

COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DIVISION**

**STAFF REPORT TO THE MARIN COUNTY  
DEPUTY ZONING ADMINISTRATOR**  
Sydriel Coastal Permit and Use Permit

**Recommendation:**                      **Conditionally Approve**  
**Hearing Date:**                         **January 18, 2024**

Application No(s):	P4258	Owner(s):	Sydriel LP
Agenda Item:	1	Assessor's Parcel No(s):	119-198-03
Last Date for Action:	1/29/2024	Property Address:	11401 State Route 1, Point Reyes
		Project Planner:	Immanuel Bereket
		Signature:	<i>Immanuel Bereket</i>
Countywide Plan Designation:		C-NC (Coastal, Neighborhood commercial/Mixed-Use)	
Community Plan Area:		Pt. Reyes Station Plan Area	
Zoning District:		C-VCR-B2 (Village Commercial Residential, combined)	
Environmental Determination:		Exempt per CEQA Guidelines §15061(b)(3) and §15303	

**PROJECT SUMMARY**

The applicant, Matt Donohue, on behalf of property owners Sydriel LP, requests a Coastal Permit and Conditional Use Permit approval to convert an existing commercial structure to five residential units while expanding an existing convenience store from a 215-square-foot cashier's stand to a 1,930-square-foot store. The proposed five units will consist of three two-bedroom units ranging in size from 802 to 843 square feet and two one-bedroom units ranging from 591 to 593 square feet. One of the residential units would be offered as a low-income household to comply with the County's inclusionary requirements enumerated in Marin Development Code Section 22.22.020, Table 3-4a.

The proposed project includes complete interior improvements, including demolition and installation of interior walls, a new foundation with a slab-on-grade system, and other interior remodeling to enable residential use. All proposed interior and exterior improvements would occur entirely within the existing footprint of the building. The project would enclose the existing 150 square feet of covered porched areas into habitable space, resulting in an increase in building area from 5,650 to 5,800 square feet and an increase in floor area ratio (FAR) from 22.60 percent to 23.20 percent on the 25,000 square foot developed lot. The existing building height of 25 feet nine inches would remain unchanged.

Proposed exterior alternations include installing a roof-mounted equipment well, removing the existing rear deck, and installing a new sidewalk and a propane-powered backup generator with an automatic transfer switch to power the entire building, including fuel dispensers. The project

proposes to install a new PG&E transformer with a main electrical distribution panel intended to facilitate the installation of a separate meter per residential unit as well as commercial uses.

Various site improvements would also be entailed in the proposed development, including general grading to accommodate the proposed project, the removal of one Monterey Pine tree (six inches diameter breast height), a bike rack, six new water meters, and a 1,000-gallon propane tank to dispense bulk propane to commercial customers.

Coastal Permit approval is required under the Marin County Local Coastal Program, Implementation Plan Section 20.68.060.G because the project involves installing a new septic system. A Use Permit is required under the Marin County Local Coastal Program, Implementation Plan Section 20.62.080.D, Table 5-3-c because the project involves the creation of multi-family housing in the C-CVR-B2 zoning district. A Use Permit is required under the Marin County Local Coastal Program, Implementation Plan Section 20.62.080.D, Table 5-3-e because the project involves the installation of a public utility facility (PG&E) transformer on a private property.

## **PROJECT SETTING**

Characteristics of the site and surrounding area are summarized below:

<b>Lot Area:</b>	25,000 sq. ft. (0.57 ac.)
<b>Adjacent Land Uses:</b>	The area to the south, west, and east are developed with commercial properties and uses, while the area to the north is developed with single-family residences.
<b>Topography and Slope:</b>	Relatively flat terrain with an average slope of two percent.
<b>Existing Vegetation:</b>	Aside from one Monterey Pine tree, existing vegetation on the site consists of a non-native ornamental landscape.
<b>Environmental Hazards:</b>	The project is located in a Seismic Shaking Amplification Hazard Area, Zone 2, but not near any known fault lines.

The project is located in downtown Point Reyes Station along Shoreline Highway between Mesa Road and A Street. The project site is surrounded by commercial developments in the west, east, and south, while the area to the north is developed with single-family residences. The subject property is developed with a gas station with an associated 215-square-foot cashier's stand with a limited retail store, an attached automotive repair shop (currently vacant), two unpermitted residential units, office spaces, and a commercial tenant space (Kayaking and Hiking store), all of which are contained in one building. Detached improvements on the site include a septic system, a fuel canopy, fuel dispensers, parking spaces, and other improvements typically associated with a gas station. Access to the site is provided from State Route One to the south, A Street to the west, and Mesa Road to the east. The building was constructed in 1957. On September 17, 2007, the property was issued a Design Review Clearance to replace the existing oil storage tank, and the Design Review Clearance was renewed and vested in 2009. On July 11, 2019, a Coastal Development Permit was issued to expand the existing 215-square-foot cashier's stand to a 1,530-square-foot convenience store. This approval expired in July of 2022.

## BACKGROUND

On September 11, 2023, a Coastal Permit and Conditional Use Permit applications were submitted on September 11, 2023. Upon receipt, the application was transmitted to the Environmental Health Services Division (EHS), the Housing Division, the Department of Public Works (DPW), the California Coastal Commission (CCC), and the Fire Department, and it was posted online. Staff received written memorandums from EHS, DPW, the Point Reyes Station Village Association, and an e-mail correspondence from the CCC. On October 9, 2023, the application was deemed incomplete. On October 25, 2023, the applicant submitted revised application materials and technical studies, which were promptly recirculated to DPW, EHS, and the CCC. Staff received written memos from DPW and EHS and an e-mail correspondence from the CCC. On November 13, 2023, the application was deemed incomplete due to a partial resubmittal of the application. On November 17, 2023, the applicant submitted a complete set of plans. On November 28, 2023, the application was deemed complete. Correspondence from EHS, Housing Division, DPW, CCC, and the Point Reyes Station Village Association are provided as attachments to this report.

A notice was posted on the project site on September 13, 2023, identifying the applicants and describing the project and its location. A site visit was conducted on the same day the notice was posted. Upon deeming the project complete, a Notice and Referral was posted online on November 28, 2023, requesting any interested organizations or individuals to provide comments on the proposal. The Community Development Agency provided a mailed public notice on January 11, 2024, identifying the applicant, describing the project and its location, and indicating a hearing date and location in accordance with California Government Code requirements. Said notice was mailed to all property owners within 300 feet of the subject property.

## KEY ISSUES

Government Code Section 65589.5(h)(2), commonly referred to as the Housing Accountability Act, provides that a “[m]ixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use” is considered a housing development. Therefore, the proposed project is within the statute's definition of a housing development project.

Under Section 65589.5(j) of the Housing Accountability Act, when a proposed housing development project complies with applicable, objective<sup>1</sup> Countywide Plan, zoning (development) standards, Local Coastal Program, and specific plan, the County may not deny the project or approve it with reduced density, unless the County makes written findings supported by substantial evidence that:

- a. The development would have a specific adverse impact on public health or safety unless disapproved or approved at a lower density; and
- b. There is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, other than the disapproval or approval at a lower density.

No significant, quantifiable, direct, and unavoidable impacts, based on objective, identified written public health or safety standards, policies, or conditions, have been identified by staff

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<sup>1</sup> The HAA defines “objective” as “involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.” (Gov. Code § 65589.5(h)(8).

that apply or are caused by this project. Therefore, as required by the Housing Accountability Act, the project may only be reviewed for conformance with objective County development standards and policies, and the Deputy Zoning Administrator must only apply those objective development standards and policies in reviewing the proposed housing development and must not use subjective development standards or policies to disapprove or approve with lower density.

## **RECOMMENDATION**

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

### Attachments:

1. Recommended resolution
2. CEQA Exemption
3. Planning Application Review, Department of Public Works, dated September 29, 2023
4. E-mail correspondence from the California Coastal Commission, dated November 7, 2023
5. Planning Application Review, Environmental Health Services, dated November 13, 2023
6. Planning Application Review, Housing Division, dated November 29, 2023
7. Public correspondence
8. Project plans

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. \_\_\_\_\_  
A RESOLUTION APPROVING THE SYDRIEL COASTAL PERMIT AND CONDITIONAL USE  
PERMIT  
11401 STATE ROUTE 1, POINT REYES STATION  
ASSESSOR'S PARCEL: 119-198-03

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**SECTION I: FINDINGS**

1. **WHEREAS**, the applicant, Matt Donohue, on behalf of property owners Sydriel LP, requests a Coastal Permit and Conditional Use Permit approval to convert an existing commercial structure to five residential units while expanding an existing convenience store from a 215-square-foot cashier's stand to a 1,930-square-foot store. The proposed five units will consist of three two-bedroom units ranging in size from 802 to 843 square feet and two one-bedroom units ranging from 591 to 593 square feet. One of the residential units would be offered as a low-income household to comply with the County's inclusionary requirements enumerated in Marin Development Code Section 22.22.020, Table 3-4a.

The proposed project includes complete interior improvements, including demolition and installation of interior walls, a new foundation with a slab-on-grade system, and other interior remodeling to enable residential use. All proposed interior and exterior improvements would occur entirely within the existing footprint of the building. The project would enclose the existing 150 square feet of covered porched areas into habitable space, resulting in an increase in building area from 5,650 to 5,800 square feet and an increase in floor area ratio (FAR) from 22.60 percent to 23.20 percent on the 25,000 square foot developed lot. The existing building height of 25 feet nine inches would remain unchanged.

Proposed exterior alternations include installing a roof-mounted equipment well, removing the existing rear deck, and installing a new sidewalk and a propane-powered backup generator with an automatic transfer switch to power the entire building, including fuel dispensers. The project proposes to install a new PG&E transformer with a main electrical distribution panel intended to facilitate the installation of a separate meter per residential unit as well as commercial uses.

Various site improvements would also be entailed in the proposed development, including general grading to accommodate the proposed project, the removal of one Monterey Pine tree (six inches diameter breast height), a bike rack, six new water meters, and a 1,000-gallon propane tank to dispense bulk propane to commercial customers.

The property is located at 11401 State Route 1, Point Reyes Station, and is further identified as Assessor's Parcel 119-198-03.

2. **WHEREAS**, on January 18, 2024, 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 15061(b)(3) because the proposed conversion would occur primarily within an existing building, and no new additional site disturbance will occur. Therefore, the project qualifies for exemption under Section 15061(b)(3). Further, the project is also exempt under Section 15303 Class 3 of the CEQA Guidelines

because the proposed conversion from a commercial to a mixed-use building and the installation of small utility systems are specifically exempt from CEQA under this section. Therefore, the project is exempt from CEQA because it will not have any impact on the environment.

4. **WHEREAS**, the project is consistent with the goals and policies of the Marin Countywide Plan for the following reasons:

- A. The project site was previously developed as a gasoline service station and multi-tenant commercial building. Onsite vegetation is limited to non-native ornamental plants, except for one Monterey tree. The tree was planted directly above existing septic mains, and its roots have caused the septic system to fail. No other vegetation is proposed for removal. Therefore, the proposed infill project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.
- B. The project site is developed as a gasoline service station and with other commercial uses. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide a habitat for special-status species of plants or animals. Since the project will occur entirely within the property boundaries and on previously improved grounds, the project would not affect special-status species. Therefore, the proposed infill project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide habitat for special-status species of plants or animals, and no offsite impacts are anticipated due to the project.
- C. The infill project would occur on a site developed as a gasoline service station and a multi-tenant commercial building, and site disturbance would be limited to the site. Therefore, the proposed infill project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, Baylands, or woodlands.
- D. As described above, the project would occur on previously disturbed and improved grounds and limited to the site. There are no riparian habitats on the property. The project would not encroach into a Wetland Conservation Area (WCA). Therefore, the project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and BIO-4.1) because the proposed development would not encroach into any Stream Conservation Areas (SCA) or Wetland Conservation Areas (WCA).
- E. The applicant has provided a Storm Water Pollution and Prevention Plan (SWPPP) for the project prepared in accordance with the Bay Area Storm Water Management Agency Association (BASMAA) requirements. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3) 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. The applicant has provided a geotechnical report prepared by PJC & Associates Inc., dated April 11, 2023. The geotechnical investigation states no active faults

traverse the project site. The report also indicates that a large earthquake centered on any of the active faults in the region, including the San Andreas Fault (approximately 650 feet), could impact the project site. The geotechnical report includes recommendations for site preparation and grading, placement and compaction of engineered fill, foundation design, parameters for slabs-on-grade and concrete flatwork, drainage, and more.

The Marin County Building and Safety Division will ensure that the project design incorporates the recommendations in the geotechnical report and that it complies with the current California Building Standards Code, which includes detailed structural design requirements intended to provide adequate structural integrity to withstand the maximum credible earthquake and the associated ground motion acceleration. Compliance with the applicable building codes will maximize the structural stability of the proposed building and minimize the potential for damage and injury during an intense seismic event. As such, the project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during the review of the Building Permit application.

- G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during the review of the Building Permit application.
5. **WHEREAS**, the project is consistent with the goals and policies of the Point Reyes Station Community Plan for the following reasons:

- A. **Community character.** The project is located in downtown Point Reyes Station along Shoreline Highway between Mesa Road and A Street. The project site is surrounded by commercial developments in the west, east, and south, while the area to the north is developed with single-family residences. The Point Reyes Station Community Plan's vision for this area is to maintain a commercial core (Objective CL-1.0) while encouraging the construction of affordable housing development.

The developed project site is an underutilized lot in downtown Point Reyes Station. The proposed project would encourage more efficient use of the property by repurposing the site as a high-density mixed-use development with five residential units, including one below-market rate unit, and 1,930 square feet of commercial space with exterior modifications that will retain the site's existing architecture. The residential units would be located in close proximity to commercial and employment resources, thereby furthering Objective CL-1.0 of the Point Reyes Station Community Plan.

Additionally, the proposed project would further the County's goal of creating a range of housing types to meet the diverse needs of the community by adding five residential units to the Point Reyes Station's overall housing inventory. The unit mix would comprise three two-bedroom units ranging in size from 802 to 843 square feet and two one-bedroom units ranging from 591 to 593 square feet. Therefore, the project complies with Objective CL-1.0 as it represents a mixed-use infill development in the heart of downtown, where such uses are encouraged by the Point Reyes Station Plan.

- B. New residential development in Point Reyes station.** The proposed project would not alter the existing building height, bulk, and mass. All the residential units will be created within the existing building shell, and all exterior modifications will be indiscernible and limited to the minimum required to comply with egress and ingress requirements of the California Building and Fire codes. All reasonable design efforts have been made to maintain the existing design of the building while respecting and maintaining the eclectic architectural heritage of the surrounding neighborhood. As conditioned, the project is compatible with the scale, style, and colors of the existing surrounding development and incorporates design elements that respect the existing surroundings and developments in the immediate area. Therefore, the proposed project would be consistent with Land Use Plan Policy C-PRS-5.
  - C. Lighting.** All proposed exterior lights will be required to be shielded and downward facing, thereby complying with Land Use Plan Policy C-PRS-6 (Lighting).
6. **WHEREAS**, the project is consistent with the mandatory findings Coastal Permit (Marin County Local Coastal Program Implementation Plan Section 22.70.070) for the following reasons:

- 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 located more than four miles inland of the Pacific Ocean and more than one and one-half miles from Tomales Bay at an elevation of approximately 37 feet above sea level. Therefore, the proposed infill project is consistent with the LUP public coastal access policies (C-PA-3, C-PA-4, C PA-17, C-PA-21).

- 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).

A review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Wildlife, indicates no riparian corridors, wetlands, Baylands or woodlands present on the project site. Further, since the project will occur within the area of the lot that was previously graded, potential effects to biological species are not anticipated with the project.



- 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 proposed infill project entails installing a septic system and the conversion of an existing commercial space to a mix of commercial and residential use. It is located within an area governed by the C-VCR-B2 (Coastal, Village Commercial Residential combined) district, which allows a mix of residential and commercial uses. As the site does not entail agricultural or maricultural uses, this finding does not apply.

- 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).**

Grading and drainage improvements for the approved project would comply with the Marin County standards and best management practices required by the Department of Public Works. Additionally, water services are provided by the North Marin Water District (NMWD). Therefore, 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).

- 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 22.64.100 (Community Design).**

The subject property is located within the downtown Point Reyes area, developed with a mix of commercial structures and residential uses scattered throughout. The surrounding area is generally flat, with structures constructed with varying development patterns, heights, and architectural styles. The proposed project would occur entirely within the existing building footprint with indiscernible exterior modifications primarily intended to comply with the California Building Code.

Because of the flat terrain of the location, there are no up-slope and down-slope views or coastal views. There are no designated scenic vistas in the area, although there is a brief vista from State Route 1 with an overview of the mountain range to the west. This view would be unaffected by the project because no exterior modification is proposed that would impair or otherwise degrade available views.

As such, the project is consistent with the Point Reyes Station Community Standards under Marin County Implementation Plan Section 22.66.070, LUP policies related to development in Point Reyes (Land Use Plan Policy C-PRS-5) because the height, scale, and design of the project are compatible with the existing pattern of development in the neighborhood. The proposed project is also consistent with Land Use Plan Policy Land Use Plan Policy C-PRS-1, which encourages the maintenance of the existing mix of residential and small-scale historic community character in Point Reyes Station. The proposed exterior modifications would largely retain the existing architecture of the building. The proposed updates and modifications are necessary to comply with the Building and Fire Codes currently in effect.

**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 22.66 (Community Development).**

The project site is located within the downtown area of Point Reyes Station, which is developed with a mix of residential and small-scale commercial development. As proposed, the project would further the small-scale, historic community character in Point Reyes Station as the proposed exterior modifications are indiscernible and limited to comply with the California Building and Fire codes currently in effect. Further, the project entails the conversion of a commercial building to a mixed-use building in an area where such developments are encouraged by the underlying zoning district as well as the applicable community plan. Therefore, the project is consistent with this finding.

The proposed project would further the commercial and mixed-use composition of the downtown area. The project would locate residential units and a convenience store in the heart of downtown. By providing five residential rental units, including one unit restricted to low-income households, the proposed infill project would provide public benefit and would be consistent with the policies of the Countywide Plan for infill development near existing roads and public transportation routes. Further, the project is consistent with the intent of the Point Reyes Station and represents a development that is sensitive to the existing built environment and will result in a mixed-use project that provides an appropriate mix of commercial and four market-rate units, one unit dedicated for low-income families within the core downtown area.

**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 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 the 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 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 would not remove housing subject to a recorded covenant, ordinance, or law that restricts rents to levels of affordable to persons and families of lower or very low income or subject to any other form of rent or price control. Instead, the project would create five new dwellings, including one dwelling unit that would be deed-restricted to a low-income household to comply with the County's inclusionary requirements enumerated in Marin Development Code Section 22.22.020, Table 3-4a.

Additionally, as stated above, the project site contains two unpermitted dwelling units that are currently occupied. In order to protect the tenants from displacement, a condition of approval requires that the applicant enters into a regulatory agreement in order to provide limited tenant protections that include relocation assistance and first right of refusal.

Further, the Regional Housing Needs Assessment (RHNA) for the Sixth Housing Element Cycle (2023-2021) estimates that the unincorporated County will experience demand for 3,561 new dwelling units, including 1,734 for extremely- and very-low income, 512 for moderate-income, and 1,323 for above moderate-income households. By contributing four rental dwelling units to the County's housing stock, including one reserved for lower-income households, the proposed project would help to meet the County's projected housing demand.

**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).**

The North Marin Water District (NMWD) currently provides water to the project site, and the NMWD will continue to provide water to the site once it is constructed. Additionally, on November 13, 2023, the Environmental Health Division (EHS) conditionally approved the applicant's new septic system. Therefore, the project is consistent with the LUP public facilities and services policies (C-PFS-1 and C-PFS-7), and this finding because the project would be

adequately served by existing public water service and the proposed an onsite sewage disposal system located on the existing residential lot that would be adequately sized to meet the needs of the development, as verified during the review of the Building Permit application.

- 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 project is located in downtown Point Reyes Station along Shoreline Highway between Mesa Road and A Street. Access to the residential units would be provided from A Street, while commercial uses would continue to be accessed from Shoreline Highway between Mesa Road. 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 entail any alterations to existing roadway facilities or adversely impact the scenic quality of Highway One.

- 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).**

Although the project site is within the historic downtown Point Reyes Station, the project site is not listed in the California Register of Historical Resources nor the National Register of Historic Places. The subject commercial structure was built in 1958 and has been modified over the years to accommodate different commercial tenants and their needs. 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 would not impact 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 site is not located adjacent to any public park or open space, and the project does not entail any construction or development that would encroach into existing public access points to and from surrounding public parks, recreation, or visitor-serving uses. Therefore, the project is consistent with the LUP policies for parks, recreation, and visitor-serving uses (C-PK-1 and C-PK-3), and this finding because the project is proposed entirely within an existing building footprint and does not entail any construction or development that would encroach into existing public access points to and from surrounding public parks, recreation, or visitor-serving uses.

**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)**

The project site is not located in a dune protection area as identified by the Natural Resources Map for Unit I of the Local Coastal Program. Therefore, the project is consistent with this finding because no dunes are located on the site.

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

The project site is not located adjacent to the shoreline or within a bluff erosion zone. The proposed project does not involve shoreline protection work, will not restrict navigation, mariculture, or other coastal use, and will not create a hazard in the area in which it is built. Therefore, this criterion is met.

**C. Geologic Hazards (Marin County Interim Code Section 20.64.060.C)**

Although the project site is not located near a Fault Zone, it would be subjected to strong ground shaking during a proximate seismic event. 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.

**Mandatory Findings for Conditional Use Permit (Marin County Code Section 22.48.040)**

**A. The proposed use is allowed, as a conditional use, within the subject zoning district and complies with all of the applicable provisions of this Chapter.**

The proposed project is located in the C-VCR-B2 (Village Commercial Residential, combined) zoning district. Under the Marin County Local Coastal Program, Implementation Plan Section 20.62.080.D, Table 5-3-c, the creation or construction of multi-family housing development is designated as a conditionally permitted use. Additionally, the Marin County Local Coastal Program, Implementation Plan Section 20.62.080.D, Table 5-3-e requires approval of a conditional use permit for the installation of a public utility facility (PG&E) transformer on private property. Therefore, the proposed project is allowed subject to the approval of a conditional use permit and, as conditioned herein, the project is consistent with the Countywide Plan, the Point Reyes Station Community Plan, and the C-VCR-B2 zoning district.

**B. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.**

In general, buildings in the vicinity are nondescript, one- to two-story commercial and single-family residential structures. The proposed infill project consists of the renovation and conversion of an exclusively commercial building to a mix of residential and commercial uses in a district where such uses are encouraged by the underlying zoning district, the Local Coastal Program, the Countywide Plan, and the community plan. The project would retain the overall existing exterior color and material palette, with the commercial portions of the building having a color and material palette that distinctly differs from and complements the residential portion of the building. The project proposes new window and door openings, awning covers over all new windows, and proposes to refinish the

entire exterior to match the existing colors and material palette that consists of a combination of wood siding in dark green, corrugated metal in yellow colors, and stucco finish in yellow colors.

The proposed new window placement, coupled with the application of said materials, results in an overall building design that is sensitive to and complementary to the surrounding neighborhood ambiance and architecture. Each facade is modulated in various ways with projected awnings, a variety of finishes, and consistent fenestration placement patterns that further enhance building articulation and increase visual interest. The yellow and green color palette would be appropriate for a mixed-use project in an area developed with eclectic architectural styles, resulting in a project that is responsive to the site and neighborhood context.

Further, exterior light will be required to be shielded and downward facing. The project would be required to comply with County Code Section 24.04.410, which mandates the use of shielded lighting fixtures so as not to produce an obtrusive glare on the public right-of-way or adjoining properties.

- C. That granting the Conditional Use Permit will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, or injurious to the property or improvements in the vicinity and zoning district in which the real property is located.**

The proposed project fills a rental housing need in the immediate neighborhood. The location for this use is well suited, as it is well-served by appropriate roads, parking, and transit stops. Therefore, the project is consistent with this finding.

## **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 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 Sydriel Coastal Permit and Conditional Use Permit, subject to the conditions as specified below:

### **CDA-Planning Division**

1. This Coastal Development Permit and Conditional Use Permit approval authorizes the conversion of an existing commercial structure to five residential units and the expansion of an existing convenience store from a 215-square-foot cashier's stand to a 1,930-

square-foot store. The proposed five units shall consist of three two-bedroom units ranging from 802 to 843 square feet in size and two one-bedroom units ranging from 591 to 593 square feet in size. One of the residential units shall be deed-restricted as a low-income household to comply with the County's inclusionary requirements enumerated in Marin Development Code Section 22.22.020, Table 3-4a. The proposed project shall also include the installation of a roof-mounted equipment well, the removal of the existing rear deck, and the installation of a new sidewalk and propane-powered backup generator with an automatic transfer switch to power the entire building, including fuel dispensers and canopy, and a new PG&E transformer and main electrical distribution panel, which would allow for the installation of a separate meter for each tenant.

All proposed interior and exterior renovations of the building shall occur within the existing footprint of the building. The enclosure of the existing 150 square feet of covered porched areas shall increase building area from 5,650 square feet to 5,800 square feet and the floor area ratio (FAR) shall increase from 22.60 percent to 23.20 percent. The existing building height of 25 feet nine inches shall remain unchanged.

Various site improvements may also be entailed in the proposed development, including general grading to accommodate the proposed project, the removal of one Monterey Pine tree 6-foot diameter breast height, a bike rack and six new water meters, and a 1,000-gallon propane tank to dispense bulk propane to customers and power the generator.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Point Reyes Station coastal Permit and Use Permit," consisting of 28 sheets prepared by Matthew E. Donohue, received in final form on November 21, 2023, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall modify the project to conform to the following requirements:

- a. The landscape plan shall be modified to include a minimum of 50 percent of plantings that are native to Marin County, as identified by the Marin Chapter of the California Native Plant Society.
3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall enter into a Regulatory Agreement with an Affirmative Marketing Plan, as prepared by the County, and paid for by the applicant. The Agreement shall comply with applicable requirements in Chapter 22.22 of the Marin County Code. The Agreement shall acknowledge that the project includes one rental unit that is income-restricted in perpetuity. The unit shall be offered at an affordable rent not exceeding 30 percent of the gross income of households earning at most 60 percent of Area Median Income, adjusted for household sizes. The rental prices shall be established by the County or its designee and shall be based on the number of bedrooms. See Marin County Development Code Article VIII for definitions of Affordable Rent and Area Median Income.

The Agreement shall specify provisions for income certification and screening of potential renters of units, and specify resale control mechanisms, including the financing of ongoing administrative and monitoring costs, and comply with the requirements of Marin County Code Section 22.22.120.C. In addition, the following provisions shall apply:

- A. Maximum rent shall be adjusted for the family size appropriate for the unit pursuant to California Health & Safety Code Section 50052.5 (h);
  - B. Rent shall include a reasonable allowance for utilities, as published and updated by the Housing Authority, including garbage collection, sewer, water, electricity, gas, and other heating, cooking, and refrigeration fuels. Such allowance shall consider the cost of an adequate level of service. Utilities do not include telephone service. Rent also includes any separately charged fees or service charges assessed by the lessor, which are required of all tenants, other than security deposits; and
  - C. The income restrictions shall run with the land.
  - D. Any residential tenant evicted or required to vacate any existing lawful or unlawful residential unit as a result of this approval shall be: (1) provided with relocation assistance and (2) given the right of first refusal to reoccupy a residential unit on the site.
  - E. The developer shall provide tenant notification, via written communication in the language of the executed lease, that each dwelling is subject to Marin County's Just Cause for Eviction, Rental Housing Dispute Resolution (Mandatory Mediation), and Source of Income ordinances.
4. The developer shall provide tenant notification, via a lease or deed covenant, that each dwelling unit is located in a mixed-use area that includes commercial, food service and entertainment uses, and that each occupant shall not seek to impede their lawful operation.
  5. Unless a public emergency services provider recommends otherwise or unique circumstances necessitate a change, the street address for the commercial unit shall remain 11401 State Route 1, Point Reyes Station, and the residential units shall be 11401 State Route 1, Unit #1 through Unit #5, Point Reyes Station.
  6. The project shall conform to the Planning Division's "Uniformly Applied Standards 2024" with respect to all of the standard conditions of approval and the following special conditions: 4.

#### **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 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.



**SECTION V: APPEAL RIGHTS**

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County 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 ten business days from the date of this decision (Thursday, February 1, 2024).

**SECTION VI: ADOPTION**

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 18<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Megan Alton  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

\_\_\_\_\_  
Michelle Reed  
DZA Recording Secretary

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

November 30, 2023

1. **Project Name:** Sydriel Coastal Permit and Use Permit (P4258)
2. **Project Location:** 11401 State Route 1, Point Reyes  
APN: 119-198-03
3. **Project Summary:** Proposal to convert existing commercial tenant spaces to residential units and installation of a septic system on a property that is fully developed.
4. **Public Agency Approving Project:** Community Development Agency
5. **Project Sponsor:** Matt Donahue, on behalf of property owner
6. **CEQA Exemption Status:** CEQA Guidelines §15061(b)(3) and §15303
7. **Reasons for Exemption:**

The proposed conversion of a commercial building to a residence in a Coastal Village Commercial Residential (C-VCR) zoning district would not result in significant environmental effects and is found to be Categorically Exempt from environmental review, pursuant to California Environmental Quality Act (CEQA) Guidelines §15061(b)(3) which, among other things, makes those projects which have no possibility of creating a significant impact on the environment exempt from CEQA compliance. The proposed conversion would occur primarily within an existing building, and no new additional site disturbance will occur. Additionally, the project is exempt pursuant to CEQA Guidelines §15303, which is a categorical exemption for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structures.

Project Planner:



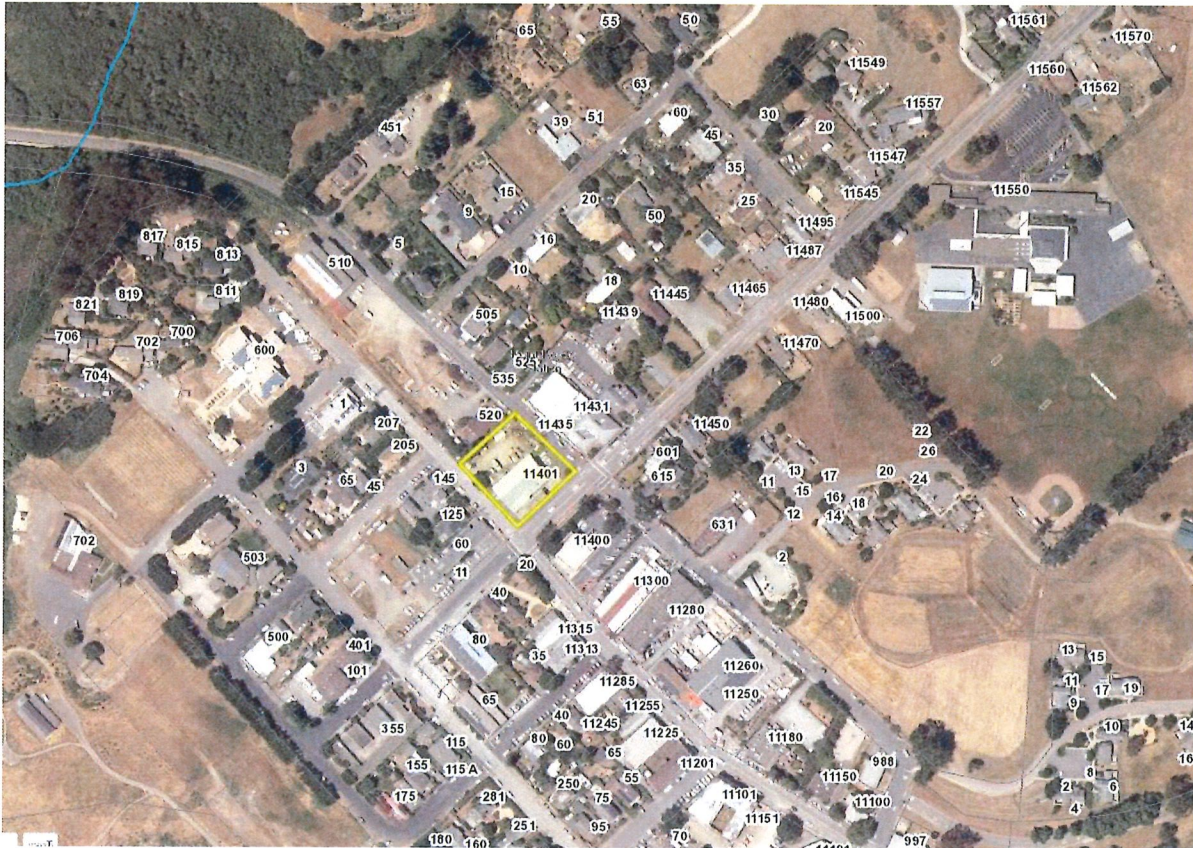
Immanuel Bereket  
Principal Planner

Reviewed by:



Rachel Reid  
Environmental Planning Manager

# VICINITY MAP



## PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS  
Inter-office Memorandum - First Transmittal

<p>DATE: <u>9/29/23</u></p> <p>TO: <u>Immanuel Bereket</u></p> <p>FROM: <u>Maurice Armstrong</u></p> <p>APPROVED: _____</p> <p>RE: <u>Sydriel Costal Permit and Use</u> <u>Permit P4258</u></p> <p>APN: <u>119-198-03</u></p> <p>ADDRESS: <u>11401 State Route 1, Pt. Reyes</u> <u>Station</u></p>	<p>DUE: <u>9/26/23</u></p> <p><b><u>TYPE OF DOCUMENT</u></b></p> <p><input checked="" type="checkbox"/> DESIGN REVIEW</p> <p><input type="checkbox"/> COASTAL PERMIT</p> <p><input type="checkbox"/> LAND DIVISION</p> <p><input type="checkbox"/> VARIANCE</p> <p><input checked="" type="checkbox"/> USE PERMIT</p> <p><input type="checkbox"/> ADU PERMIT</p> <p><input type="checkbox"/> ENVIRONMENTAL REV.</p> <p><input type="checkbox"/> 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:**

1. **Grading & Drainage Plan:** Provide the following information on the drainage and grading plan:
  - a. 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. Include trenching for new utilities.
  - b. Indicate means of restoring all disturbed areas and provide final surfaces.

#### **Best Management Practices:**

2. Per Marin County Code § 24.04.625(a)(c)(g)(k), provide a plan indicating construction-phase best management practices (BMPs) include erosion and sediment controls and pollution prevention practices. Erosion control BMPs may include, but are not limited to, scheduling and timing of grading activities, timely re-vegetation of graded areas, the use of hydroseed and hydraulic mulches, and installation of erosion control blankets. Sediment control may include properly sized detention basins, dams, or filters to reduce entry of suspended sediment into the storm drain system and watercourses, and installation of construction entrances to prevent tracking of sediment onto adjacent streets. Pollution prevention practices may include: designated washout areas or facilities, control of trash and recycled materials, covering of materials stored on-site, and proper location of and maintenance of temporary sanitary facilities. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices. You may refer to the Marin County Stormwater Pollution Prevention Program's website,

DZA - Attachment #3



[https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/erosion\\_sediment-control-measures-for-small-construction-projects-2015.pdf?la=en](https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/erosion_sediment-control-measures-for-small-construction-projects-2015.pdf?la=en)

3. **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, dimension laterals from meter box to structure. Be certain to include water, gas, and electric. In addition clarify which laterals are for commercial uses and which are for residential uses.
4. **Encroachment Permit:** Mesa Road and A Street are County maintained roads. 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-

## Immanuel Bereket

---

**From:** Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>  
**Sent:** Tuesday, November 7, 2023 6:54 PM  
**To:** Immanuel Bereket  
**Cc:** KoppmanNorton, Julia@Coastal; eric.martinez@coastal.ca.gov  
**Subject:** RE: Sydriel Coastal Permit and Use Permit (P4258) -

No further questions on this one, Manny, thanks!

---

Stephanie R. Rexing

---

**From:** Bereket, Immanuel <IBereket@marincounty.org>  
**Sent:** Thursday, October 26, 2023 11:03 AM  
**To:** Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>  
**Cc:** KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>; eric.martinez@coastal.ca.gov  
**Subject:** Sydriel Coastal Permit and Use Permit (P4258) -

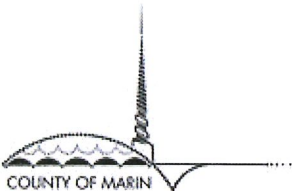
Good morning,

The applicants for the above-referenced project have submitted additional application material and response to comments. Could you please review and provide your comments on or before **Friday, November 10, 2023**. Attached, please find the following documents:

- i. Transmittal coverage;
- ii. Response to comments letter;
- iii. Updated project update; and,
- iv. Updated project description.

Please feel free to contact me if you have any questions.

Regards  
Manny



---

**Immanuel Bereket** | Principal Planner  
County of Marin | Community Development Agency  
3501 Civic Center Drive, Suite 308 | San Rafael, CA 94903  
(415) 473-2755  
[ibereket@marincounty.org](mailto:ibereket@marincounty.org)

Follow us on [Facebook](#) and [Twitter](#)

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

**INTERDEPARTMENTAL TRANSMITTAL  
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES  
ROOM 236, 473-6907  
Second Planning Transmittal**

<b>DATE:</b>	November 13, 2023	<b>TYPE OF DOCUMENT</b>
<b>TO:</b>	Immanuel Bereket, Senior Planner	DESIGN REVIEW
<b>FROM:</b>	Gwendolyn Baert, Supervising REHS	LAND DIVISION
<b>RE:</b>	Sydriel Coastal Permit and Use Permit Project ID P4258	<input checked="" type="checkbox"/> USE PERMIT VARIANCE
<b>AP#:</b>	119-198-03	MASTER PLAN
<b>ADDRESS:</b>	11401 State RTE, PRS	<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	<input checked="" type="checkbox"/> 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.

**Sewage:**

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 contains enough information to determine that the applicant can comply with EHS standards.**
  - **Peak flow has been adjusted to allow an increase of discharge from the food facility/convenience store to 436 GPD (Peak Flow).**
  - **Peak wastewater flow from the proposed residences (840 GPD) and the gas station convenience store (436 GPD) not to exceed 1276 GPD.**
  
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**



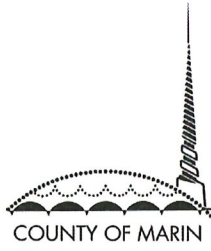
3. If the application contains sufficient information for your review, please indicate whether the project is feasible as proposed or needs substantial modifications to comply with your agency's standards.

**The septic system serving this property will be considered a commercial wastewater discharge system with a combined wastewater flow of less than 1500 gallons/day. An operational permit will be required for the operation and maintenance of the septic system.**

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

**Food Establishment:**

**The plans for the modification of the convenience/grocery store (equipment, plumbing and finish schedule) will need to be approved by EHS plan check for compliance with the California Retail Food Code, this will be required prior to issuance of the building permit for the modification.**



COMMUNITY DEVELOPMENT AGENCY  
**HOUSING AND FEDERAL GRANTS DIVISION**

**TO:** Immanuel Bereket, Senior Planner  
**FROM:** Molly Kron, Senior Planner  
**DATE:** November 29, 2023  
**RE:** Sydriel Coastal Permit and Use Permit  
 11401 State Route 1, Point Reyes  
 Assessor's Parcel 119-198-03  
 Project ID P4258  
**APPLICANT** Julie Van Alyea, Phone: (415) 999-0650

The applicant is seeking a Coastal Permit and Use Permit approval to partially convert an existing commercial space to five residential units, while retaining existing commercial use (fuel station with a convenience store). The proposed five units will consist of three two-bedroom units ranging from 802 to 843 square feet in size and two one-bedroom units ranging from 591 to 593 square feet in size. One of the residential units would be offered as low-income household to comply with the County's inclusionary requirements enumerated in Local Coastal Plan Section C-HS-3. The proposal also includes expansion of the existing 215-square-foot cashier's stand to 1,930 square feet convenience store.

The proposed conversion includes full interior remodel, alteration of interior partition walls, as well as minor exterior refinish to meet building code, as required. The proposed conversion would occur entirely within the existing building footprint and no new building footprint is proposed. The applicant has provided demolition plans which identify the number of interior walls that will be demolished to modify the building's use from commercial space to residential. Various site improvements would also be entailed in the proposed development, including general grading to accommodate the proposed project, the installation of a driveway, and a septic system.

The Marin County Local Coastal Plan Section C-HS-3 provides that residential developments in the Coastal Zone consisting of 2 or more units provide 20 percent of the total number of units to be affordable by households of very low or low income. For the proposed new multi-family housing on the property at 11401 State Route 1, Point Reyes, the inclusionary requirement is therefore 1 affordable unit.

Inclusionary housing calculation for residential development in Coastal Zone			
Project size (# of units)	"Decimal Fraction" Inclusionary Requirement	# affordable units required	Fee (\$) required
1	0.20	Fee may apply	Fee may apply
2	0.40	0	\$145,126.80
3	0.60	1	None
4	0.80	1	None
5	1.00	1	None
6	1.20	1	\$72,563.40
7	1.40	1	\$145,126.80
8	1.60	2	None
9	1.80	2	None
10	2.00	2	None

---

**From:** Immanuel Bereket  
**Sent:** Monday, January 8, 2024 11:47 AM  
**To:** Heather Furmidge <heatherfurmidge1@gmail.com>; Morgan Patton <Morgan.Patton@MarinCounty.gov>  
**Cc:** Maurice Armstrong <Maurice.Armstrong@marincounty.gov>  
**Subject:** RE: A question and Happy New Year!

Good morning,

Attached, please find project comments from Dept. of Public Works (DPW) and the Coastal Commission. The former exercises authority over matters related to parking, circulation, etc. Although I will defer to the DPW to explain in greater detail and specifications, onsite circulation and traffic studies are not automatically required for every project and is required on a case-by-case basis. In this instance, the proposed project is not anticipated to generate greater demand to parking or trip generation than the existing condition. I have copied DPW member who can explain in greater detail.

With respect to the rest of your inquiry, please see a detailed response below:

I'd be happy to discuss the review process in greater detail. Here is the basic outline:

- On **September 11, 2023**, a Coastal Permit and Conditional Use Permit applications.
  - Upon receipt, the application was transmitted to the Environmental Health Services Division (EHS), the Housing Division, the Department of Public Works (DPW), the California Coastal Commission (CCC), the Fire Department, and it was posted online.
  - Staff received written memorandums from EHS, DPW, the Point Reyes Station Village Association, and an e-mail correspondence from the CCC.
- On September 13, 2023, a webpage was created for the project, which you can access here: [Sydriel Coastal Permit and Use Permit \(P4258\) - County of Marin \(marincounty.org\)](https://www.marincounty.org/development/permits/conditional-use-permit/p4258)
- On **September 13, 2023**, a notice was posted on the project site, identifying the applicants and describing the project and its location, as well as listing the website where information about the project can be found.
- On **October 9, 2023**, the application was deemed incomplete.
- On **October 25, 2023**, the applicant submitted revised materials, which were promptly recirculated to DPW, EHS and the CCC.
  - Staff received written memos from DPW and EHS and an e-mail correspondence from the CCC.
- On **November 13, 2023**, the application was deemed incomplete due to partial resubmittal of the application.
- On **November 17, 2023**, the applicant submitted a complete set of plans, and, on **November 28, 2023**, the application was deemed complete.
- On **November 28, 2023**, a Notice of Referral was posted online and sent to service providers, community groups, interested parties, etc.
- On **December 26, 2023**, a public hearing notice (attached) was sent to property owners of record within 300-ft radius, service providers, community groups, interested parties, etc. The public hearing is scheduled to occur on **Thursday, January 18, 2024**. All the agencies have recommended approval, including the Department of Public Works who

exercises authority over matters related to traffic, parking, circulation etc. An infill project this size would not require a traffic study, analysis etc., because the existing commercial uses generate more trips than residential uses. DPW can explain this in greater details, but commercial uses generate more traffic/trips through the day as opposed residential uses that peak trip generation during morning even hours. Since the proposed uses would generate less traffic/trips than the existing conditions, a traffic study wasn't needed nor is there a nexus to require such a study,

**Types of permits required:**

- Coastal Development Permit approval is required under Marin County Local Coastal Program, Implementation Section 20.68.060.G, because the project involves installing a new septic system.
- A Conditional Use Permit is required under the Marin County Local Coastal Program, Implementation Section 20.62.080.D Table 5-3-c because the project involves the creation of multi-family housing in a Coastal Zone.
- A Use Conditional Permit is required under the Marin County Local Coastal Program, Implementation Section 20.62.080.D Table 5-3-e because the project involves the installation of a public utility facility (PG&E) transformer on a private property.

**Applicable Housing Laws:**

Government Code Section 65589.5(h)(2), commonly referred to as the Housing Accountability Act, provides that a Housing development project a use consisting of "[m]ixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use." Since the proposed consists of two-thirds residential, the project is considered a housing development project for purposes of compliance with the Housing Accountability Act.

Section 65589.5(j) of the Housing Accountabilit Act requires that when a proposed housing development project complies with applicable, objective general plan and zoning standards, a local agency may not deny the project or approve it with reduced density unless the agency makes written findings supported by substantial evidence that:

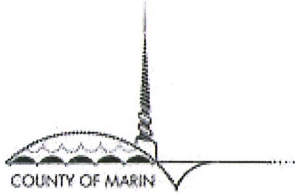
- a. The development would have a specific adverse impact on public health or safety unless disapproved or approved at a lower density; and
- b. There is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, other than the disapproval or approval at a lower density.

Because the Base Project would comply with applicable, objective Countywide Plan and zoning standards, §65589.5(j) applies to this project. No significant, quantifiable, direct and unavoidable impacts, based on objective, identified written public health or safety standards, polices, or conditions, have been identified by staff. The project includes construction of five dwelling units.

Let me know if you have any questions or would like discuss this further.



Regards,  
Manny



---

**Immanuel Bereket** | Principal Planner  
Housing Specialist  
County of Marin | Community Development Agency  
3501 Civic Center Drive, Suite 308 | San Rafael, CA 94903  
(415) 473-2755  
[lbereket@marincounty.org](mailto:lbereket@marincounty.org)

Follow us on [Facebook](#) and [Twitter](#)

**From:** Heather Furmidge <[heatherfurmidge1@gmail.com](mailto:heatherfurmidge1@gmail.com)>  
**Sent:** Saturday, January 6, 2024 8:27 AM  
**To:** Morgan Patton <[Morgan.Patton@MarinCounty.gov](mailto:Morgan.Patton@MarinCounty.gov)>; Immanuel Bereket <[Immanuel.Bereket@MarinCounty.gov](mailto:Immanuel.Bereket@MarinCounty.gov)>  
**Subject:** Re: A question and Happy New Year!

You don't often get email from [heatherfurmidge1@gmail.com](mailto:heatherfurmidge1@gmail.com). [Learn why this is important](#)

Thanks for the introduction, Morgan and Hi Manny!

Manny, below is the email I sent to Morgan with some questions specifically about circulation issues with the gas station project in Point Reyes Station. Hope you can help me understand where this project stands, what the timeline of steps/approvals is and where on the County's website information is posted - specifically about how vehicles and pedestrians will be moving across/through these busy intersections.

Many thanks,  
Heather Furmidge  
Point Reyes Station

Hi Morgan,

Happy Almost New Year!! I hope you're settling into your new job well and I imagine that you're finding it challenging and super-interesting!

I have a question for you that I'm hoping you can help me with. The Point Reyes Village Assn has been following the plans submitted by the Point Reyes Gas Station owner to add/modify 5 housing units

(yay!) and a convenience food store (slightly less yay) to the existing footprint of the station. I'm a Village Assn member, so that's where I've heard some about this project.

What I could use your help with is understanding what kinds of permits and approvals are needed for this project and what the process and timeline are. Also, where could I find information or anything about it on Marin County's website?

Specifically, one of my concerns about the project (shared by others) is the pedestrian and vehicle impacts of the increased density of retail use. We are all aware that the corner of Hwy 1 and Mesa Rd is one of the busiest in town - and that the intersection of A and 4th Sts where Hwy 1 turns left confuses tourists and pretty much everyone else. In addition, gas station egress and ingress is dangerous and confusing as it stands now.

One of the things I'm hoping for, which I haven't seen any evidence of (so if it exists, great!) is a congestion and/or circulation study so we can all understand how pedestrians and the residents of the new housing units can safely navigate the new layout (including the kids from the school who will no doubt be eager visitors), where cars will be parked, and how large vehicles towing things like chippers will get in and out of the pumping bays. Will there be crosswalks and sidewalks along that side of the street, which don't exist currently?

Your guidance would be much appreciated - including pointing me to someone who can help with my questions.

Hoping that you and your family are planning warm, safe, joy-filled holidays and here's to 2024!

Thanks,  
Heather  
415-██████████

On Fri, Jan 5, 2024 at 9:38 AM Morgan Patton <[Morgan.Patton@marincounty.gov](mailto:Morgan.Patton@marincounty.gov)> wrote:

Hi Heather,

Happy to help!

I have requested that the planner, Immanuel "Manny" Bereket reach out to you. I passed along your email since he will be able to go through each of your questions and provide accurate and up to date information. He should be reaching out to you today or early next week.

Manny's contact information: [immanuel.bereket@marincounty.gov](mailto:immanuel.bereket@marincounty.gov), 415-473-2755

Wishing you a Happy New Year!! 😊

Morgan Patton  
Aide to Supervisor Dennis Rodoni

she/her  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-3246

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



**From:** Heather Furmidge <[heatherfurmidge1@gmail.com](mailto:heatherfurmidge1@gmail.com)>  
**Sent:** Friday, January 5, 2024 8:52 AM  
**To:** Morgan Patton <[Morgan.Patton@MarinCounty.gov](mailto:Morgan.Patton@MarinCounty.gov)>  
**Subject:** Re: A question and Happy New Year!

You don't often get email from [heatherfurmidge1@gmail.com](mailto:heatherfurmidge1@gmail.com). [Learn why this is important](#)

Thanks Morgan! Great to hear from you and many thanks.  
Here's to 2024!  
Heather

On Jan 4, 2024, at 4:29 PM, Morgan Patton <[Morgan.Patton@marincounty.gov](mailto:Morgan.Patton@marincounty.gov)> wrote:

Hi Heather,

Happy New Year! I hope you had a wonderful holiday. I am working on this and will circle back tomorrow with additional information. Just back to the office today. 😊

Morgan Patton  
Aide to Supervisor Dennis Rodoni  
she/her  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-3246

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

<image001.png>

**From:** Heather Furmidge <[heatherfurmidge1@gmail.com](mailto:heatherfurmidge1@gmail.com)>  
**Sent:** Sunday, December 31, 2023 10:17 AM  
**To:** Morgan Patton <[Morgan.Patton@MarinCounty.gov](mailto:Morgan.Patton@MarinCounty.gov)>; Heather Furmidge

<[heatherfurmidge1@gmail.com](mailto:heatherfurmidge1@gmail.com)>

**Subject:** A question and Happy New Year!

You don't often get email from [heatherfurmidge1@gmail.com](mailto:heatherfurmidge1@gmail.com). [Learn why this is important](#)

Hi Morgan,

Happy Almost New Year!! I hope you're settling into your new job well and I imagine that you're finding it challenging and super-interesting!

I have a question for you that I'm hoping you can help me with. The Point Reyes Village Assn has been following the plans submitted by the Point Reyes Gas Station owner to add/modify 5 housing units (yay!) and a convenience food store (slightly less yay) to the existing footprint of the station. I'm a Village Assn member, so that's where I've heard some about this project.

What I could use your help with is understanding what kinds of permits and approvals are needed for this project and what the process and timeline are. Also, where could I find information or anything about it on Marin County's website?

Specifically, one of my concerns about the project (shared by others) is the pedestrian and vehicle impacts of the increased density of retail use. We are all aware that the corner of Hwy 1 and Mesa Rd is one of the busiest in town - and that the intersection of A and 4th Sts where Hwy 1 turns left confuses tourists and pretty much everyone else. In addition, gas station egress and ingress is dangerous and confusing as it stands now.

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Your guidance would be much appreciated - including pointing me to someone who can help with my questions.

Hoping that you and your family are planning warm, safe, joy-filled holidays and here's to 2024!

Thanks,

Heather

415-

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