

MARIN COUNTY PLANNING DIVISION ADMINISTRATIVE DECISION 52 Crescente LLC Coastal Development Permit			
Decision:		Approved with conditions	
Date:		March 7, 2024	
Project ID No:	P4247	Applicant(s):	Chris & Laura Deam
		Owner(s):	52 Crescente, LLC
		Assessor's Parcel No(s):	193-111-19
		Property Address:	52 Crescente Ave., Bolinas
		Project Planner:	Erin Yattaw 415-473-3535 Erin.Yattaw@marincounty.gov
		Signature:	<i>Erin Yattaw</i>
Countywide Plan Designation:		C-SF5 (Low Density Residential Coastal Zone)	
Community Plan Area:		Bolinas	
Zoning District:		C-RA-B2 (Coastal Residential Agriculture, minimum lot size 10,000 square feet)	
Environmental Determination:		Exempt per CEQA Guidelines Section 15303, Class 3	

PROJECT SUMMARY

The applicant requests Coastal Development Permit approval to demolish an existing 1,389 square foot single-family dwelling, a detached garage, and detached shed and construct a 3,938 square foot single-family dwelling with an attached garage, decks, and a hot tub on a developed lot in Bolinas. The 3,938 square feet of proposed development – of which 3,398 square feet would be considered floor area – would result in a floor area ratio of 10 percent on the 33,672 square foot lot. The proposed building would reach a maximum height of 17 feet above surrounding grade and the exterior walls would have the following setbacks: 25 feet from the eastern front property line; 10 feet from the northern side property line; 10 feet from the southern side property line; over 150 feet from the western rear property line.

Coastal Development Permit approval is required pursuant to Marin County Coastal Zoning Code Section 22.68.030 because the project entails new development in the Coastal Zone as defined in Article VIII, Chapter 22.130.D, Development.

COASTAL IMPLEMENTATION PLAN AND DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for Coastal Permit (Marin County Local Coastal Program Implementation Plan Section 22.70.070)

- A. Coastal Access.** The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Coastal Access section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.180 (Public Coastal Access). Where the project is located between the nearest public road and the sea, a specific finding must be made that the proposed project, as conditioned, is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act (commencing with Section 30200 of the Public Resources Code)

The project is consistent with the Land use Plan (LUP) public coastal access policies (C-PA-2, C-PA-15 and C-PA-16) and this finding because the project site is not located near a coastal bluff or beach access, and therefore, would not interfere with or impact existing coastal access.

- B. Biological Resources.** The proposed project, as conditioned, is consistent with the applicable policies contained in the Biological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.050 (Biological Resources).

According to the data on file in the Marin County Geographic Information System, the property does not contain wetlands, coastal streams, riparian vegetation, endangered species, or coastal dunes. Additionally, an existing residence is proposed to be demolished and the new residence is proposed to be developed in the same area that has been previously disturbed.

- C. Environmental Hazards.** The proposed project, as conditioned, is consistent with the applicable policies contained in the Environmental Hazards section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.060 (Environmental Hazards).

On July 13, 2021, the Board of Supervisors voted to activate the certified Local Coastal Program (LCP) Amendments. All portions of Marin's LCP Amendments have been approved by the Board of Supervisors and certified by the Coastal Commission with the exception of chapters related to environmental hazards, which remain the subject of on-going work and public input. As a result, those sections of the original versions of the LCP, certified by the Coastal Commission in 1980 (Unit I) in 1981 (Unit II) and the Marin County Interim Code Sections 22.56.130I.H, 22.56.130I.K, and 22.56.130I.L still apply to environmental hazards and are further discussed in the Interim Code section of this report.

- D. Agriculture and Mariculture.** The proposed project, as conditioned, is consistent with the applicable policies contained in the Agriculture and Mariculture sections of the Marin County Land Use Plan and the applicable agricultural and maricultural standards contained in Chapter 20.32.

The subject property is zoned C-RA-B2 (Coastal, Residential Agriculture, minimum lot size 10,000 square feet). The purpose of the C-RA zoning district is to provide areas for residential uses within the context of small-scale agricultural and agriculturally related uses. Within the

C-RA zoning district, single-family residences and residential accessory structures are principally permitted. No agricultural land use is proposed in the scope of this project.

- E. Water Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Water Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.080 (Water Resources).**

The applicant provided a preliminary drainage plan that was reviewed by the Department of Public Works and found to be acceptable. The project would result in 86 cubic yards of off haul. The project is consistent with the LUP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff that would adversely affect the quality of coastal waters (C-WR-1, C-WR-2, C-WR-3, C-WR-6) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.

- F. Community Design. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Design section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.100 (Community Design).**

The neighborhood surrounding the project site consists of parcels developed with single-family residences and residential accessory structures. The proposed single-family residence would conform with the allowable maximum height of the C-RA-B2 zoning district. The development would not affect visual resources. The project would not disrupt significant views of the ocean or scenic coastal areas because it is not highly visible from public viewing areas. The project would be consistent in scale, design, and materials with the surrounding community. Therefore, the project is consistent with the LUP community design policies to protect visual resources and compatible design (C-DES-1, C-DES-2, and C-DES-3).

- G. Community Development. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Development section of the Marin County Land Use Plan and the applicable standards contained in Chapter 20.66 (Community Development).**

The project consists of the demolition of an existing single-family residence, a shed, and a detached garage as well as the construction of a new single-family dwelling, decks, and a hot tub that is consistent with the governing residential agricultural zoning district, C-RA-B2 (Coastal, Residential Agriculture, minimum lot size 10,000 square feet) and Land Use Policy C-CD-2. Consistent with Land Use Policy C-CD-1 the project site would be served by available public services without causing significant impacts to coastal resources.

- H. Energy. The proposed project, as conditioned, is consistent with the applicable policies contained in the Energy section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.120 (Energy).**

The project would be required to satisfy all applicable energy-saving standards as required by the County's Building and Safety Division prior to the issuance of a building permit. Therefore, the project is consistent with the LUP energy policies (LUP Policies EH-2.1, EH-2.3, and CD-2.8) and this finding because it would be constructed in conformance with County energy efficiency standards, as verified during review of the Building Permit application.

- I. Housing. The proposed project, as conditioned, is consistent with the applicable policies contained in the Housing section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.130 (Housing).**

The proposed project would not result in the removal or demolition of low and/or moderate-income housing. Therefore, the project is consistent with the LUP housing policies to address low- and moderate-income housing needs in the Coastal Zone (LUP Policies C-HS-1) because the project does not entail the demolition of existing deed restricted affordable housing and would not affect the available housing stock in the surrounding community.

- J. Public Facilities and Services. The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Facilities and Services section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.140 (Public Facilities and Services).**

The subject property is already has existing water and sewer services that will continue to be utilized for the new development.

- K. Transportation. The proposed project, as conditioned, is consistent with the applicable policies contained in the Transportation section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.150 (Transportation).**

The proposed single-family residence would continue to be accessed from Crescente Avenue and it would not entail any alterations or impacts to existing roadway facilities or public parking facilities. Therefore, the project is consistent with the LUP transportation policies (C-TR-1 and C-TR-2) and this finding because the project would not result in impacts to the two roads that the through lot has frontage on, Crescente Avenue and Cliff Road.

- L. Historical and Archaeological Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Historical and Archaeological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.160 (Historical and Archaeological Resources).**

The project site is not located within any designated historic district boundaries as identified in the Marin County Historic Study for the Local Coastal Program. Therefore, the project is consistent with the LUP historical and archaeological resources polices (C-HAR-2, C-HAR-8) because the project site is not located within any mapped historic district boundaries and would not affect historical, archaeological, or paleontological resources. Additionally, the existing residence proposed for demolition was not constructed prior to 1930, therefore, the existing residence is not considered to be a historical resource and the project is consistent with this finding.

- M. Parks, Recreation, and Visitor-Serving Uses. The proposed project, as conditioned, is consistent with the applicable policies contained in the Parks, Recreation, and Visitor-Serving Uses section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.170 (Parks, Recreation, and Visitor-Serving Uses).**

The project is consistent with LUP policies for coastal recreation and visitor-serving and local-serving facilities (C-PK-1 and C-PK-4) and this finding because the project is located entirely on the subject property and would not adversely affect existing access to existing visitor and local serving amenities.

Mandatory findings for Coastal Development Permit approval pursuant to Marin County Interim Code Sections 22.56.130I.H, 22.56.130I.K, and 22.56.130I.L.

A. Dune Protection (Marin County Interim Code Section 22.56.130I.H)

There are no natural dunes in the development area or in the immediate surrounding area.

B. Shoreline Protection (Marin County Interim Code Section 22.56.130I.K)

The applicant obtained a Geotechnical Exploration Report that included analysis of bluff retreat that was prepared on October 16, 2023. The analysis provided in the report established that the closest corner of the property is approximately 260 feet from the current bluff edge. Using a 150-year structure life and adding an additional 15 meters as a safety factor, the resultant bluff top setback would be 72 feet from the bluff edge. Therefore, the entire subject property and all proposed development is well outside of the bluff top setback.

C. Geologic Hazards (Marin County Interim Code Section 22.56.130I.L)

There are no known active faults that cross the project site. The Marin County Community Development Agency, Building and Safety Division will require seismic compliance with the California Building Code prior to issuance of a project building permit.

ACTION

The project described in condition of approval 1 below is authorized by the Marin County Planning Division and is subject to the conditions of project approval.

This planning permit is an entitlement to apply for construction permits, not a guarantee that they can be obtained, and it does not establish any vested rights. This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

CONDITIONS OF PROJECT APPROVAL

CDA-Planning Division

1. This Coastal Development Permit approval authorizes the demolition of an existing 1,389 square foot single-family dwelling, a detached garage, and detached shed and the construction of a new 3,938 square foot single-family dwelling with an attached garage, decks and a hot tub on a developed lot in Bolinas. The 3,938 square feet of authorized development – of which 3,398 square feet is considered floor area – shall result in a floor area ratio of 10 percent on the 33,672 square foot lot. The approved building shall reach a maximum height of 17 feet above surrounding grade and the exterior walls shall have the following setbacks: 25 feet from the eastern front property line; 10 feet from the northern side property line; 10 feet from the southern side property line; and over 150 feet from the western rear property line.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Deam Residence," consisting of 20 sheets prepared by Christopher Deam, received in final form on December 12, 2024, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2023" with respect to all of the standard conditions of approval.

VESTING

Unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within three years of the date of the approval shall expire and become void. The permit shall not be deemed vested until the permit holder has actually obtained any required Building Permit or other construction permit and has substantially completed improvements in accordance with the approved permits or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval.

RIGHT TO APPEAL

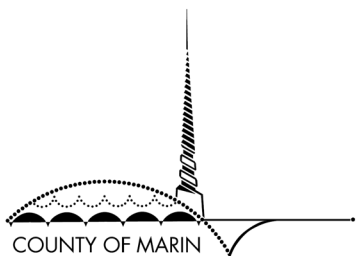
This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than 10 business days from the date of this decision (March 21, 2024).

This Coastal Development Permit authorizes development that consists of "appealable development" consistent with Marin County Coastal Zoning Code Section 20.70.080(B)(1). The project consists of "minor development" and public notice was provided pursuant to Coastal Zoning Code Section 20.70.030(B)(6). No request for a public hearing was received.

cc: *{Via email to County departments}*
CDA – Assistant Director
CDA – Planning Manager
DPW – Land Development
Bolin Community Public Utility District
Bolin Fire Protection District

Attachments:

1. Marin County Uniformly Applied Conditions 2023
2. DPW Transmittal Response
3. CCC Transmittal Response



**MARIN COUNTY UNIFORMLY APPLIED CONDITIONS
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS**

2023

STANDARD CONDITIONS

1. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.
2. The applicant/owner shall defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin and shall cooperate fully in the defense.
3. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.
4. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

SPECIAL CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.

3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off-site shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the "Disclosure Statement Concerning Agricultural Activities," as required by Section 23.03.050 of the Marin County Code.
6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.
7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A

report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.
11. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building's finished floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.
12. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in "Exhibit A" unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
13. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.
14. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California's Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.
15. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all the approved and required landscaping has been completed and that any necessary irrigation has been installed.
16. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.
17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and

compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

CODE ENFORCEMENT CONDITIONS

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - Third Transmittal

<p>DATE: <u>1/5/2024</u></p> <p>TO: <u>Erin Yattaw</u></p> <p>FROM: <u>Maurice Armstrong</u></p> <p>APPROVED: _____</p> <p>RE: <u>52 Crescente LLC Costal Permit</u> <u>P4247</u></p> <p>APN: <u>193-111-09,193-092-19,- 18</u></p> <p>ADDRESS: <u>52 Crescente Ave., Bolinas</u> _____</p>	<p>DUE: <u>1/5/2024</u></p> <p><u>TYPE OF DOCUMENT</u></p> <p>_____ DESIGN REVIEW</p> <p>X _____ COASTAL PERMIT</p> <p>_____ LAND DIVISION</p> <p>_____ VARIANCE</p> <p>_____ USE PERMIT</p> <p>_____ ADU PERMIT</p> <p>_____ ENVIRONMENTAL REV.</p> <p>_____ OTHER:</p>
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Department of Public Works Land Use Division has reviewed this application for content and:

Find it **COMPLETE**

_____ Find it **INCOMPLETE**, please submit items listed below

_____ Find it **NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM**

Comments Included (Inc.) or Attached (Att.) from other DPW Divisions:

_____ Traffic

_____ Flood Control

_____ Other: _____

Merit Comments

Prior to Issuance of a Building Permit:

Driveways:

1. Per Marin County Code § 24.04.285, the driveway vertical positions shall start at least four feet back from the edge of the adjoining road. Driveways sloping downhill from the road shall be constructed so as to prevent diversion of roadside drainage down the driveway. Demonstrate compliance.
2. Per Marin County Code § 24.04.290, driveway approaches shall be constructed in accordance with the appropriate U.C.S. drawing unless prior approval to do otherwise is obtained from the agency. Demonstrate compliance.
3. Per Marin County Code § 24.04.300, when it is required that a driveway be paved, the pavement section shall consist of a base course approved by the agency covered with a minimum thickness of two inches of A.C. or three and one half inches of P.C.C. Driveways over eighteen percent grade shall be surfaced with P.C.C. and given a broomed or otherwise roughened finish. Demonstrate compliance.
4. Per Marin County Code § 24.04.310, all driveways within the city-centered corridor and village areas shall be paved regardless of grade. Demonstrate compliance.
5. Per Marin County Code § 24.04.320, driveways outside the city-centered corridor and village areas need not be paved except those sections over twelve percent in grade or along any section where paving is deemed necessary by the agency to provide a safe and adequate access. Where paving is not required, the driveway shall be surfaced with at least four inches of compacted crushed rock. Demonstrate compliance.
6. **Grading & Drainage Plans:** Provide the following information on the drainage and grading plans:

- a. Indicate means of restoring all disturbed areas.
 - b. Add a note on the plans indicating that the plan preparer shall certify to the County in writing upon the completion of work that all grading and drainage improvements were installed in accordance with the approved plans and field direction. Be aware that a DPW Engineer will need to inspect and accept work after receipt of certification letter. Certification letters shall reference building permit number or numbers for specific work being certified, the address of the property and the Assessor's Parcel Number (APN) and shall be signed and stamped by the certifying professional.
7. **Geotechnical Review and Acceptance:** The plans must be reviewed and approved by the soils engineer. Certification shall be either by his/her stamp and original signature on the plans or by a stamped and signed letter. Certification shall reference plans reviewed, specifying site, structural, and drainage plans with date of drawings, and verify that plans address any recommendations previously offered.

Erosion & Sediment Control Plan:

8. Per Marin County Code § 24.04.625(b)(e), provide an Erosion and Sediment Control Plan (ESCP) which shall include information required in the most recent version of the MCSTOPPP ESCP Standard Template. The template can be found in the "Construction Erosion and Sediment Control Plan Applicant Package" available at the following link: <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/mcstoppp-erosion-and-sediment-control-plan-applicant-package.pdf?la=en>. Note the actual template begins on page 11 of the document.

Stormwater Control Plans:

9. Provide a Stormwater Control Plan as required by Marin County Code § 24.04.627 Permanent Stormwater Controls for New and Redevelopment. You may refer to the BASMAA Post Construction Manual which you can access at the County's website for post-construction stormwater management requirements, publications and resources at: <http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/new-and-redevelopment-projects?panelnum=2>. **Direction for this project is in Appendix C of the BASMAA manual, Stormwater Control Plans for Small Projects / Single Family Homes.**

-END-

From: KoppmanNorton, Julia@Coastal
To: Yattaw, Erin
Cc: Rexing, Stephanie@Coastal
Subject: RE: 52 Crescente LLC Coastal Permit (P4247) - Transmittal
Date: Tuesday, September 19, 2023 2:41:04 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Erin,

Thank you for sending the referral for P4247 for the proposed demolition and rebuild of a single-family residence at 52 Crescente in Bolinas. While the parcel is behind a first row of residences and the Crescente Ave roadway, its' proximity to the shoreline means that exposure to coastal hazards cannot be ruled out during the project's lifespan, and as such if the proposed CDP is approved at this hazardous location, the County should include the following special conditions to ensure the Applicants internalize any such risks in such a way that future adaptation and coastal hazard response associated with this site doesn't lead to adverse impacts to coastal resources, including those which may be borne by the public. Additionally, even if the actual proposed structures are not impacted by hazards during its lifetime, roadways and/or local utility services may be impacted by coastal hazards during the project's lifespan. Specifically, staff recommends conditioning any potential approval to include the following:

- 1. Coastal Hazards.** *By acceptance of this CDP, the Permittees acknowledge and agree, on behalf of themselves and all successors and assigns, that:*
 - a. Coastal Hazards.** *This site is subject to coastal hazards including but not limited to episodic and long-term shoreline/bluff retreat and coastal erosion, storms, tsunami, tidal scour, landslides, and their interaction, all of which may be exacerbated by sea level rise.*
 - b. CDP Intent.** *The intent of this CDP is to allow for the approved project to be constructed and used consistent with the terms and conditions of this CDP for only as long as the development remains safe for occupancy, use, and access, without additional substantive measures beyond ordinary repair or maintenance to protect the development from coastal hazards.*
 - c. No Future Armoring.** *No new shoreline armoring (including but not limited to seawalls, revetments, retaining walls, gabion baskets, tie backs, piers, groins, caissons/grade beam systems, etc.) shall be constructed to protect the development approved pursuant to this CDP in the event that the approved development is threatened with damage or destruction from coastal hazards in the future. Any rights to construct such armoring that may exist under Coastal Act Section 30235, the Marin County LCP, or any other applicable law, shall be waived, and no portion of the approved development is an "existing structure" for purposes of Section 30235.*
 - d. Public Trust.** *This CDP does not allow encroachment onto public trust lands, and any future encroachment must be removed unless the Coastal Commission determines that the encroachment is legally permissible pursuant to the Coastal Act and*

authorizes it to remain. Any future encroachment would also be subject to the State Lands Commission's (or other designated trustee agency's) leasing approval.

- e. Assume Risks.** *(1) All risks to the Permittees and to the property that is the subject of this CDP are assumed by the Permittees, including any injury and/or damage from coastal hazards in connection with this permitted development; (2) any claim of damage or liability against Marin County, its officers, agents, and employees for injury or damage from coastal hazards are unconditionally waived; (3) Marin County, its officers, agents, and employees are indemnified and held harmless by the Permittees with respect to Marin County's approval of the CDP against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to coastal hazards; and (4) all responsibility for any adverse effects to property caused by the permitted project is assumed by the Permittees.*

2. Coastal Hazard Response. *The Permittees are required to remove and/or relocate all or a portion of the development authorized by this CDP, and to restore the affected portion of the site, if any of the following occur:*

- a. Unsafe Conditions.** *Marin County or any other government agency with legal jurisdiction has issued a final order, not overturned through any appeal or writ proceedings, determining that some or all of the approved development is currently and permanently unsafe for occupancy or use due to damage or destruction from coastal hazards, and that there are no feasible measures that could make such development suitable for occupancy or use without the use of shoreline armoring.*
- b. Lack of Services.** *Essential services to the site (e.g., utilities, roads) can no longer feasibly be maintained due to coastal hazards, including due to the degradation and/or failure of nearby roadways, and/or degradation and/or failure of utilities serving the site. Marin County and any other providers shall not be required to maintain access and/or utility infrastructure to serve the approved development in such circumstances.*
- c. Adaptation Planning.** *Removal and/or relocation is required pursuant to LCP policies for sea level rise adaptation planning. Required removal and/or relocation shall require Marin County approval of a plan to accommodate same prior to any such activities. In the event that portions of the approved development fall into the bay or to the ground before they are removed and/or relocated pursuant to the above criteria, the Permittees shall remove all recoverable debris associated with the development from such areas, and lawfully dispose of the material in an approved disposal site, all subject to Marin County approval.*

3. Future Permitting. *All future proposed development related to this CDP shall require a new CDP or a CDP amendment.*

- 4. Real Estate Disclosure.** Disclosure documents related to any future marketing and/or sale of the site/residence, including but not limited to marketing materials, sales contracts and similar documents, shall notify potential buyers of the terms and conditions of this CDP, including explicitly the coastal hazard requirements of **Special Condition 2**. A copy of this CDP shall be provided in all real estate disclosures.
- 5. Deed Restriction.** WITHIN ONE-YEAR OF ISSUANCE OF THE CDP, which deadline Marin County may extend for good cause, the Permittees shall submit for review and approval documentation demonstrating that the landowners have executed and recorded against the parcels governed by this CDP a deed restriction : (1) indicating that, pursuant to this CDP, Marin County has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; (2) imposing the terms and conditions of this CDP as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of all of the parcels governed by this CDP. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this CDP shall continue to restrict the use and enjoyment of the subject property so long as either this CDP or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.

Best,
Julia

Julia Koppman Norton
North Central Coast Coastal Resilience Specialist
California Coastal Commission



From: Yattaw, Erin <EYattaw@marincounty.org>
Sent: Thursday, September 7, 2023 6:54 PM
To: Montano, Honora@Coastal <Honora.Montano@coastal.ca.gov>
Cc: KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>
Subject: 52 Crescente LLC Coastal Permit (P4247) - Transmittal

Hello Honora,

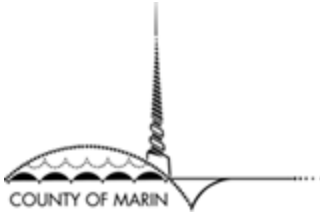
This property recently went through a Coastal Permit and Merger. The owners have now submitted a Coastal Permit to tear down the existing residence and build a new one. Please see the transmittal, plans and copy of the Notice of Merger submitted by the applicant attached to this email. I am

requesting any incompleteness items by September 22, 2023, please.

Thank you,

Erin Yattaw
PLANNER
She/her

County of Marin
Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
415 473 3535 T
eyattaw@marincounty.org



Email Disclaimer: <https://www.marincounty.org/main/disclaimers>