

**STAFF REPORT TO THE MARIN COUNTY  
DEPUTY ZONING ADMINISTRATOR  
Heffelfinger Coastal Permit**

**Recommendation:**            **Approved**  
**Hearing Date:**            **August 24, 2023**

Application No(s):	P4001	Owner(s):	Robert Heffelfinger
Agenda Item:	1	Assessor's Parcel No(s):	192-202-12
Last Date for Action:	9/8/23	Property Address:	Vacant parcel on the corner of Elm Road & Evergreen Road, Bolinas
		Project Planner:	Erin Yattaw
		Signature:	<i>Erin Yattaw</i>
Countywide Plan Designation:	C-SF5 (Low Density Residential Coastal Zone)		
Community Plan Area:	Bolinas Gridded Mesa		
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 Permit approval to construct a new 2,623 square foot single-family residence, a new 410 square foot deck, and a new septic system on a vacant lot in Bolinas. The 2,623 square feet of proposed development – of which 2,147 square feet would to be considered floor area – would result in a floor area ratio of 21 percent on the 10,000 square foot lot. The proposed building would reach a maximum height of 24 feet, 9 inches above surrounding grade and the exterior walls would have the following setbacks: 25 feet from the northwestern front property line; 10 feet, 1 inch from the southwestern side property line; 38 feet, 5 inches from the northeastern side property line; 41 feet from the southeastern rear property line.

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

**PROJECT SETTING**

Characteristics of the site and surrounding area are summarized below:

Lot Area:                            10,000 square feet

Adjacent Land Uses: Single-family residences to the northeast, southwest, and southeast as well as undeveloped parcels to the northwest.  
Topography and Slope: Relatively flat  
Existing Vegetation: No visible vegetation on the property as it was already cleared  
Environmental Hazards: "High" fire risk, "moderate" fire hazard severity zone, "some" ground shaking amplification hazard, "high" expansive soil risk.

The project site consists of a vacant lot and is located within the community of Bolinas within an area that is intermixed with single-family residences and vacant parcels.

## **BACKGROUND**

On February 21, 2023, the applicant submitted a Coastal Permit application. The project was transmitted to the Marin County Department of Public Works, Environmental Health Services, Marin County Fire Department, and the California Coastal Commission. Staff received written responses from the Department of Public Works, Environmental Health Services, and the California Coastal Commission; their responses are attached. A notice was posted on the project site on March 8, 2023. The Community Development Agency provided public notice identifying the applicant and describing the project and its location.

## **RECOMMENDATION**

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and approve the Heffelfinger Coastal Permit.

### Attachments:

1. Recommended Resolution
2. Marin County Uniformly Applied Conditions 2023
3. CEQA exemption
4. DPW Transmittal Response
5. CCC Transmittal Response
6. EHS Transmittal Response
7. Project Plans

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING THE HEFFELFINGER COASTAL PERMIT  
VACANT PARCEL LOCATED ON THE CORNER OF EVERGREEN ROAD AND ELM ROAD,  
BOLINAS  
ASSESSOR'S PARCEL: 192-202-12

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SECTION I: FINDINGS

1. **WHEREAS**, Stacey N. Ford, on behalf of the owner, Robert Heffelfinger, has submitted a Coastal Permit application to construct a new 2,623 square foot single-family residence, a new 410 square foot deck, and new septic system on a vacant lot in Bolinas. The proposed building would reach a maximum height of 24 feet, 9 inches above surrounding grade and the exterior walls would have the following setbacks: 25 feet from the northwestern front property line; 10 feet, 1 inch from the southwestern side property line; 38 feet, 5 inches from the northeastern side property line; 41 feet from the southeastern rear property line. The property is located at a vacant parcel on the corner of Evergreen Road and Elm Road in Bolinas and is further identified as Assessor's Parcel 192-202-12.

2. **WHEREAS**, on August 24, 2023, the Marin County Deputy Zoning Administrator held a duly noticed public hearing to take public testimony and consider the project.

3. **WHEREAS**, the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3(a) of the CEQA Guidelines because it does not have a significant impact on the environment.

4. **WHEREAS**, the proposed project is consistent with the Bolinas Gridded Mesa Plan.

A. The project is consistent with the Land Use policy (LU-1) because it is not located within the Bluff Erosion Zone.

B. The project is consistent with the Land Use policy related to stream protection (LU-2) because it is not located within the Alder Creek buffer area.

C. The project is consistent with the Land Use Policy related to septic capacity (LU-4) because the project does not entail new residential development within the area identified in the Community Plan figure 4-3 as not suitable for on-site sewage disposal.

5. **WHEREAS**, the project is consistent with the mandatory findings for Coastal Permit approval (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 22.64.180 (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 22.64.050 (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, coastal dunes, or groves of trees. A letter from a field biologist was submitted by the applicant stating that wetland was not present on the site. The biologist noted that the site is devoid of groundcover and no butterfly host plants were observed. Additionally, staff conducted a site visit and determined a full biological site assessment would not be necessary because no evidence of the presence of an ESHA was observed on the subject site as indicated the biologist.

The project is consistent with the LUP biological resources policies for the protection of natural transition and connection associated with streams, wetlands, and coastal dunes (C-BIO-1, C-BIO-2, C-BIO-3, C-BIO-7, C-BIO-8, C-BIO-14, C-BIO-23) and this finding because the project would not substantially alter the margins along environmentally sensitive habitat areas. Further, the project would not entail the irreplaceable removal of groves of trees that provide wildlife nesting and roosting areas.

- 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 22.64.060 (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 22.32.**

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 22.64.080 (Water Resources).**

The applicant provided a preliminary drainage plan that was reviewed by the Department of Public Works and found to be acceptable. No grading is proposed. 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 Chapter 22.66 (Community Design).**

The neighborhood surrounding the project site is primarily a mix of single-family residences and undeveloped parcels. The surrounding structures are a mix of one- and two-story structures. The proposed single-family dwelling would be two stories and it would conform with the allowable maximum height for the C-RA-B2 zoning district. Additionally, the project site is not located near a visually prominent ridgeline, nor would the development 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 as 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 Section 22.64.110 (Community Development).**

The project entails construction of a new single-family dwelling, deck, and septic system 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 22.64.120 (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 22.64.130 (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 22.64.140 (Public Facilities and Services).**

Environmental Health Services Division staff have reviewed and approved the proposed construction of a new septic system. Bolinas Community Public Utility District issued a letter on February 17, 2023, confirming they approved a transfer of water service to the subject property.

- 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 22.64.150 (Transportation).**

The proposed single-family residence would be accessed from Elm Road 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 property has frontage on, Elm Road and Evergreen 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 22.64.160 (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 policies (C-HAR-2, C-HAR-8) and this finding because the project site is not located within any mapped

historic district boundaries and would not affect historical, archaeological, or paleontological resources.

- 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 22.64.170 (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.

6. **WHEREAS**, the project is consistent with the mandatory findings for Coastal 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 proposed project is not located adjacent to the shoreline or within a bluff erosion zone.

- 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.

## **SECTION II: ACTION**

NOW THEREFORE, BE IT RESOLVED that the project described in condition of approval 1 is authorized by the Marin County Deputy Zoning Administrator 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.

## **SECTION III: CONDITIONS OF PROJECT APPROVAL**

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Heffelfinger Coastal Permit subject to the conditions as specified below:

**CDA-Planning Division**

1. This Coastal Permit approval authorizes the construction of a new 2,623 square foot single-family residence, a new 410 square foot deck, and a new septic system on a vacant lot in Bolinas. The approved 2,623 square feet of development – of which 2,147 square feet is considered floor area – shall result in a 21 percent floor area ratio. The approved residence shall not exceed a maximum height of 24 feet, 9 inches above surrounding grade and the exterior walls shall have the following setbacks: 25 feet from the northwestern front property line; 10 feet, 1 inch from the southwestern side property line; 38 feet, 5 inches from the northeastern side property line; 41 feet from the southeastern rear property line.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled “Heffelfinger Residence,” consisting of 9 sheets prepared by Stacey Nichol Ford, Architect, received in final form on June 7, 2023, 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.

**SECTION IV: VESTING**

NOW THEREFORE, BE IT RESOLVED that unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within two 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.

**SECTION V: APPEAL RIGHTS**

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County Planning Commission. 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, September 8, 2023.

**SECTION VI: ADOPTION**

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 24th day of August 2023.

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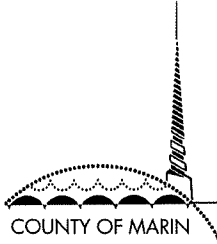
Immanuel Bereket  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR



Attest:

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Michelle Reed  
DZA Recording Secretary



**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.

WHEN FILED MAIL TO:

**Marin County Community Development  
Agency, Environmental Review Division  
3501 Civic Center Drive, #308  
San Rafael, Ca 94903**

**Attn: Don Allee**

THIS SPACE FOR COUNTY CLERK'S USE ONLY

## NOTICE OF CEQA EXEMPTION

July 5, 2023

1. **Project Name:** Heffelfinger Coastal Permit (P4001)
2. **Project Location:** Vacant Parcel on the corner of Elm Rd. & Evergreen Rd., Bolinas (APN: 192-202-12)
3. **Project Summary:** The applicant requests Coastal Permit approval to construct a single-family dwelling.
4. **Public Agency Approving Project:** County of Marin
5. **Project Sponsor:** Stacey Ford
6. **CEQA Exemption Status:** CEQA Guidelines section 15303, Class 3(a)
7. **Reasons for Exemption:** The project would not have a significant impact on the environment.

Project Planner:



Erin Yattaw  
Planner

Reviewed by:

 on behalf of

Rachel Reid  
Environmental Planning Manager

VICINITY MAP



**PLANNING APPLICATION REVIEW**

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - Second Transmittal

DATE: 5/26/23

DUE: 6/1/23

TO: Erin Yattaw

FROM: Maurice Armstrong

APPROVED: 

RE: Heffelfinger Coastal Permit P4001

APN: 192-202-12

ADDRESS: Vacant lot on Elm Rd and Evergreen Rd

**TYPE OF DOCUMENT**

DESIGN REVIEW

COASTAL PERMIT

LAND DIVISION

VARIANCE

USE PERMIT

ADU PERMIT

ENVIRONMENTAL REV.

OTHER:

**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 § 24.04.250, a minimum driveway length of twenty feet should be provided from the front of the garage or parking structure to the back of sidewalk or to the edge of pavement where no sidewalks exists. Demonstrate compliance.
2. 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.
3. 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.
4. 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.
5. **Grading & Drainage Plans:** Provide the following information on the drainage and grading plan:
  - a. Plan shall provide existing and proposed topographic contours, or a sufficient number of spot elevations, to describe drainage patterns. The proposed project shall maintain existing drainage patterns.



- b. Plan shall show and label all existing and proposed drainage features and improvements. Improvements may include down spouts, footing and foundation drains, area drains and catch basins, piping and out fall structures or means of dispersion. Note that 2022 California Plumbing Code (CPC) §1101.12.1 requires roof areas of buildings to be drained by roof drains and gutters. Note as well that CPC §1101.6.5(2) indicates that the point of discharge shall not be less than 10 feet from the property line.
  - c. The plan shall tabulate the existing and proposed areas of impervious surface for the property, and demonstrate that there will be no net increase in runoff from the developed site compared to pre-existing development.
  - d. Plan shall show and label the limit of disturbance. Provide the total area to be disturbed and the proposed cut and fill earthwork volumes. Indicate to where off haul will be taken.
  - e. Indicate means of restoring all disturbed areas.
6. **Utilities:** Plan shall show the location of all the existing utility laterals and indicate which, if any, will be upgraded or relocated with this project. Be certain to include water, septic, gas, electric and telecommunications.
7. **Encroachment Permit:** Elm Road is a County maintained road. An Encroachment Permit from DPW is required for any work within the County's road right-of-way, including, but not limited to, utility trenching, installation of new utility connections, and modifications to the driveway apron, curb and gutter. The plans shall clearly identify all proposed work in the right of way. If any work is proposed in the right of way, complete and submit an Encroachment Permit Application with your re-submittal.

-END-

**From:** [Montano, Honora@Coastal](mailto:Montano_Honora@Coastal)  
**To:** [Yattaw, Erin](mailto:Yattaw_Erin)  
**Subject:** Re: Heffelfinger Coastal Permit (P4001) - Transmittal  
**Date:** Wednesday, May 24, 2023 4:24:54 PM  
**Attachments:** [image001.png](#)

---

Hi Erin, thanks for clarifying, I thought you were collecting merit comments as well so I thought I'd reiterate this concern.

Thanks,  
Honora

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**From:** Yattaw, Erin <EYattaw@marincounty.org>  
**Sent:** Wednesday, May 24, 2023 2:50 PM  
**To:** Montano, Honora@Coastal <Honora.Montano@coastal.ca.gov>  
**Subject:** RE: Heffelfinger Coastal Permit (P4001) - Transmittal

Hello Honora,

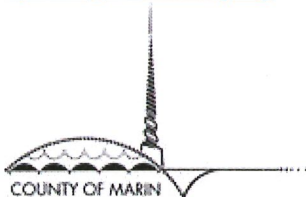
As I mentioned previously, this project is still in the initial review stage and under the circumstances if the County were to approve the Coastal Permit I may impose a condition to address this issue.

Coastal Permit P4001 only pertains to the property located at APN 192-202-12. The applicants would need to submit an application for the 117 Terrace Ave. property in order for Planning staff to review.

Best regards,

**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](mailto:eyattaw@marincounty.org)



---

**From:** Montano, Honora@Coastal <Honora.Montano@coastal.ca.gov>

**Sent:** Wednesday, May 24, 2023 1:43 PM  
**To:** Yattaw, Erin <EYattaw@marincounty.org>  
**Subject:** Re: Heffelfinger Coastal Permit (P4001) - Transmittal

Hi Erin,

Thank you for sharing the second submittal for the Heffelfinger CPD (P4001). I wanted to reiterate my process-related comments related to the BCPUD letter, which states that in order for the water meter transfer agreement to commence, the Applicant must remove all structures and plumbing at the property at 117 Terrace Avenue and decommission that septic system. These activities would likely qualify as development needing a Coastal Development Permit and have the potential to adversely impact coastal resources. How will the County be processing this demolition and removal of development? One possibility could be for the demotion/removal activities to be included and analyzed as part of this CDP P4001.

Relatedly, will the County be including any permit conditions in alignment with the terms outlined in the BCPUD letter, such as requiring the demo/removal activities to be completed before construction of the new residence at Elm and Evergreen can commence?

Thank you,

Honora

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**From:** Yattaw, Erin <[EYattaw@marincounty.org](mailto:EYattaw@marincounty.org)>  
**Sent:** Monday, May 15, 2023 3:20 PM  
**To:** Montano, Honora@Coastal <[Honora.Montano@coastal.ca.gov](mailto:Honora.Montano@coastal.ca.gov)>  
**Cc:** KoppmanNorton, Julia@Coastal <[julia.koppmannorton@coastal.ca.gov](mailto:julia.koppmannorton@coastal.ca.gov)>  
**Subject:** RE: Heffelfinger Coastal Permit (P4001) - Transmittal

Hello Honora,

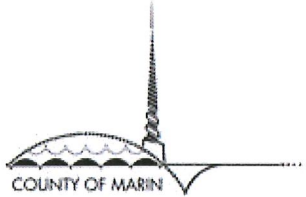
Though I did not receive any formal comments on the initial submittal, I wanted to send along a second transmittal since the resubmittal included a redesign. The change primarily consists of a reorientation of the proposed residence and leach fields on the site to conform with the minimum required setbacks per the C-RA-B2 zoning district.

Please kindly see the attached second transmittal, revised project plans, letter from BCPUD, as well as the grant deed and letter from a biologist that was included with the initial submittal.

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](mailto:eyattaw@marincounty.org)



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**From:** Yattaw, Erin  
**Sent:** Monday, February 27, 2023 5:49 PM  
**To:** Montano, Honora@Coastal <[Honora.Montano@coastal.ca.gov](mailto:Honora.Montano@coastal.ca.gov)>  
**Cc:** [julia.koppmannorton@coastal.ca.gov](mailto:julia.koppmannorton@coastal.ca.gov)  
**Subject:** Heffelfinger Coastal Permit (P4001) - Transmittal

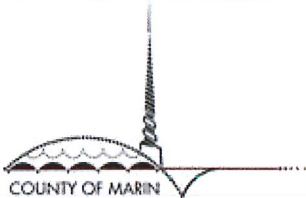
Hello Honora,

I have been assigned to process the Heffelfinger Coastal Permit in Bolinas. Please see the Planning Division Transmittal and project plans and supporting documents attached to this email. Please let me know if you have any questions or concerns. I am requesting any incompleteness items by March 17, 2023 at the latest.

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](mailto:eyattaw@marincounty.org)



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

**From:** [Montano, Honora@Coastal](mailto:Montano_Honora@Coastal)  
**To:** [Yattaw, Erin](mailto:Yattaw, Erin)  
**Subject:** Re: Heffelfinger Coastal Permit (P4001) - Transmittal  
**Date:** Tuesday, March 21, 2023 11:29:00 AM  
**Attachments:** [image001.png](#)

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Hi Erin, no incompleteness items, but could you share your project status letter when you send? Thank you!

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**From:** Yattaw, Erin <EYattaw@marincounty.org>  
**Sent:** Monday, March 20, 2023 3:12 PM  
**To:** Montano, Honora@Coastal <Honora.Montano@coastal.ca.gov>  
**Subject:** RE: Heffelfinger Coastal Permit (P4001) - Transmittal

Hello Honora,

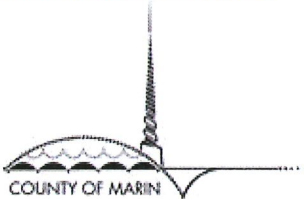
Thank you for your email. Of course, I have not deemed the application complete yet nor am I in the merits review stage at this time. Under the circumstances if the County were to approve the Coastal Permit, I would likely impose a condition to address this issue.

My deadline to send out the project status letter is Wednesday. Do you have any incompleteness items you would like me to add?

Best regards,

**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](mailto:eyattaw@marincounty.org)



---

**From:** Montano, Honora@Coastal <Honora.Montano@coastal.ca.gov>  
**Sent:** Monday, March 20, 2023 2:30 PM  
**To:** Yattaw, Erin <EYattaw@marincounty.org>  
**Subject:** Re: Heffelfinger Coastal Permit (P4001) - Transmittal

Hi Erin, Apologies on the delay of my reply.

We had a process-related question related to the BCPUD letter, which states that in order for the water meter transfer agreement to commence, the Applicant must remove all structures and plumbing at the property at 117 Terrace Avenue and decommission the septic system. These activities would likely qualify as development needing a Coastal Development Permit. How will the County be processing this demolition/removal of development? One possibility could be for the demotion/removal activities to be included and analyzed as part of this CDP P4001.

Relatedly, will the County be including any permit conditions in alignment with the terms outlined in the BCPUD letter, such as requiring the demo/removal activities to be completed before construction of the new residence at Elm and Evergreen can commence?

Thank you!

Honora

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**From:** Yattaw, Erin <[EYattaw@marincounty.org](mailto:EYattaw@marincounty.org)>  
**Sent:** Tuesday, February 28, 2023 6:55 PM  
**To:** Montano, Honora@Coastal <[Honora.Montano@coastal.ca.gov](mailto:Honora.Montano@coastal.ca.gov)>  
**Cc:** KoppmanNorton, Julia@Coastal <[julia.koppmannorton@coastal.ca.gov](mailto:julia.koppmannorton@coastal.ca.gov)>  
**Subject:** RE: Heffelfinger Coastal Permit (P4001) - Transmittal

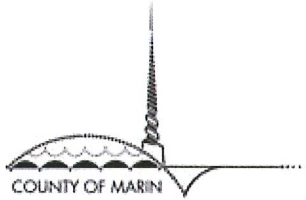
Hello Honora,

I realized there was an error in my submittal from yesterday (the second paragraph explaining the reason Coastal Permit is required). Design Review is not required and no agricultural work is proposed, that was mistakenly carried over from another project description I was using as a template. My apologies for the inconvenience and please kindly find the revised transmittal attached.

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](mailto:eyattaw@marincounty.org)



---

**From:** Yattaw, Erin  
**Sent:** Monday, February 27, 2023 5:49 PM  
**To:** Montano, Honora@Coastal <[Honora.Montano@coastal.ca.gov](mailto:Honora.Montano@coastal.ca.gov)>  
**Cc:** [julia.koppmannorton@coastal.ca.gov](mailto:julia.koppmannorton@coastal.ca.gov)  
**Subject:** Heffelfinger Coastal Permit (P4001) - Transmittal

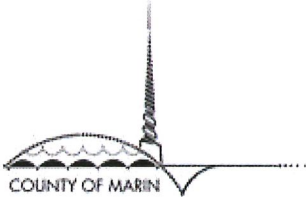
Hello Honora,

I have been assigned to process the Heffelfinger Coastal Permit in Bolinas. Please see the Planning Division Transmittal and project plans and supporting documents attached to this email. Please let me know if you have any questions or concerns. I am requesting any incompleteness items by March 17, 2023 at the latest.

Thank you,

**Erin Yattaw**  
PLANNER  
*She/her*

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**INTERDEPARTMENTAL TRANSMITTAL  
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES  
ROOM 236, 415-473-6907**

**DATE:** June 23, 2023

**TO:** Erin Yattaw, Planner

**FROM:** Becky Gondola, Senior REHS

**RE:** Heffellfinger Coastal Permit

**AP#:** 192-202-12

**ADDRESS:** Vacant lot at Elm Rd and Evergreen Rd in Bolinas

TYPE OF DOCUMENT
DESIGN REVIEW
LAND DIVISION
USE PERMIT
VARIANCE
MASTER PLAN
<input checked="" type="checkbox"/> COASTAL PERMIT
LOT LINE ADJ.
OTHER

**THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:**

WATER	<input checked="" type="checkbox"/>	SEWAGE	SOLID WASTE
POOLS		HOUSING	FOOD ESTABLISHMENT

**THIS APPLICATION IS FOUND TO BE:**

**FIND IT COMPLETE.**

FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.

FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.

RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.

1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency's standards.

**The application is complete.**

2. If the application does not contain enough information for you to determine whether the project can readily comply with your agency's standards, please list the information that you will need to make this determination.

**N/A**

3. If the application contains sufficient information for your review, please indicate whether the project is feasible as proposed or needs substantial modifications to comply with your agency's standards.

**The project is feasible as proposed.**



4. If the project needs to be substantially modified to comply with your agency's standards, please describe the scope of those modifications.

**N/A**