

COUNTY OF MARIN

PLANNING

Assessor's Parcel Number

195-162-13-14

NAME

COMBS, COLETTE

COLETTE COMBS - COASTAL PERMIT #81-05, AP#195-162-13,14

Proposal to divide a 15,200 sq. ft. parcel of land, presently containing one residence, into two building sites of 7,500 sq. ft. and 7,700 sq. ft. respectively. A tentative map for this division was approved by the Marin County Planning Department on 9/11/79. The property is located within the Coastal Zone, as defined by the Coastal Act of 1976. The address is 22 Calle dei Onda, Stinson Beach.

ACTION:

Marin County processing of this application has been suspended and abandoned in that the County had no permit review authority on this application.

State of California, Edmund G. Brown Jr., Governor

California Coastal Commission  
631 Howard Street, 4th floor  
San Francisco, California 94105  
(415) 543-8555

August 13, 1981

RECEIVED  
PLANNING DEPARTMENT  
COUNTY OF MARIN  
AUG 14 11 04 AM '81

Mr. Irving Schwartz  
330 Pinewood Drive  
San Rafael, CA 94903

Subject: Collette Combs Application, Calle del Onda, Stinson Beach

Dear Mr. Schwartz:

This letter serves as a follow-up to our recent telephone conversation regarding the Combs land division request. You have stated your preference to abandon the proposal due to the fact that the Coastal Commission retains original permit jurisdiction for the project; and the doubtful nature of obtaining a State Coastal Permit.

You also stated that you wished to explore the possibility of obtaining a coastal permit from the County of Marin to construct a duplex on the site under existing zoning regulations. If you wish to pursue such a project, all work including septic improvements would be subject to all applicable regulations of the zoning district (setbacks, etc.) and any other County regulations would have to occur out of the area of original permit jurisdiction; and involve no sensitive environmental habitats as defined in the Coastal Act. As a condition of the permit an offer of vertical and lateral public access would be required.

Thank you for your cooperation in this matter. Should you have any questions, please call.

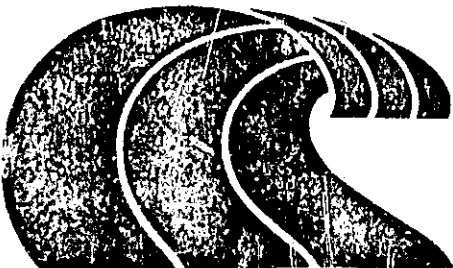
Very truly yours,



Edward F. Bielski  
Coastal Analyst

EFB/lki

cc: Mr. Raymond Ahearn  
Mrs. Collette Combs



COLETTE COMBS, COASTAL PERMIT #81-05 - A.P. #195-162-13,14

Application proposal to divide a 15,200 sq. ft. parcel of land, presently containing one residence, into two building sites of 7,500 sq. ft. and 7,700 sq. ft. respectively. A tentative map for this division was approved by the Marin County Planning Department on 9/11/79. The property is located within the Coastal Zone, as defined by the Coastal Act of 1976 and the address is 21 Calle del Onda, Stinson Beach.

Speakers: Irving Schwartz, representing applicant, referred to letter of 7/17/81 from the Planning Department stated that this application should have been made to the California Coastal Commission, according to Section 12.56.130 (E-1-d) of Marin County Code.

Nancy von Kugelgen, 23 Calle del Onda, opposed application.

Don Jones, 11-year resident, in opposition.

Mr. Schwartz asked for a continuance of the hearing due to a question of legal jurisdiction.

The Hearing Officer continued this matter to the next regular hearing of the DZA, August 17, 1981. In the meanwhile, Planning Department and Mr. Schwartz will ferret out information to decide jurisdiction, at which time testimony would be heard if, in fact, Marin County has jurisdiction.

RA:ef

DZA HEARING 7/20/81

**Marin County  
Comprehensive  
Planning  
Department**

*Marjorie W. Macris, AICP, Director*

July 17, 1981

Colette Combs  
526 Powers Drive, El Dorado Hills  
Sacramento, CA 95630

RE: Coastal Permit; Combs Tentative Map  
A.P. #195-162-13,14

Dear Ms. Combs:

As you know, the above-captioned Coastal Permit was set for hearing before the Marin County Deputy Zoning Administrator on Monday, July 20, 1981 at 10:40 a.m. Subsequent to noticing this hearing before the County, we were informed by the California Coastal Commission (letter attached) that this matter should have been referred to their Commission for hearing, according to Section 22.56.130 (E-1-d) of Marin County Code (also attached).

The code section called to our attention by Coastal Commission staff appears unambiguous in requiring that such applications "shall be forwarded to the California Coastal Commission for its action". We regret our error in not correctly advising your representative, Mr. Schwartz, as to where to apply. No constructive purpose would be served by the County interjecting itself here where the California Coastal Commission is required to act. Consequently, we shall present only the facts stated above at the scheduled hearing and recommend direct referral of the matter to the California Coastal Commission. We will process a refund of your application fees and forward them either to you or Mr. Schwartz' office as you wish.

Yours very truly,

*Raymond J. Ahearn*  
RAY J. AHEARN  
Planner

RJA:ef

cc: Irving Schwartz  
Edward F. Bielski, Coastal Commission

C-R-2

*Continued to Aug. 20*

(17)

State of California, Edmund G. Brown Jr., Governor

California Coastal Commission  
631 Howard Street, 4th floor  
San Francisco, California 94105  
(415) 543-8555

July 15, 1981

Marin County Planning Department  
Civic Center  
San Rafael, CA 94903

Attn: Raymond J. Ahearn

Subject: Combs Land Division, Calle del Onda, Stinson Beach

Gentlemen:

I am writing in regard to the above land division. This item was previously submitted to the Regional Coastal Commission and subsequently withdrawn, because of Regional Commission concerns that ultimate development of the lots would have a severe impact on coastal resources. A copy of the Regional Coastal Commission Staff Report and Denial is enclosed for your convenience.

The State Coastal Commission staff has reviewed this land division and has determined that the State Commission has original permit jurisdiction as the land division boundaries are below the mean high water line. The applicant should apply directly to the State Coastal Commission for a permit. I am sending application forms to the applicant's representative, Mr. Irving Schwartz, under separate cover.

Procedurally the applicant need not have applied to the County of Marin for a Coastal Permit, but should have directly applied to the State Commission. We realize that post-certification local coastal program procedures are new to both applicants and staff and that some confusion over procedures may inevitably arise. In any case we would request that the County take no action on this land division and that the applicant withdraw the application. If County action is taken, it is advisory only pursuant to Section 22.56,130 (E-I-d) of the Marin County Code.

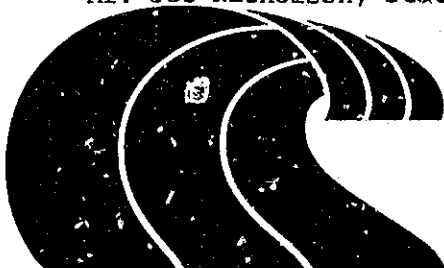
Thank you for your cooperation and attention to this matter.

Very truly yours,

*Edward F. Bielski*  
Edward F. Bielski

Enclosure

cc: Mr. Irving Schwartz  
Ms. Colette Combs  
Mr. Joe Nicholson, State Commission staff



RECEIVED  
PLANNING DEPARTMENT  
COUNTY OF MARIN  
JUL 16 10 22 AM '81

Where development involves land which may be subject to the doctrine of public trust easements, a project description shall be forwarded to the office of the State Lands Commission for its determination of the status of the land in question. The State Lands Commission shall be requested to indicate if the project is located on tidelands or submerged lands and whether a State Lands Commission permit or lease is required for the proposed development. Such a determination shall be made prior to any authorization of construction for a coastal project. County action on proposed coastal projects identified as located upon tidelands, submerged lands or public trust lands, per the provision of Public Resources Code Section 30519(b), shall be advisory only. Such project applications including those advisory recommendations as the County deems appropriate, shall be forwarded to the California Coastal Commission for its action on the coastal project.

2) Specific Geographic Requirements - Coastal Access

a) Mt. Tamalpais State Park and Lands

The development of additional recreational and visitor services on those portions of the Mount Tamalpais State Park within the coastal zone, including hiking trails, equestrian trails, a "primitive" hostel at the Steep Ravine cabins and improved parking and support facilities at Red Rock are consistent with the LCP policies. Such facilities shall be similar in design, size and/or location as those proposed by the Mount Tamalpais State Park Plan. Consistent with the protection of significant resources, additional trail development to improve access to public tidelands is encouraged.

b) Maintenance of Existing Coastal Access: Development which may interfere with existing coastal access shall not be permitted or shall be conditioned to assure substantially the same level and location of public access is maintained. The following specific access areas shall be retained through coastal permit regulation program:

1) Stinson Beach: The County Park lands at Calle del Sierra; (Upon Be established pedestrian access ways at Walla Vista and the Calles; and the maintenance of on-street parking along the northerly side of Calle del Arroyo;

2) Bolinas: Historic public use of the two access trails across Bolinas Mesa to the RCA beach and of the beach area itself shall be protected in accordance with the access program approved by the North Central Coast Regional Commission in its action on Permit No. 31-78 (Commonweal). As provided by the conditions of the Commonweal permit approval, use of the access trails and beach areas shall be limited to the level and character of the historic use of the property (including but not limited to use for beach access, hiking, swimming, and horseback riding) in order to protect the natural resources of Duxbury Reef. The public access to Duxbury Reef shall continue under present management programs.

**SCHWARTZ • WAAG ASSOCIATES**

134 Paul Drive  
SAN RAFAEL, CALIFORNIA 94903

(415) 472-5200

TO Ray Ahern  
Marin County Planning Department  
Marin County Civic Center

**LETTER OF TRANSMITTAL**

DATE	July 14, 1981	JOB NO.	5012
ATTENTION			
RE:	Combs Coastal Permit No. 81-05		

WE ARE SENDING YOU  Attached  Under separate cover via \_\_\_\_\_ the following items:

- Shop drawings       Prints       Plans       Samples       Specifications  
 Copy of letter       Change order       \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
1	7/14/81		Appendix A Certification

THESE ARE TRANSMITTED as checked below:

- For approval       Approved as submitted       Resubmit \_\_\_\_\_ copies for approval  
 For your use       Approved as noted       Submit \_\_\_\_\_ copies for distribution  
 As requested       Returned for corrections       Return \_\_\_\_\_ corrected prints  
 For review and comment       \_\_\_\_\_  
 FOR BIDS DUE \_\_\_\_\_ 19 \_\_\_\_\_       PRINTS RETURNED AFTER LOAN TO US

REMARKS \_\_\_\_\_  
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**RECEIVED**

JUL 15 1981

COPY TO \_\_\_\_\_

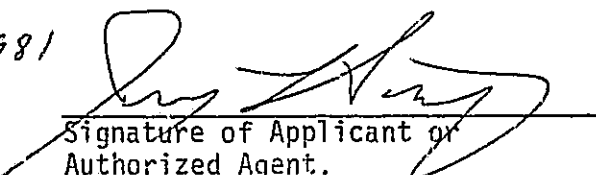
SIGNED: \_\_\_\_\_



APPENDIX A- CERTIFICATION

I hereby certify that I, or my authorized agent, has hand delivered the required public notice of a pending permit decision for Coastal Permit No. 81-05 to each and every residence within 300 feet of the subject property, A.P.# 195-162-12 & 14.

DELIVERED 7-9-10, 1981

  
Signature of Applicant or  
Authorized Agent.

My authorized agent is IRVING L. SCHWARTZ  
of SCHWARTZ-WAAG ASSOCIATES

x   
COLETTE COMBS, APPLICANT

**Marin County  
Comprehensive  
Planning  
Department**

*Marjorie W. Macris, AICP, Director*

Date: July 7, 1981

Public Hearing Coastal Permit  
Identification No. 81-05

NOTICE OF PUBLIC HEARING - COASTAL PERMIT

This is a notice to you as an interested party that the Marin County Deputy Zoning Administrator will hold a public hearing on the Coastal Permit application of Colette Combs. This application was received on 6-26-81. The application is described as follows:

The proposal is to divide a 15,200 sq. ft. parcel of land, presently containing one residence, into two building sites of 7,500 sq. ft. and 7,700 sq. ft. respectively. A tentative map for this division was approved by the Marin County Planning Department on 9-11-79.

The property is located within the Coastal Zone, as defined by the Coastal Act of 1976. The address of the property is 21 Calle del Onda. Assessor's Parcel # 195-162-13,14.

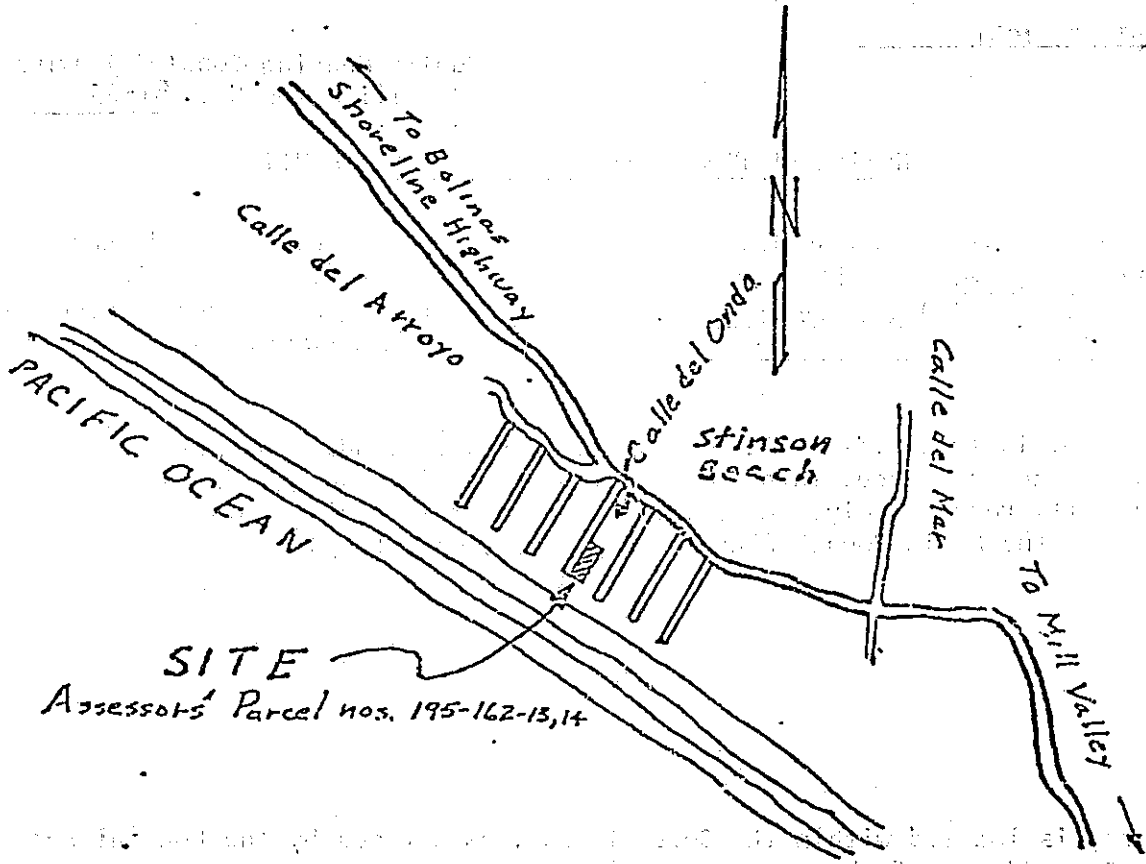
Said hearing will be held on Monday, July 20, 1981, in the Planning Commission Chambers, Room 319, Civic Center, San Rafael, Ca., at which time and place any and all persons interested in this matter may appear and be heard. Interested parties may contact the Planning Department at 499-6269 after Wednesday, July 15, 1981 to be informed of the place on the agenda and the approximate time of the hearing.

If you have any questions or comments regarding this matter, or want to be notified of the decision, contact Raymond Ahearn at 499-6269.

If you disagree with the decision of the Deputy Zoning Administrator regarding the outcome of this application, you may appeal the decision to the Planning Commission. The appeal, accompanied by a \$30.00 filing fee, must be filed in the Planning Department, Room 308, Civic Center, San Rafael, Ca. 94903, no later than 5:00 PM on 7-27-81 (five working days from the date of action.)

The project is "appealable" to the California Coastal Commission under Section 30603(a) of the California Public Resources Code and Section 22.56.080 of Marin County Code.

(See Location Map - over)



**SITE**  
Assessor's Parcel nos. 195-162-13,14

**LOCATION MAP**

Scale: 1" = 1000'±

APPLICATION FOR:

**Marin County  
Comprehensive  
Planning  
Department**

# Coastal Permit

Civic Center, Room 308, San Rafael, Ca 94903

Tel.:(415) 499-6269

(In accordance with Marin County Code, Chapters 22.56 and 22.57. Generally required for all improvements located within the Coastal Zone, as defined by the Coastal Act of 1976.)

TO BE FILLED IN BY THE APPLICANT:

Property Owner: Colette Combs, Morgan & Brian Johnson, Modestine Bagwill, Yvette Kimball Parcel No(s): 195-162-12 & 14

Project Location (address): 2/ Calle Del Onda (City): Stinson Beach

Type of Project or Structure: 2 Lot Land Division

Applicant: Colette Combs

Address: 526 Powers Drive, El Dorado Hills

City & Zip: Sacramento, CA 95630 Telephone: (916) 962-0500

Applicant's Signature: Colette Combs

TO BE FILLED IN BY THE PLANNING DEPARTMENT:

Date Received: 6-24-81 Filing Fees: \_\_\_\_\_

Receipt No: 11353 Coastal Permit: \$150.00

Zoning: CR2 Initial Study: \_\_\_\_\_

Concurrent Application: Approved tent. MAP Cat. Exempt: \_\_\_\_\_

Application No: \_\_\_\_\_ Total Fees: 150.00

Hearing or Non-Hearing: \_\_\_\_\_

INFORMATION REQUIRED ON APPLICATION FOR COASTAL PERMIT:

The following information is required for a Coastal Permit application to be considered complete, except items indicated on this form as waived by the Planning Department. Within 30 days of receipt of an application, the planner will inform the applicant in writing if the application is complete, and if not, what items must be submitted. Processing of the application will not begin until it is complete. Please answer all questions. Where questions do not apply to your project, indicate "not applicable" or N.A.

WRITTEN INFORMATION:

1. Describe the proposed development. Include incidental improvements such as septic tanks, water wells, roads, grading, etc...
2. Does the development involve diking, filling or dredging of open coastal waters, wetlands, estuaries or lakes?
3. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands?
4. Notification of nearby property owners (necessary for all applications). The Coastal Act and Marin County code require notification of all property owners and residents within 300 feet of a coastal project. The County will send notice of a Coastal Permit application to all property owners within 300 feet. It is the applicant's responsibility to hand deliver coastal permit notices to all residents within 300 feet of the project. The County will provide copies of the required

INFORMATION REQUIRED ON APPLICATION FOR COASTAL PERMITS (Continued)

notice. The applicant must sign a statement (Appendix A), stating that the notices have been delivered.

MAPS AND PLANS: Three copies, drawn to scale, of the following items. If a coastal permit application is submitted concurrently with other County permit applications, the number of plans may be reduced, subject to the approval of the Planning Department.

1. Plot Plan indicating all proposed work, including any structures to be removed. The plot plan should show existing property lines, the topography of the site, natural features such as creeks or rock outcrops and all existing significant vegetation, including significant vegetation to be removed as part of the project.
2. Elevations of all proposed structures, including dimensions and exterior materials and colors. If an addition to an existing structure is proposed, show elevations of existing building as well as those of the addition.
3. Floor Plans of all proposed buildings.
4. Grading and Drainage Plans (if appropriate). The grading plan should show existing and proposed contours, the amount of proposed excavation and fill (in cubic yards), and proposed deposition and/or borrow sites. Permit applications for grading, which involve cut slopes in excess of 8 feet or fill in excess of 5 feet, shall include a report from a registered soils or civil engineer. Grading and drainage plans should be combined with the plot plan (1), if feasible.
5. Septic System Plan, if proposed as part of the development.
6. Geologic Hazards. For development in areas of high geologic risk (as identified by the LCP Geologic Hazards Maps), applications shall be accompanied by a report from a registered civil or structural engineer briefly describing the extent of potential geologic hazards. Such report shall include construction, siting and other recommended techniques to mitigate possible geologic hazards.
7. Such additional information as may be required by the Planning Director.

L. Schwartz to RA

SCHWARTZ • WAAG ASSOCIATES  
CIVIL ENGINEERING AND LAND SURVEYING

IRVING L. SCHWARTZ, C.E.  
DALE G. WAAG, L.S.

June 23, 1981

Marin County Planning Department  
Civic Center  
San Rafael, CA 94903

RE: Coastal Permit  
Colette Combs, etal  
21 Calle Del Onda  
Stinson Beach

RECEIVED  
PLANNING DEPARTMENT  
COUNTY OF MARIN  
JUN 24 10 54 AM '81

Gentlemen:

Following is the written information required in the application:

1. The proposal is to divide a 15,200 square foot parcel of land, presently containing one residence, into two building sites. A tentative map for this division was approved by the Marin County Planning Commission. Copies of the tentative map and conditional approval are enclosed. A Negative Declaration was filed for this project on September 11, 1979.

No physical improvements are proposed at this time. However, the tentative map and conditions speaks to access, water supply and sewage disposal for the proposal.

2. The proposal does not involve diking, filling or dredging.
3. The project adjoins Stinson Beach.
4. Upon submittal to us of the required notice, we will hand deliver a copy to all residences within 300 feet of the property. Please send the required notice to the undersigned to deliver, as we are the applicants' authorized agent.

Marin County  
Planning Department

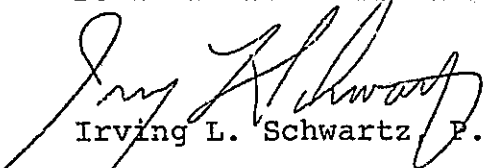
-2-

June 23, 1981

If you require additional information, please contact the undersigned and copy us with all notices and correspondence.

Sincerely,

SCHWARTZ-WAAG ASSOCIATES



Irving L. Schwartz, P.E.

ILS:r

cc: Colette Combs

enc: Application Form

Application Fee, \$150.

Tentative Map - 3 Copies

Tentative Map Approval - 1 Copy

NORTH CENTRAL COAST REGIONAL COMMISSION

1050 NORTHGATE DRIVE, SUITE 130  
SAN RAFAEL, CALIFORNIA 94903 - (415) 472-4321

INITIAL SUMMARY REPORT AND STAFF RECOMMENDATION

November 21, 1979

Permit Number: 244-79  
Applicant: Colette Combs  
Project Location: 21 Calle del Onda (AP#195-162-13,14), Stinson Beach,  
Marin County  
Proposed Development: Land Division of 15,200 square foot parcel into two parcels  
of 7,500 and 7,700 square feet.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Denial

The Commission hereby denies a permit for the proposed development on the grounds that it is not in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and would prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provision of Chapter 3 of the Coastal Act of 1976.

II. Findings and Declarations

The Commission finds and declares as follows:

1. Site Description. The project site is located at the end of Calle del Onda adjacent to Upton Beach (See Exhibit 1). The 15,200 square foot site contains one existing dwelling unit located on the northern portion of the property. The southern (or seaward) half of the property consists of sandy beach area located between the first line of terrestrial vegetation, (ice plant) and the sea. According to the proposed parcel map, approximately 20' of the 190' deep parcel is situated below the mean high tide line, while 40' of the 190' is below the mean higher high water line. (See Exhibit 2) Existing dwellings occur both north and south of the subject property generally as shown in Exhibit 3.
2. Project Description. The applicant seeks a permit to divide a 15,200 square foot parcel into a 7,500 square foot parcel (Parcel A) and a 7,700 square foot parcel (Parcel B) as shown in Exhibit 2. Sewage disposal for Parcel A would utilize an existing septic tank and leachfield system which runs along the northern property line. Parcel B would be serviced by a new septic system located 45' south of the existing property line or 5' south of the new property line of the parcel which would be established by the land division map. No construction is proposed as part of the application, and no site plan has been submitted which describes how a new dwelling will be located on Parcel B. Under the R-2 zoning in the Calles, the new parcel could be developed with either a single-family dwelling or a duplex.
3. Public Access. The applicant's lot is located immediately adjacent to the ocean in an area which has historically received tremendous use from residents within the Bay area because it provides one of the sunniest, most fog-free climates of any coastal area in the region. According to the proposed parcel map, approximately one-half of the property consists of usable sandy beach area

Commission meeting  
of November 29, 1979



and a significant portion is actually located below the approximate Mean High Tide Line. Protection of the use and enjoyment of this kind of beach area is required by several policies of the Coastal Act.

Section 30211 of the Coastal Act provides in part that new development shall not interfere with the public's right of access to the sea . . . including but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. In addition, Section 30240(b) provides in part that development in areas adjacent to . . . parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas. Finally, Section 30251 provides:

"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of the setting."

The proposed subdivision would have several significant impacts on public use and enjoyment of the sandy beach area on the site and on the scenic and visual quality of the area in conflict with the above sections of the Coastal Act. The first impact would consist of potential destruction of the sandy beach area in order to accommodate construction of single-dwelling or duplex on Parcel B. Although a site plan has not been submitted with the application, construction of a house or duplex will likely need to extend seaward beyond the first line of terrestrial vegetation because of the very limited area between the proposed septic system and leachfield and the vegetation line. (Approximately 30 feet) The second impact, one which would result even if a new structure could be sited behind the first line of terrestrial vegetation, would consist of a very significant adverse impact in the existing scenic and visual character of the area by the creation of a lot which would permit the construction of an additional dwelling or duplex immediately adjacent to the sandy beach without the benefit of an adequate buffer area to protect both the public and the property owner.

The impact of the construction of a dwelling or duplex on a new beach front lot is especially significant because the subject land division is located in one of the few remaining sections of Upton Beach where the public use and enjoyment of the beach has not been degraded by the block wall effect of a row of houses immediately adjacent to the Beach. Such a block wall effect has not thus far occurred in the subject area because the road right-of-way immediately northwest of the subject property and the substantial setbacks which have been observed by the existing dwellings on both the subject parcel and the adjacent property to the

southwest, now provide a buffer area which has minimized the impacts that the existing dwellings have on the scenic and visual character of the beach.

The protection of such a buffer is extremely important in protecting public use and enjoyment of the beach and the scenic and visual character of the area. It is essential to assure that the open beach area remains inviting to members of the public, contains adequate open space for light and air, and that it is adequate to maintain a physical buffer between public recreational uses and residents, in order to minimize the visual impacts of the existing development and protect property owners from noise and potential conflicts with beach use. Due to the very limited area between the proposed septic system and leachfield on the new lot and the sandy beach, (only 30 feet) the existing buffer would be lost as a result of the proposed land division.

The Commission has previously approved construction of dwellings on historically existing beach front lots only after special care has been taken to assure that such dwellings have been sited and designed to the maximum extent feasible to protect the scenic and visual character of the area and public use and enjoyment of the sandy beach.

Such historic lots which were created prior to the existence of the Coastal Act, represent a commitment to a land development pattern that would no longer be considered appropriate under the standards contained in the Coastal Act. In view of the policies of the Coastal Act stated above, the creation of new lots along the beach front, as proposed in the subject application can not now be permitted in order to assure continued protection of the public use and enjoyment of this very important recreational area.

4. Natural shoreline processes. Section 30235 of the Coastal Act provides in part:

Revetments, breakwaters, groins, harbor channels, seawalls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply . . .  
(emphases added)

While the above policy specifically provides for the construction of protection devices when required to protect existing structures, it does not permit their construction in connection with new structures except to serve coastal dependent uses. In the subject case, the creation of a new parcel is proposed which would permit the construction of a new structure (a non-coastal dependent use) in an area where some form of shoreline protective device may be required in order to protect the structure from wave run up and tsunami hazard. Such a device in this location would have a substantial visual and psychological impact on the adjacent beach area, and could impede the natural shoreline processes of littoral sand transport.

The Commission finds that in view of the above cited policy of the Coastal Act which restricts the use of shoreline protection devices to those situations where they are required to serve coastal-dependent uses or to protect existing structures, the creation of a new lot to allow construction of a non coastal dependent use which could require some form of shoreline protection device

cannot be permitted.

5. Preparation of Local Coastal Program. Section 30604 of the Coastal Act requires that a proposed development must be consistent with Chapter 3 of the Act and that its approval must not prejudice the ability of a local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the Coastal Act. The applicable Local Coastal Program for this area is now undergoing hearings before the Commission prior to final certification. One of the issues which has been raised during these hearings is the need for the Local Coastal Program to provide more specific policy guidance on the protection of public access to sandy beach areas and on the siting and design of developments located adjacent to such beach areas in order to assure that the County's Local Coastal Program adequately complies with the provisions of Section 30211, 30240(b) and Section 30251 of the Coastal Act cited above. The following policy statements have been proposed for inclusion within the County LCP in response to these concerns:

Development of other shorefront lots within the Stinson Beach and Seairift areas shall assure preservation of the natural sand dune formations in order to protect environmentally sensitive dune habitat, vegetation and to maintain the natural protection from wave runup which such natural dunes provide. Where no dunes are evident, any new development on shorefront lots shall be set back behind the first line of terrestrial vegetation to the maximum extent feasible in order to minimize the need for protective works, protect sandy beach habitat, and to provide a buffer area between private and public use areas in order to protect both the scenic and visual character of the beach and the public rights of access to the use and enjoyment of dry sand areas.

No additional subdivision of beachfront lots shall be permitted in recognition of the cumulative negative impacts such divisions would have on both public and private use of the beach except if a finding is made that such a subdivision will be consistent with the above policy. Similarly, the erection of fences, signs, or other structures seaward of any existing or proposed development and the modification of any dune on sandy beach area shall not be permitted except as provided in Policy Group III of the LCP in order to protect natural shoreline processes, the scenic and visual character of the beach, and the public and private use of dry sand areas in accordance with Section 30211 of the Coastal Act.

Approval of a proposed subdivision on the subject property would be inconsistent with the above policy because it would provide for the creation of a lot adjacent to the sandy beach without provision for an adequate buffer or set back from the first line of terrestrial vegetation for protection of public use of the dry sand area and the privacy of the residents. Creation of Parcel B would also not be consistent because it would not minimize the need for protective works in accordance with the above policies and Section 30235 of the Coastal Act as previously noted.

MARIN COMPREHENSIVE PLANNING DEPARTMENT  
Civic Center, San Rafael, California  
Telephone 479-1100, Extension 2526

Date 9/11/79

- Colette Combs
- 4541 Engle Road
- Sacramento, Ca. 95821

LAND DIVISION APPROVAL WITH CONDITIONS  
Assessor's Parcel 195-162-13,14

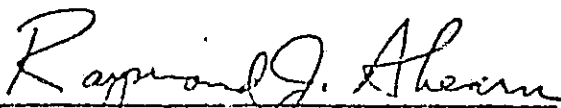
Your preliminary land division map was approved on 9/11/79, and is subject to the following conditions:

1. Prior to issuance of any building permit for parcel "B" applicant for such permit shall apply for a Tidelands Permit under Section 22.77.040 of Marin County Code. shall be made, and building permit shall only be granted if the Tidelands Permit is approved, or determined not to be required, under Chapter 22.77 of Marin County Code.
2. The Parcel Map submitted for recordation shall show the 25 ft. wide access and parking easement across parcel "A" appurtenant to parcel "B" approximately as shown on the tentative map.
3. Prior to issuance of any building permit for parcel "B" application shall be made for any required permit from the North Central Coast Regional Commission.
4. Prior to approval of a parcel map for recordation applicant shall obtain approval from the County Fire Department of existing provisions for fire protection or shall make appropriate arrangements for additional water and other provisions for fire protection as may be required by Marin County Fire Department.
5. The septic tank drainfield configuration on parcel "B" shall be generally as shown on the approved "Combs Land Division Tentative Map Revised Drainfield dated 8--10-79" to which these conditions are attached and on file with the Marin County Planning Department.

The parcels created by this land division are not to be considered building sites nor may any of them be sold until your parcel map is approved by this Department and recorded. A twelve month period is permitted in which to file your parcel map, and a one year extension may be granted for cause prior to the expiration of the twelve month period.

Appeal to the Planning Commission of this decision or any part of it may be made in writing, accompanied by a \$30.00 filing fee not later than 9/18/79.

Very truly yours,



Raymond J. Ahearn, Planner

CC: Department of Public Works  
Building Inspection  
Stinson Beach County Water District  
North Central Coast Regional Commission  
Frost & Meglio Assoc. (Attn. Irv Schwartz)