintain a percentage of existing native trees (NMC 19.39, Woodland and Tree Preservation).</p> <p>The Public Works Maintenance Islands Division maintains approximately 23,000 street trees.</p> <p>Novato was designated as a Tree City in FY 12/13. A comprehensive Street Tree Management Plan has not been prepared.</p>	<p>Retain and combine with Program 24.1. Will require funding. Consider adding a policy to continue participation in the National Arbor Tree City program.</p>		
<p>Policy 35 Watershed Management. Minimize the effects of pollution in storm water runoff. Retain and restore where feasible the natural hydrological characteristics of watersheds in the Novato Area of Interest.</p>	<p>NMC 7.4 Urban Runoff Pollution Prevention Ordinance</p> <p>New federal NPDES (Non-Point Discharge Elimination Standards) to be implemented in 2015.</p>	<p>Modify to reflect Urban Runoff Pollution Prevention Ordinance.</p>		

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<p>Program 35.1 Continue to implement the Clean Stormwater Ordinance. As budget allows, increase storm drain maintenance to reduce urban runoff pollutants and increase street sweeping programs.</p>	<p>NMC 7.4 Urban Runoff Pollution Prevention Ordinance</p>	<p>Modify to reflect Urban Runoff Pollution Prevention Ordinance.</p> <p>Need to strengthen program. Will likely also require additional funding to staff mandatory long-term maintenance inspections.</p>	<p>Consider requiring large property owners to clean parking lots more frequently before and during winter months to reduce pollutants to the storm water.</p> <p>Are we able to keep up our street cleaning to service the entire City?</p>	<p>Current staffing and equipment allows for City streets to be swept on a 6 to 8 week cycle, more often in the Downtown, this schedule will continue into the foreseeable future, and is listed in our storm water permit as our standard practice.</p> <p>As development projects come in for land use approvals the new more stringent State Storm Water Permit requirements (beginning July 1) will become conditions of approval. These requirements have considerably more capital cost and on-going maintenance impacts. We cannot go back and retroactively require new improvements on existing projects.</p> <p>Public Works staff will be bringing to City Council in May revisions to our Urban Runoff Ordinance to update our Municipal Code in conformance with the new State standards.</p> <p>Future regulations such as the “Trash Rule” due in 2017 will substantially increase City on-going maintenance costs and require Capital Improvement Projects specifically for modifying existing drain inlets and filter out debris.</p>
<p>Policy 36 Point Source Pollution. Continue to prohibit discharges of any substances other than storm water and prevent illicit dumping of wastes into storm drains and creeks.</p>	<p>NMC 7.4 Urban Runoff Pollution Prevention Ordinance</p>	<p>Retain. Consider modifying to acknowledge Ordinance and that it may be updated as needed.</p>		

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<p>Program 36.1 Investigate reports or evidence of illicit discharges or dumping into creeks or storm drains.</p>	<p>Code Enforcement Division responds to all public complaints re: dumping, discharges and illegal construction related to creeks and storm drains, utilizing NMC 7.4 Urban Runoff Pollution Prevention Ordinance</p>	<p>Delete, contained in Ordinance.</p>		
<p>Policy 37 Using CEQA to Reduce Water Quality Impacts. Use the provisions of the California Environmental Quality Act (CEQA) process to identify measures to prevent erosion, sedimentation, and urban runoff pollution resulting from development.</p>	<p>CEQA review used when required in new development projects</p>	<p>Delete, CEQA is required by State Law, water quality is an area required to be analyzed.</p>	<p>Do we have an ordinance that requires developers that are not subject to CEQA to identify measures to prevent erosion, sedimentation and urban runoff pollution? Consider retaining for those projects that are not subject to CEQA since the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226).</p>	<p>The City of Novato is a member of the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) and is preparing to implement Phase II of the National Pollution Discharge Elimination System (NPDES). The NPDES requires various measures to avoid or reduce water quality impacts from new development, including the preparation of erosion control plans and post construction monitoring and maintenance actions.</p> <p>The MCSTOPPP and NPDES programs are uniform standards applied to virtually all new construction projects and are not tied to CEQA. The Phase II requirements are set to begin implementation in June 2015. The Phase II requirements will be applicable to projects that are eligible for CEQA exemptions, including the construction of a single-family home creating 2,500 square feet of impermeable surface area.</p> <p>In addition to MCSTOPPP and NPDES, the City implements Section 7-4, <i>Urban Runoff Pollution Prevention</i>. This Section of the Municipal Code is slated to be amended to reference the new NPDES Phase II requirements. The revised ordinance is expected to be presented to the City Council in May 2015.</p> <p>We require preparation of a Constraints Analysis in the hillsides and Baylands Overlay.</p>

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<p>Program 37.1 Include analysis and mitigation measures to reduce the harmful effects of runoff as part of project review.</p>	<p>CEQA review used when required in new development projects</p>	<p>Delete, see above</p>	<p>If CEQA review requires developer to reduce pollutants from pavement or proper handling of garbage and recycling (e.g. contamination systems), then consider retaining for projects not subject to CEQA since the State has enacted 4 bills that exempt developments from CEQA (SF 1925; SB 375; SB 226). If CEQA review does not require the developer to reduce pollutants from pavement or proper handling of garbage and recycling, then consider retaining.</p>	<p>As discussed above, the control of stormwater runoff is addressed independent of CEQA through the MCSTOPPP and NPDES programs.</p>

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 38 Solid Waste Reduction. Encourage solid waste reduction methods.</p>	<p>NMC 4.12, Mandatory Recycling and Reuse Requirements for Construction and Demolition Projects</p> <p>Novato Sanitary District has adopted a Zero Waste Plan.</p>	<p>Retain. Possibly incorporate a Zero Waste goal.</p>	<p>Is Zero Waste doable? Can we do so by relying on the Novato Sanitary District plan?</p> <p>On April 23, 2007, the City Council adopted a resolution adopting a zero waste goal that included action items. Include programs that will assist achieving the zero waste goal in public facilities and in the community. Many of them were incorporated in other chapters that are proposed for deletion.</p> <p>Consider adding to the Policy 38 to read: Encourage solid waste reduction methods, recycling and reuse, composting facilities and collection of HHW, e-waste for safe reuse and/or disposal.</p> <p>Need long term plan on how to actually achieve zero waste and when Redwood Landfill is at capacity where does out refuse go?</p>	<p>Actually, Novato Sanitary’s plan is not Zero Waste. It proposes to get to 80% waste diversion by 2025 (we are currently at 58%). This waste diversion goal is less than that in the rest of the County (a 94% diversion goal by 2025). The rest of the County is at 74% diversion currently.</p>

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<p>Program 38.1 Continue working toward implementing AB 939, The California Integrated Waste Management Act of 1989.</p>	<p>NMC 4.12, Recycling and Reuse Requirements for Construction and Demolition Projects. Marin Hazardous & Solid Waste Management JPA, of which the City is a member, has responsibility for implementing AB939.</p>	<p>Delete, responsibility of the Marin Hazardous & Solid Waste Management JPA.</p>	<p>Retain program. If Novato does not achieve the state goals of (50 and 75% diversion), the City is fined NOT the NSD. In addition, the NMC only deals with C&D and the City of Novato only participates in the SW component of the JPA since the City works with the NSD in implementing the HHW, E-waste programs and others. I believe the City of Novato needs to work with the NSD to continue to increase diversion of wastes within the community and within it's own operations. Currently, NSD pays the City \$10,000 for staff time to assist. If this program and others are deleted, the \$10,000 may be in jeopardy.</p>	<p>The City will continue to work with the NSD and other agencies to ensure the solid waste collection program meets the State mandates. As the City does not contract directly with the landfill and hauler for service within Novato our direct effect on, or control of, this process is limited.</p> <p>As with sewer collection and treatment, our relationship with NSD is critical to ensure that the public interests are being served, and effectively meet environmental needs of the community.</p> <p>The City will easily meet the state reduction objectives.</p>
<p>Program 38.2 Consider enacting ordinances that increase recycling, reuse, and waste reduction. This includes recycling of green waste, construction debris, etc.</p>	<p>NMC 4.12, Recycling and Reuse Requirements for Construction and Demolition Projects Novato Sanitary District has initiated curbside green (organic) waste collection and composting.</p>	<p>Delete, ordinance enacted</p>	<p>Retain. We were the first city in the county to require diversion of 50% of C&D. There are many additional ordinances that could increase the diversion. For example, we could consider placing a requirement that all new development recycle and/or reuse. Also, we could consider increasing the % of C&D to be diverted.</p>	<p>The City-adopted Cal Green building code (with Tier 1 for new construction), requires 50% waste diversion from remodels and 65% waste diversion from new construction.</p>

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
Program 38.3 Purchase goods containing recycled materials for City use wherever feasible.	Adopted Environmental Preferable Purchasing Resolution in 2008.	Revise program to update Environmentally Preferable Purchasing Resolution.	Retain. Shouldn't we be adhering to our preferable purchasing requirements regardless of whether purchasing is centralized? When this was enacted, we agreed to reconsider at a future date to achieve more. By deleting this program, we are not adhering to what was agreed to.	The staff recommendation is not to delete the program, but to refer to adoption of a new green purchasing policy, which is currently being prepared for Council consideration later this year.
Program 38.4 Revise the Zoning Ordinance to allow a solid waste recycling transfer station and/or a Materials Recovery Facility (MRF) to locate in the Light Industrial and the Public Utilities Zoning Districts with Conditional Use Permit approval.	NMC 19.12.030, Commercial/Industrial District Land Use and Permit Requirements, allows these uses in the LI/O District as a permitted use or with a Use Permit	Delete, zoning ordinance has been revised	Where will our recycling center be relocated when North Redwood is developed?	No idea.
Program 38.5 Consider locating a compost facility within the City of Novato.	Large-scale composting facility has been initiated at Redwood Landfill.	Delete, program implemented.	Consider adding to the Policy 38 to read: Encourage solid waste reduction methods, recycling and reuse, composting facilities and collection of HHW, e-waste for safe reuse and/or disposal. Long term landfill plan?	See response to 38.1 above.

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<p>Policy 39 On-Site Recycling Areas. Require on-site areas for recycling in commercial/retail, office and multi-family residential developments as required by State law.</p>	<p>NMC 19.20.120, Solid Waste and Recyclable Materials Storage applied to all multi-family residential, and non-residential developments</p>	<p>Delete, program implemented.</p>	<p>Currently, some commercial developments may not be in compliance with state law (e.g. Apple Market) for buy back facilities. Need a buy back near the downtown area to ensure WF, Safeway and others remain in compliance.</p>	<p>State laws define the criteria for centralized buy-back centers, or sites such as “RePlanet” buy-backs on supermarket sites. This is typically coordinated by regional solid waste agencies and individual collection and disposal contracts as the City does not have authority to mandate the location(s).</p> <p>Staff would support a centralized location that meets zoning requirements, and is located in an appropriate commercial or industrial setting, otherwise onsite collection at supermarket sites will be required.</p> <p>It has been staff’s experience that these individual onsite locations are problematic (messy, noisy, and attracts the homeless population).</p>
<p>Program 39.1 Evaluate and revise the City ordinance to implement State requirements for recycling, requiring all commercial/retail, office and multi-family developments to provide on-site drop-off areas. Coordinate with the City’s refuse disposal contractor or other recycling services to ensure regular pick-up.</p>	<p>NMC 19.20.120 Solid Waste and Recyclable Materials Storage applied to all new multi-family residential, and non-residential projects and additions to existing non-residential projects.</p>	<p>Delete, program implemented.</p>		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Program 39.2 Encourage development to provide for areas for storage of recyclables in the design of new development and remodeling.</p>	<p>NMC 19.20.120 Solid Waste and Recyclable Materials Storage</p>	<p>Delete, program implemented.</p>	<p>May need to evaluate for multi-family developments and mixed use. Not sure where the residential units in Whole Foods can take their recyclables and food waste? Also, may need to re-evaluate for restaurants and other businesses. Didn't see food waste, recyclables, etc.. for restaurants and businesses (especially those with food service).</p>	<p>NMC Section 19.20.120 specifically addresses multi-family residential projects of five or more units and non-residential development of any floor area. This Section includes tables requiring minimum solid waste/recycling storage areas based on project size.</p> <p>With respect to a mixed-use projects, staff applies the multi-family requirements to the residential component of a project and the non-residential standards to the commercial element.</p> <p>The Whole Foods mixed use building includes internal solid waste and recycling spaces for resident use.</p> <p>Novato's solid waste disposal and recycling is provided and managed by the Novato Sanitary District through a contract with Novato Disposal Service. Currently Novato Disposal Service accepts food scraps in residential composting bins (green cans). Commercial food waste composting is currently not offered in Novato. Marin Sanitary has initiated a pilot project for collection and anaerobic digestion of food waste from restaurants and grocery stores.</p>

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<p>Program 39.3 Consider requiring in the ordinance a debris and reuse plan for recycling on construction sites and to include recycling of existing materials on site and construction materials. The Plan would require estimating the amount of construction derived solid waste the project will generate, identifying the market opportunities for recycling and reuse and developing a strategy and action plan to recycle and reuse material.</p>	NMC 4.12, Recycling and Reuse Requirements for Construction and Demolition Projects	Delete, program implemented.		
<p>Policy 40 Mineral Resources. Designate mineral resources as required by the State Division of Mines and Geology as mineral resource sites.</p>	State designates sites. State resources are used during environmental review to determine areas that are mineral resources	Retain	What is this?	This would be facilities such as quarries. Example is Dutra Quarry in San Rafael (regulated by the County).
<p>Program 40.1 Use the environmental review process to determine areas that are potential mineral resources.</p>	State designates sites. State resources are used during environmental review to determine areas that are mineral resources	Delete. Required by CEQA for development projects.	Are mineral resources a big issue in Novato?	None, thankfully.
<p>Policy 41 Open Space of Countywide and Local Importance. Protect designated open space of Countywide and local significance in the Novato area.</p>		Retain.		

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Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Program 41.1 Continue to work with the Marin County Open Space District to establish a preservation plan for open space.</p>	<p>No Preservation Plan was developed collaboratively.</p>	<p>Delete.</p>	<p>Retain. Consider revising program to include developing criteria on which properties should be preserved for open space. Currently, we collect in lieu fees for acquisition of property for open space, but have never developed criteria on how those funds would be used to acquire additional open space.</p>	<p>The City has been collecting Open Space Development impact fees with the intent to develop an open space plan. Due to lack of staff resources however, the interest in acquiring more publicly maintained open space has diminished. City has accepted little or no open space from development, but has help foster dedication to the County, who is staffed to maintain open space. The open space plan would recommend acquisition, preservation and other open space needs and any appropriate development criteria.</p>
<p>Program 41.2 Coordinate with the Marin County Open Space District to establish a funding program to acquire and maintain open space of local importance.</p>	<p>No County funding program was identified and created to acquire more open space.</p>	<p>Delete.</p>	<p>Retain. Consider revising program to include developing criteria on which properties should be preserved for open space. Currently, we collect in lieu fees for acquisition of property for open space, but have never developed criteria on how those funds would be used to acquire additional open space. If this program is deleted, will the in lieu fee for acquisition of open space need to be deleted? Also, maintenance of open space is such a big issue, shouldn't we retain this program (make it yellow), to actively explore ways to fund maintenance and focus on the high priority maintenance needs.</p>	<p>Same as 41.1. Funding ongoing maintenance does not seem appropriate for General Plan policy or program. We work collaboratively with County Parks and Open Space as opportunities arise. With the passage of County Park Measure A the County approved use of the funds for 2 parks maintenance positions, park maintenance/enhancement projects in its first 2 years, and the City anticipates using this source to fund the two maintenance works for the 9 years of Measure A.</p>
<p>Program 41.3 Work with state and federal agencies and non-profits to fund acquisition and maintenance of open space</p>	<p>Acquired substantial portions of Hamilton Field through the federal Lands to Parks program. Acquired open space surrounding the Marin Valley Mobile Country Club from Trust for Public Lands.</p>	<p>Retain.</p>		

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<p>Program 41.4 Identify open space of local importance and prioritize for acquisition. Develop a strategy for local funding and donations. Provide technical assistance to property owners to establish assessment districts or other mechanisms to acquire open space.</p>	<p>In late 1990's the intention was to develop an Open Space Master Plan, including preservation and acquisition. Open Space Plan was not created or initiated. The Plan Bay Area process included the designation of Priority Conservation Areas (PCAs) in Novato and surrounding unincorporated areas</p>	<p>Retain, but reword to reflect participation in the Plan Bay Area PCA identification and funding process.</p>	<p>Do not specify just Plan Bay Area PCA process since there are other funding sources: Strategic Growth Council; collaborating with MOST and/or other organizations. Maybe an HOA (e.g. Pacheco Valle HOA) would want to collaborate with the City to acquire and maintain open space. We need to make it easier for folks to work with us to preserve properties that are visually significant and/or environmentally significant, etc.</p> <p>MOST has their eye on various critical properties.</p>	<p>There is lack of staff to dedicate to collaborating with multiple agencies, individual property owners, and to seek grants, private funding, or partners and then negotiate and acquire open space, particularly if it is city public open space that cannot be maintained in the long term. We can provide support to property activities of MOST.</p> <p>No Priority Conservation Areas have been identified and considered that we would then seek PCA designation through the application process.</p>
<p>Policy 42 Specific Use Objectives for Open Space. Protect publicly-owned open space areas in their natural state; limit uses to those with a minimal adverse environmental impact.</p>	<p>Ongoing.</p>	<p>Retain.</p>		
<p>Program 42.1 Establish standards for the management and maintenance of City-owned open space.</p>	<p>No standards prepared. Current process is to respond to requests and help manage for fire danger.</p>	<p>Delete, unless willing to fund.</p>		

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<p>Program 42.2 Establish an annual City open space maintenance and environmental needs inventory, and include a budget for open space maintenance.</p>	<p>An annual inventory has not been done. The City does not have a budget for maintenance of open space.</p>	<p>Delete, unless willing to significantly fund.</p>	<p>Consider retaining to focus just on identifying the high priority maintenance needs of open space maintenance (see Program 41.4).</p> <p>Do we have much City open space? Do we know where it is without an inventory?</p>	<p>Open Space maintenance is very limited and consists only of minimum fire break / weed abatement. Any higher level of maintenance is not currently funded.</p> <p>Public Works maintains parks and open space and works closely with the Conservation Corps to maintain open space and perform fire suppression work. Most Novato open space is owned by the County and there is a nominal amount that is private. The City owns approximately 40 acres of open space (does not include Trust for Public Lands open space being acquired next to Marin Valley Mobile Country Club).</p>
<p>Policy 43 Access to Open Space. Provide public access to public open space in a manner compatible with the preservation and enhancement of the natural environment.</p>	<p>Remains a priority for City particularly given the push nationally to get kids back outside in the natural environment.</p>	<p>Retain.</p>		
<p>Program 43.1 Provide access to open space through review of development proposals.</p>	<p>Atherton Ranch private open space access secured. SF Bay Trail connections to neighborhoods at Hamilton done. Trail connection and access to open space provided from Brookside Meadows subdivision across from O’Hair Park has trail connection and access to city and County open space.</p> <p>Open space preserved adjacent to Palmer Drive subdivision, along with access.</p>	<p>Retain.</p>	<p>What Palmer Drive subdivision are you referring to?</p>	<p>The open space that is on the top of the ridge that the City owns that is 75 acres at Palmer and Redwood Blvd, that is adjacent to HOA (Belle Terre of Novato) maintained open space.</p>
<p>Policy 44 Park and Recreation Facilities. Develop and maintain to the maximum extent possible given available resources a system of</p>		<p>Retain</p>	<p>Modify this policy to include joint use projects with the NUSD, Community College and other organizations including but not limited to other public agencies,</p>	<p>We have an adopt-an-island program that Public Works administers. The City does not have an established Adopt a Park program. We traditionally work with groups and individuals as volunteers to do work parties and special park projects. Sometimes regular maintenance is done by individuals.</p>

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<p>parks to meet the needs of Novato residents.</p>			<p>non-profit and for profit organizations.</p> <p>Do we mention our adopt-a-park program?</p>	<p>This policy, as currently worded refers to parks. We collaborate with others usually on specialized facilities that provide ballfields, soccer fields, and gyms etc.</p>
<p>Program 44.1 Review the 1992 report <u>Target 2000</u> and develop an updated Master Plan for Parks and Recreation facilities.</p>	<p>City has implemented specific park plans but has not developed a citywide Master Plan for parks and recreation facilities.</p>	<p>Retain and update.</p>		
<p>Program 44.2 Coordinate recreation programs with the Novato Unified School District, the Community College District, other public and non-profit agencies, and commercial recreation facilities.</p>	<p>City built and operated Thigpen Sports Courts on Federally owned property at Hamilton. NUSD: City and NUSD built jointly funded community gymnasium at Hamilton School. Marin YMCA – coordinate programs with, e.g, Giants Baseball; Jointly do camp field trips with nonprofit organization; Novato Independent Elders Project is managed via agreement, with Episcopal Senior Communities. Collaborate with County Health and Human Services on county-wide Healthy Eating, Active Living efforts. Work collaboratively with the Novato Blue Ribbon Coalition. Partner with City of San Rafael to operate Hamilton Pool. Partner with Historical Guild to provide docents for two city-run museums. State Coastal Conservancy to develop a segment of the SF Bay Trail at Hamilton. Work with Center for Volunteer Nonprofit Leadership to create the City’s Spontaneous Volunteer program.</p>	<p>Delete. Recreation Department must collaborate and coordinate; it is an ongoing operational commitment/ necessity.</p>	<p>Consider modifying and adding this program in Policy 44 (see above).</p>	<p>This is specific to recreation programs and we do follow this as a routine business model. We work with nonprofits, commercial operators, other public agencies to deliver the programs the community wants. So not sure that it needs to be included in the General Plan since this is more ongoing operational in nature.</p>
<p>Program 44.3 Evaluate parking and facilities for transit access at all recreation facilities.</p>	<p>Novato Transit Needs Assessment and Community Based Transportation Plans completed. As capital projects occur at City recreation facilities, parking and transit access are always evaluated.</p>	<p>Retain</p>		

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Program 44.4 Require design of screening, lighting, and noise protection to reduce impacts on nearby neighborhoods.	Inherent in all capital improvement projects to minimize impacts to neighborhoods.	Retain.		
Program 44.5 Review and update regulations establishing impact fees for residential development to provide a fair share of the costs of park and recreation facilities.	Last update in 2002.	Retain. Should be included in a policy or program for all development fees.	Consider modifying program to include commercial developments.	Staff does not recommend creating development impact fees for non-residential developments for the following reasons: <ul style="list-style-type: none"> • Preparation of a nexus study to legally establish an impact fee is costly, • A nexus study would likely determine that relatively few Novato employees use recreational facilities, so a resulting fee would likely be very small, and • Novato’s commercial impact fees are already very high compared with other agencies.
Program 44.6 Nexus study for impact fees for non-residential development	Nexus study not done. Development impact recreation/cultural fees are only collected from residential development and feasibility of collecting from non-residential is unknown.	Delete		
Program 44.7 Consider geoseismic and other hazards prior to accepting land dedications. Identified hazards shall be fully repaired and/or financial protection for liability provided to the City before acceptance of land.	Evaluation done for recently acquired property from Trust for Public Lands at the Marin Valley Mobile Country Club.	Delete. Part of normal due diligence where warranted.		
Policy 45 Community and Neighborhood Parks. Consider implementing planning and funding for community parks. Encourage		Delete. Policy is vague.	Retain and modify policy to encourage that residents have access to parks within a walkable distance from their home. This revised policy then could support	Support retaining as a policy encouraging access to parks within a walkable distance. This will be a recommendation in the upcoming Healthy Eating/Active Living White Paper.

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neighborhood parks emphasizing homeowner association ownership.			the programs that are being suggested to be retained below.	
<p>Program 45.1 Consider requiring developers to provide neighborhood parks in keeping with their project and also contribute toward communitywide parks consistent in the anticipated use of community facilities by potential residents of the proposed development.</p>	<p>Hamilton residential developers built parks, ball fields, amphitheater, tot lots, playgrounds.</p> <p>In other areas, like former Atherton Ranch, the developer provided a playground, maintained by the homeowners association. Other recent projects, such as Canyon Green and the proposed project on Main Gate Road have been required to provide central open spaces accessible to all residents.</p>	Carry forward and clarify that this is applicable to larger residential developments.	Retain. Consider smaller developers pay an in lieu fee and larger developments and/or mixed use developments provide parks and/or open space for use by the residents and business owners/clients. Note: Nature Deficit Disorder.	Funding for this already exists through Development Impact Fees Recreation/Cultural and Quimby. Use of Quimby fees must have a nexus to the residential development, but can be used for citywide serving parks. DIF Rec/Cult is restricted to certain facilities and requires a large match to use it. Under current Code, residential developers pay fees for projects with less than 50 units already. Larger projects are required to dedicate land within the subdivision.
<p>Program 45.2 Consider evaluating existing underdeveloped park sites for feasibility of developing as community parks or consideration of other options such as neighborhood ownership or open space.</p>	Evaluation not done.	Delete. Perform City-wide parks master plan as suggested in Program 44.1.		

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<p>Program 45.3 Identify locations for additional community parks</p>	<p>Created Hamilton Community Facilities Implementation Plan, Phase 1 & 2 in late 1990's that identified and evaluated a 60+ acre community park, with pay to play areas, teen sports activities, sculpture garden and active recreation areas. A Parks Master Plan would be a tool to determine and identify locations.</p>	<p>Incorporate into Program 44.1 which calls for preparation of a city-wide parks master plan, including assessing the need and importance of pocket parks given the national obesity epidemic.</p> <p>Add: Research and consider creation of a community hub (community schools concept that brings neighborhoods together for school, active recreation and other human services at school sites).</p>		
<p>Policy 46 Existing Park Land and Facilities. Continue to emphasize improvement of the City's extensive holdings of undeveloped parkland over the acquisition of new land for parks and open space.</p>		<p>Retain</p>		
<p>Program 46.1 Develop a financial plan to improve undeveloped parkland, maintain existing facilities, and acquire land for new neighborhood parks.</p>	<p>Financial plan not developed.</p> <p>Fiscal Sustainability Plan and ADA review evaluated maintenance of existing facilities.</p> <p>County Parks Measure A will provide about \$300,000 for park improvements for 9 years.</p>	<p>Retain</p>		

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<p>Policy 47 Hamilton Field. Develop and rehabilitate appropriate parks and recreation facilities on portions of Hamilton Field that become City-owned.</p>	<p>Developed Hamilton Community Facilities Implementation Plan Phase I and II.</p> <p>Community built the Children’s play park in S. Hamilton Park, Developer built Amphitheater Park, S. Hamilton Park, improved the Hamilton Community Center, assisted with building Thigpen Sports Court, renovated the Arts Center. City built Skate Park, renovated the Hamilton Pool, renovated the old Firehouse into a museum, built spur trail of SF Bay Trail on Reservoir Hill, and SF Bay Trail trailhead at S. Hamilton Park. Successfully implemented negotiations with State Coastal Conservancy for building new trail segment of SF Bay Trail along levee to close gap in trail.</p>	<p>Delete. City is attempting to remove the Lands to Parks designations for much of the City-owned property.</p>	<p>Does this policy apply to property that the city already owns?</p> <p>Does this policy (as currently written) preclude other uses on property that the city might owe in the future?</p> <p>What property in Hamilton Field is the City interested in owning?</p> <p>Which properties does the ‘Land to Parks Public Benefit’ allow us to lift the deed restrictions?</p> <p>What does it look like when “Hamilton redevelopment has been completed”?</p>	<p>As I read it, city-owned or that become city owned.</p> <p>Depends on which city-owned property and what deed restrictions exist. Lands to Park restriction being lifted from a number of sites – Commissary, Town Center, Officers Club parcels.</p> <p>City has acquired all that was planned for the foreseeable future.</p> <p>See above.</p> <p>I can only speak to what we envisioned through the Hamilton Community Facilities Implementation Plan. Gyms, Fields, Parks, courts, pool etc. An enhanced pool and developing the vacant parcel next to skate park.</p>
<p>Policy 48 Greenways. Provide a system of greenways, consisting of natural lands, wildlife corridors, open space, watersheds, forests, landscaped borders, and landscaped pathways for pedestrians and bicycles. Greenways should connect major open space areas, and habitat areas including perimeter open space, creeks, Stafford Lake, O’Hair Park, and Scottsdale Pond, with the developed parts of the City.</p>	<p>Developer provided Ignacio Boulevard interpretive pathway and greenbelt. Interpretive signs, seating and landscaping were installed along a natural creek area where military base housing was located prior.</p>	<p>Retain</p>	<p>Agree with MCL comments. Redwood Blvd is a great opportunity for us to do something like what was done on Ignacio Blvd. I thought the Council agreed to look at ‘greenways’ along Redwood blvd.</p>	<p>Staff has recommended retaining this policy, but Redwood Boulevard does not seem to fit the description of a Greenway. The Council’s direction on North Redwood was for better pedestrian and bicycle paths along the street frontage and/or the SMART corridor, but neither would be what staff would consider a “greenway,” which suggests a more natural setting.</p>

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Program 48.1 Consider developing a Greenways Plan indicating locations and design criteria for a City-wide system, including consideration of privacy issues along creeks and in other developed areas and minimizing impacts on wildlife.	No Plan developed or planned. Ignacio Road interpretive path built by NCP as part of Hamilton housing development.	Delete		
Policy 49 Annual Review of Open Space, Parks, and Trail Acquisition. Review the status of open space, parks, and trails acquisition and development.	Prepared a draft Trails Master Plan, that was not adopted due to private property owner concerns. Implemented draft SF Bay Trail feasibility study, that was not finalized due to concerns of Bel Marin Keys residents adjacent to trail recommendations and County concerns.	Delete, program not needed.	Retain, but modify to encourage acquisition of open space, development of parks and trails, as funds become available. Without policy, it could be harder to support grant applications for these amenities.	Without adopted Open Space and Trails Plan the annual review would seem difficult, since no plan is in place. Case by case opportunities can and have always been evaluated to acquire more parks, trails or open space. Without a secure funding stream, adding to our property inventory is not financially feasible.
Program 49.1 Prepare a report for the City Council and the Parks and Recreation Commission on the status of the acquisition and the improvement of parks and trails including a list of existing and proposed projects, estimated cost and sources of funding. Determine what additional actions, if any, may be necessary to implement the policies of this Chapter.	Annual parks review is done as part of development of CIP Budget. Acquisition of open space and trails, unless privately held and maintained has been non-existent due to lack of resources.	Delete, program not needed.		
Program 49.2 Develop a financial plan for the improvement and maintenance of an urban trails system.	Annual parks review is done as part of development of CIP Budget. Acquisition of open space and trails, unless privately held and maintained has been non-existent due to lack of resources.	Delete, program not needed.		

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<p>Policy 50 Integrated Trail System. Facilitate the development of an integrated trails system and a continuous Bay Trail that connects regional trails, schools, open space, parks, recreation facilities, and residential areas.</p>	<p>Created drafts of Trails Master Plan and SF Bay Trail Feasibility Study. Built a spur trail of SF Bay Trail at Hamilton on Reservoir Hill.</p>	<p>Retain</p>		
<p>Program 50.1 Continue to develop and enlarge a comprehensive and coordinated trails and paths system that serves both recreational and utilitarian travel.</p>		<p>Combine with Policy 50.</p>		
<p>Program 50.2 Consider the access needs of a variety of users, including school-age children, the elderly, and those with disabilities when designing trails and paths.</p>	<p>Replaced Miwok Park pedestrian bridge over creek that leads to trails. Bridge is ADA accessible to allow users to enjoy creek. Miwok Park playground and park renovation considered children, elderly and disabled needs - ADA pathway, ADA picnic facilities, ADA play equipment and children’s picnic gazebo added. Dog park was built and provides ADA access and originally had ADA path around interior. Built Reservoir Hill vista trail with ADA access to portion for viewing wildlife and wetland restoration area. Work collaboratively with Safe Routes to School to design and create safe pedestrian access from neighborhoods to schools.</p>	<p>Modify to be included with HEAL or Complete Streets policies.</p>	<p>Support moving to Transportation Chapter and creation of a Safe Routes to School Policy and Programs. We have been successful in many projects .. highly unlikely that we would be successful in all. As with all projects and efforts, may need to adjust proposals to fit with neighborhoods.</p>	<p>Comment noted.</p>

Environment Chapter: Evaluation of Existing Policies and Programs – Full Table

Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Program 50.3 Minimize impacts to habitats and wildlife in planning, construction and operation of trails.</p>	<p>Worked collaboratively with SF Bay Trail (ABAG) and State Coastal Conservancy to execute trail easement for building a segment of the Bay Trail at Hamilton. Easement approved and trail design underway. Trail design addresses balance between protecting wildlife and allowing public to learn and experience it.</p>	<p>Retain.</p>		
<p>Program 50.4 Require new developments to provide direct pedestrian connections to parks and trails and to dedicate portions of the mapped trail system that extend through the property, consistent with nexus considerations and applicable laws.</p>	<p>Atherton Ranch residential area provided access via private trail to private open space; ADA access to levee top path behind Hamilton Hangars built by developer; ADA access via new SF Bay Trail trailhead at Hamilton implemented by City; Pathway along Ignacio Blvd provides pedestrian access along creek and joins with sidewalk to take to IVC to connect with County trails; Brookside Meadows residential area path connects to trail in O’Hair Park and connects to neighborhood.</p>	<p>Retain</p>		
<p>Program 50.5 Work with the Marin County Open Space District, the Association of Bay Area Governments, and other regional, state and federal agencies to implement the trail system as described in the Hamilton Bay Trail Public Access Plan, Marin Countywide Plan and ABAG Bay Trail Project.</p>	<p>Spur trail of SF Bay Trail at Hamilton; SF Bay Trail trailhead built at Hamilton; County Parks and Open Space worked with City on Novato Trails Master Plan and SF Bay Trail Feasibility Study to identify gaps and connections.</p>	<p>Retain. Add language encouraging connection north and south of the Hamilton portion of the Bay Trail.</p>		

Environment Chapter: Evaluation of Existing Policies and Programs – Full Table

Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Program 50.6 Obtain easements from the Coastal Conservancy to ensure access in perpetuity for the Bay Trail through Hamilton and Bel Marin Keys.</p>	<p>Prepared draft of Novato Trails Master Plan and SF Bay Trail Feasibility Study, although not adopted due to neighbor concerns. Bay Trail installed along Hamilton bay frontage, but not extended to Bel Marin Keys.</p>	<p>Delete, Bay Trail at Hamilton is built and feasibility study to identify trail alignments to close gap in Bay Trail between Pacheco Pond and the Petaluma Bridge was halted and not completed.</p>	<p>Consider retaining to complete Bay Trail through Novato. Wish I had known that ABAG requested the project be halted.</p>	<p>Feasibility study was not completed due to neighborhood opposition and that proposed trail alignments did not meet the goal of the Bay Trail Project of being close or within view of the Bay. Proposed trails were not on City owned property and some were outside the city limits and in the County.</p>
<p>Program 50.7 Obtain formal support for Bay Trail connection to the south from Las Gallinas Sanitary District</p>	<p>The San Francisco Bay Trail project is discussing closing the gap to Las Gallinas Valley Sanitary District treatment facility.</p>	<p>Retain, but restate to support Bay Trail connection from Hamilton to both the north and south.</p>		
<p>Program 50.8 Work with the Bay Area Ridge Trail Council to implement the Novato portion of the Bay Area Ridge Trail, encircling San Francisco Bay on ridge lines.</p>	<p>Worked with Ridge Trail Council representative to develop draft Trails Master Plan and trail connection adjacent to Brookside Meadows subdivision.</p>	<p>Retain</p>	<p>Where is this?</p>	<p>If you mean did the trail connection adjacent to Brookside Meadows happen – yes it did. Making any new alignments of the Ridge Trail has not been worked on.</p>

Environment Chapter: Evaluation of Existing Policies and Programs – Full Table

Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 51 Environmental Education. Provide opportunities for environmental education, recreation and wildlife interpretation that integrate and link the City’s parks and trails systems to environmental education, scientific research, and restoration activities within the watershed as well as, the community’s cultural heritage.</p>	<p>Completed wildlife overlook area at Scottsdale Marsh, with interpretive signs. Completed Reservoir Hill Vista Trail and overlook, and Hamilton Bay Trail which contain interpretive signs of wildlife and area; Ignacio Boulevard interpretive path created with educational signs about the area; Miwok Park renovation included the addition of interpretive signs about the history and wildlife of the area; performed archeological dig at Miwok Park and uncovered artifacts that are now preserved and available for educational purposes at Marin Museum of the American Indian in Miwok Park; Scientist as Artist public art project and community exhibit created by Buck Institute to fulfill public art requirement, that brought science to life.</p>	<p>Retain</p>		
<p>Program 51.1 Work with regional, state and federal agencies and other interest groups to develop an environmental educational and interpretive center at Hamilton with connections to the Bay Trail, Hamilton community park and wetland restoration activities in the vicinity.</p>	<p>No work done to move this forward.</p>	<p>Delete</p>	<p>Retain, focus on obtaining funds to develop an .. Within the next 20 years, funds may become available.</p>	<p>Staff and Planning Commission recommended that Program 51.1 should remain. There may be future opportunities to create an interpretive center. The program could be expanded to include educational programs, and not just an interpretive facility.</p>

Environment Chapter: Evaluation of Existing Policies and Programs – Full Table

Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Program 51.2 Address potential wildlife disturbance from trail use by incorporating adequate buffers and screening into the design of restoration projects, providing physical and visual separations to minimize habitat conflicts, such as grade-separated trails, screening vegetation, point access and overlook areas, berms, and fencing. Consider seasonal closure of trail sections during nesting season, and prohibition of dogs adjacent to sensitive wildlife areas.</p>	<p>SF Bay Trail at Hamilton - Design included buffer zones, fencing to keep dogs out, and viewing areas to minimize wildlife disturbance. Coastal Conservancy has created a cell phone application that provides information about the wetlands restoration and military base history</p>	<p>Modify by combining with Program 50.3.</p>		
<p>Program 51.3 Address potential security, parking and privacy issues for existing residences and businesses along trail routes by providing adequate trailhead parking, seating and viewing areas, and several access points along the trail to disperse trail use; incorporating adequate screening vegetation, fencing, gate controls, grade separation of trail paths, and providing appropriate signage, trash and animal waste receptacles, and restrooms.</p>	<p>Created separated SF Bay Trail so that created distance between homes at Hamilton and trail users.</p>	<p>Delete, review of development projects is an ongoing function.</p>		

Environment Chapter: Evaluation of Existing Policies and Programs – Full Table

Existing Policy/Program	Achievements/Status	Staff Recommendations for Update	City Council Questions & Comments	Staff Responses
<p>Policy 52 Continue to work closely with the Rancho Olompali organization concerned with planning and improving the historic park and the State Parks Department to enhance the park.</p>	<p>No work has or is being done by PRCS Department.</p>	<p>Delete</p>		

EN - MAP 2

Historic Baylands

Legend:

- Developed Baylands
- Bayland Overlay Zone (Undeveloped Property)
- Historic Bayland Margin *
- Landward Buffer (150'± Margin of Error)
- *** Approximate Location of Historic Town Center

Adopted by City Council
 March 8th, 1996 Resolution # 21-96

Summary of Amendments

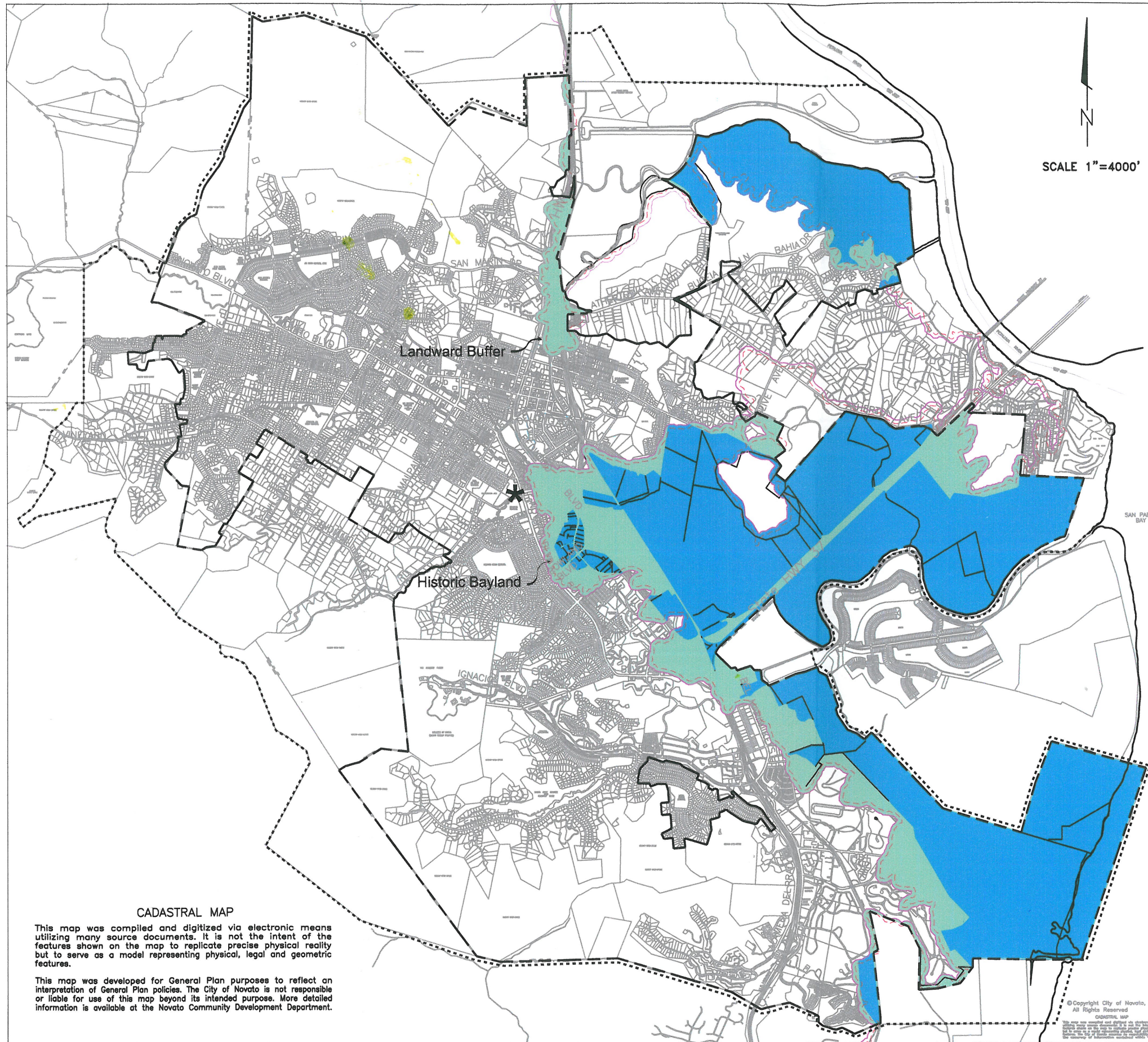
Date	Resolution No.	Description/Summary

Source: * Based upon the Cartographic Analysis of Historic and Modern Bayland Boundaries for Marin County, California. A Report to the Marin County Community Development Agency by the San Francisco, Estuary Institute Richmond, CA. March 1998

Note: * Urban Growth Boundary (UGB) is coterminous with the City Limit Boundary with the exception of Assessor's Parcel Numbers (146-230-23-26,30,33,35,61)

City of Novato GENERAL PLAN

- CITY LIMITS
- URBAN GROWTH BOUNDARY (UGB)*
- SPHERE OF INFLUENCE



CADASTRAL MAP

This map was compiled and digitized via electronic means utilizing many source documents. It is not the intent of the features shown on the map to replicate precise physical reality but to serve as a model representing physical, legal and geometric features.

This map was developed for General Plan purposes to reflect an interpretation of General Plan policies. The City of Novato is not responsible or liable for use of this map beyond its intended purpose. More detailed information is available at the Novato Community Development Department.

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