



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR LAURENT AND FINKELSTEIN COASTAL PERMIT AND DESIGN CLEARANCE

Item No:	C2	Application No:	CP 08-46 DC 08-76
Applicant:	Michael Mitchell	Owner:	Alexis Laurent Eliza Finkelstein
Property Address:	210 Seadrift Road Stinson Beach	Assessor's Parcel:	195-331-03
Hearing Date:	June 26, 2008	Planner:	Lorene Jackson

RECOMMENDATION:	Approve with Conditions
APPEAL PERIOD:	July 3, 2008
LAST DATE FOR ACTION:	July 11, 2008

PROJECT DESCRIPTION:

The applicant is requesting Coastal Permit approval and Design Review Clearance to convert an existing detached garage to a new bedroom and bathroom with an adjoining porch and deck. The 402 square foot guesthouse will be within the footprint of the existing garage, while raising the current roof 1.8 feet to a new maximum height of 10.8 feet above existing grade (23.8 feet above mean lower low water.) The exterior materials will match the existing 2,335 square foot house. An adjoining 102 square foot semi-enclosed porch with pizza oven and 13.8-foot tall stack is proposed on the north side of the guesthouse. The proposed structure would maintain the following minimum setbacks: 50 feet from the **north front** property line, 6.5 feet from the **east side** property line, and 35 feet from the **west side** property line. A new 624 square foot deck approximately one to two feet above grade is proposed to wrap around the north and west side of the remodel.

GENERAL INFORMATION:

Countywide Plan:	C-SF5 (Coastal Single-family Residential, 2-4 units per acre)
Zoning:	C-RSPS-2.9 (Coastal, Residential, Single-Family Planned District; one unit per 15,000 sq. ft.)
Community Plan Area:	Stinson Beach
Lot size:	24,840 square feet
Adjacent Land Uses:	Single-family Residential
Vegetation:	Native and introduced vegetation and trees
Topography and Slope:	Level
Environmental Hazards:	Within 0.5 miles of the Alquist-Priolo Special Study Zone

ENVIRONMENTAL REVIEW:

The Environmental Coordinator has determined that this project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 15303, Class 3 of the CEQA Guidelines because it entails conversion of an existing detached garage to a guesthouse. with no potentially significant impacts on the environment.

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and the date of the public hearing. This notice has been mailed to all property owners within 300 feet of the subject property. The Community Development Agency has received no adverse comments from the public regarding this project.

PLAN CONSISTENCY:

The proposed project is generally consistent with the goals and policies of the Marin Countywide Plan, the Local Coastal Program, Titles 22 (Zoning) and 24 (Development Standards) of the Marin County Code, and the Marin County Single-family Residential Design Guidelines because it will not result in tree removal, significant grading, or other adverse impacts on the environment and surrounding property owners. Please refer to the plan consistency findings contained in the attached resolution.

PROJECT ANALYSIS:

The subject property is a level lot located on the southern side of Seadrift Road and extends over the beach to the ocean. The surrounding neighborhood is characterized by single-family residences with varied sizes and architectural styles. The applicant proposes to convert an existing garage to a guesthouse with an adjoining porch and pizza oven. The design of the new guest house would be consistent with the existing residence and compatible with the surrounding natural environment and the character of the local community. The exterior materials would be unobtrusive cedar shingles. As conditioned, exterior lighting would be directed downward and hooded. Except for the chimney stack of the patio oven, the proposed project would be less than 1.8 feet higher than the existing garage, and would not block viewsheds or reduce the privacy enjoyed by the surrounding properties.

The subject property is in a Special Flood Hazard Zone where the Base Flood Elevation is 1 foot above grade. Therefore, the finished floor of the project has been conditioned to be at least 1 foot above grade, attributing in part to the increased height of the structure.

The proposed project would not result in significant ground disturbance or vegetation removal, and would not reduce the potential habitat area for any special status species. The project plans has been reviewed and approved by the Architectural Review Committee of the Seadrift Association.

Based on these factors, the proposed project would not result in adverse impacts to the public welfare or surrounding properties, and the Coastal Permit and Design Review Clearance findings can be made.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution approving the Laurent and Finkelstein Coastal Permit and Design Review Clearance.

- Attachments:**
1. Proposed Resolution recommending approval of the Laurent and Finkelstein Coastal Permit and Design Review Clearance
 2. CEQA Exemption
 3. Location Map
 4. Assessor's Parcel Map
 5. Project Plans
 6. Stinson Beach County Water District Letter, 5/5/08
 7. Marin County Department of Public Works Memo, 5/9/08
 8. Seadrift Association Architectural Review Committee, Memo 10/29/07

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 08-___

A RESOLUTION APPROVING THE LAURENT AND FINKLESTEIN COASTAL PERMIT AND
DESIGN CLEARANCE
210 SEADRIFT ROAD, STINSON BEACH
ASSESSOR'S PARCEL 195-331-03

SECTION I: FINDINGS

- I. WHEREAS Michael Mitchell, on behalf of owners Alexis Laurent and Eliza Finkelstein, is seeking Coastal Permit and Design Review Clearance approvals to convert an existing detached garage to a new bedroom and bathroom with an adjoining porch and deck. The 402 square foot guesthouse will be within the footprint of the existing garage, while raising the current roof 1.8 feet to a new maximum height of 10.8 feet above existing grade (23.8 feet above mean lower low water.) The exterior materials will match the existing 2,335 square foot house. An adjoining 102 square foot semi-enclosed porch with pizza oven and 13.8-foot tall stack is proposed on the north side of the guesthouse. The proposed guesthouse and porch would maintain the following minimum setbacks: 50 feet from the **north front** property line, 6.5 feet from the **east side** property line, and 35 feet from the **west side** property line. A new 624 square foot deck approximately one to two feet above grade is proposed to wrap around the north and west side of the remodel. **The subject property is located at 210 Seadrift Road, Stinson Beach, and is further identified as Assessor's Parcel 195-331-03.**
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly-noticed public hearing June 26, 2008, to consider the merits of the project and hear testimony in favor of and in opposition to the project.
- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15303, Class 3 of the CEQA Guidelines because it entails minor modification to an accessory structure on a residentially developed property that would not result in potentially significant impacts to the environment.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin Countywide Plan for the following reasons:
 - A. The project would be consistent with the C-SF5 (Coastal Single-family Residential, 2-4 units per acre) land use designation;
 - B. The project would comply with Marin County standards for flood control, geotechnical engineering, and seismic safety, and include improvements to protect lives and property from hazard;
 - C. The project would comply with governing development standards related to roadway construction, parking, grading, drainage, flood control and utility improvements as verified by the Department of Public Works;
 - D. The project would not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services; and

E. The project would minimize soil disturbance and maximize the retention of existing vegetation.

V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve the Coastal Permit application (Section 22.56.130I of the Marin County Code) as specified below.

A. Water Supply

The project site already has a viable water source and the proposed project would not result in any significant increase in demand for water. Stinson Beach County Water District, which currently serves the existing single-family residence on the subject parcel, reviewed and did not present opposition to the project.

B. Septic System Standards

The existing single-family residence is being served by a new on-site private septic system. The Stinson Beach County Water District, the agency that has jurisdiction over reviewing septic systems in this area, has reviewed the proposed project and determined that, as conditioned, it would comply with all relevant standards.

C. Grading and Excavation

The proposed project entails the conversion of an existing structure and addition of a porch and deck on a generally flat site. The project will require minimal grading.

D. Archaeological Resources

The proposed project is located within the Seadrift area of Stinson Beach. A review of the Marin County Archaeological Sites Inventory indicates that virtually the entire Stinson Beach area, including the subject property, is considered to an area of high archaeological sensitivity. However, it is unlikely that the project would disturb cultural resources because the proposed project would result in the conversion of an existing structure on a previously disturbed residential building site. Moreover, a standard condition of approval has been applied to the project requiring that in the event cultural resources are uncovered during construction, all work shall be immediately stopped and the services of a qualified consulting archaeologist be engaged to assess the value of the resource and to develop appropriate mitigation measures.

E. Coastal Access

The subject property is a developed ocean-front parcel currently without public access to the beach. The proposed project retains existing side yard setbacks of 6.2 feet along the west and 6.5 feet along the east property lines, which are insufficient spaces to provide public access to the beach without seriously interfering with privacy of the existing residence. Coastal access from the end of Seadrift Road is provided within an open space area.

F. Housing

The proposed project will have no impact upon the availability of affordable housing stock within the Stinson Beach community.

G. Stream and Wetland Resource Protection

The proposed project is not located within the vicinity of any sensitive streams or creeks subject to streamside conservation policies of the Marin Countywide Plan or Local Coastal Program.

H. Dune Protection

The proposed project entails the conversion of an existing structure that is inland from the single-family residence and would not disturb natural dunes. Further, the project site is not located in a dune protection area as identified by the Local Coastal Program.

I. Wildlife Habitat

The project entails the conversion of an existing detached structure and would not result in the removal of any vegetation. The project site is disturbed by existing residential development and there is no evidence that the project would affect wildlife habitats.

J. Protection of Native Plant Communities

As described above, the project site is currently disturbed by residential development. The proposed project would not result in the removal of any plants or other vegetation.

K. Shoreline Protection

The proposed project is adequately setback from the ocean as per the setback standards that are applied to all single-family residences within the Seadrift community. In addition, the proposed guesthouse would simply replace an existing garage. Therefore, the proposed project would not impact any shoreline resources.

L. Geologic Hazards

The project site is located within 0.5-mile of the San Andreas Fault Zone and would be subjected to strong ground shaking during a proximate seismic event. The Marin County Community Development Agency – Building and Safety Division will determine seismic compliance with the Uniform Building Code. In addition, as a condition of approval, the applicant shall execute and record a waiver of liability holding the County, other governmental agencies, and the public harmless of any matter resulting from the existence of geologic hazards or activities on the subject property.

M. Public Works Projects

The proposed project will not affect any existing or proposed public works project in the area.

N. Land Division Standards

No land division or property line adjustment is proposed as part of this project.

O. Visual Resources

The proposed project will match the design and materials of the existing single family residence and is compatible with the surrounding natural environment and the character of the local community. The project will not impair or obstruct coastal views from any public street or public viewing location because the roof would not exceed a height of 10.8 feet. The project has been reviewed by the local Seadrift property owner's association for compliance with all local design standards and has been found consistent with those standards.

P. Recreation/Visitor Facilities

The project will not have any impact upon recreation or visitor facilities.

Q. Historic Resource Preservation

The subject property is not located within any designated historic preservation boundaries as identified in the Marin County Historic Study for the Local Coastal Program, and the proposed project does not entail alterations to a structure that was constructed prior to 1931.

V. Whereas, the Marin County Deputy Zoning Administrator finds that the Mandatory Findings for a Design Review Clearance per Section 22.42.020.B of the Marin County Development Code can be made. The proposed project is minor and incidental to the existing single-family residential use on the property and within the intent and objectives for Design Review, based on the following findings:

- A. The proposed project would be consistent with the principally permitted use authorized by the C-RSPS-2.9 zoning district and is incidental to the single-family residential use of the subject property.
- B. The proposed project will not impair, or substantially interfere with the development, use, or enjoyment of other property in the vicinity, including, but not limited to, light, air, privacy and views, or the orderly development of the neighborhood as a whole, including public lands and right-of-ways;
- C. The proposed project would not result in substantial ground disturbance or vegetation removal.
- D. The proposed project is consistent with respect to style, building materials, colors, and setbacks with other development in the surrounding community.
- E. The proposed project would be consistent with the policies and regulations contained in the Marin Countywide Plan, Marin County Local Coastal Program Unit 1, and the Marin County Zoning Code.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Laurent and Finkelstein Coastal Permit (CP 08-46) and Design Review Clearance (DC 08-76) subject to the following conditions:

Marin County Community Development Agency, Planning Division

1. Pursuant to Marin County Code Sections 22.56.130I (Coastal Permits) and Section 22.42.020.B (Design Review Clearance), the Laurent and Finkelstein Coastal Permit and Design Review Clearance are approved to convert an existing detached garage to a new bedroom and bathroom with an adjoining porch and deck. As approved, the 402 square foot guesthouse will be within the footprint of the existing garage, while raising the current roof 1.8 feet to a new maximum height of 10.8 feet above existing grade. The exterior materials will match the existing 2,335 square foot house. An adjoining 102 square foot semi-enclosed porch with pizza oven and 13.8-foot tall stack is approved on the north side of the guesthouse. The porch and guesthouse would maintain the following minimum setbacks: 50 feet from the north front property line, 6.5 feet from the east side property line, and 35 feet from the west side property line. Approval includes construction of a new 624 square foot deck approximately one to two feet above grade to wrap around the north and west side of the remodel. The subject property is located at 210 Seadrift Road, Stinson Beach, and is further identified as Assessor's Parcel 195-331-03.
2. Plans submitted for building permits shall substantially conform to plans identified as "Remodel Existing Garage into Bedroom and Bath - Laurent Family", prepared by Michael Mitchell Design and Draughting, received April 16, 2008, marked as "Exhibit A", consisting of four sheets, and on file in the Marin County Community Development Agency, Planning Division.
3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these Conditions of Approval as notes.
4. The exterior building materials and colors shall match those of the existing residence. All flashing, metalwork, and trim shall be appropriately subdued, non-reflective color.
5. All utility connections and extensions serving the project shall be installed underground.
6. Exterior lighting shall be directed downward, and located and/or shielded so as not to cast glare on nearby properties.
7. All construction activities shall comply with the following standards:
 - A. Except for such non-noise generating activities, including but not limited to, painting, sanding, and sweeping, construction activity is only permitted between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday. No construction shall be permitted on Sundays or the following holidays (New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas Day). If the holiday falls on a weekend, the prohibition on noise-generating construction activities shall apply to the ensuing weekday during which the holiday is observed. At the applicant's request, the Community Development Agency staff may administratively authorize minor modifications to these hours of construction.
 - B. It shall be the responsibility of the applicant to ensure that all construction materials and equipment are stored on-site (or secured at an approved off-site location) and that all contractor vehicles are parked in such a manner as to permit safe passage for vehicular, pedestrian, and bicycle traffic at all times.

9. If archaeological resources are discovered during grading, trenching, or other construction activities, all work at the site shall stop immediately and the project sponsor shall inform the Marin County Environmental Coordinator of the discovery. A registered archaeologist, chosen by the County and paid for by the project sponsor, shall assess the site and submit a written report to the Marin County Community Development Agency Director advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Director. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Director.
10. 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 because of loss experienced by geologic or flooding actions. The waiver of public liability shall be submitted to the Community Development Director for review and approval prior to recordation.
11. The applicant/owner hereby agrees to 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 approval of the Laurent and Finkelstein Coastal Permit and Design Review Clearance, for which action is brought within the applicable statute of limitations.
12. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated.

Marin County Public Works Department, Land Development Division

13. The project is in a Special Flood Hazard Area, Zone B, as show on the Flood Insurance Rate Map (FIRM Community-Panel Number 060173-0420B revised March 1, 1982.) The County has determined the Base Flood Elevation to be 1.0-foot above grade. Therefore, all improvements shall include the finish floor to be at or above 1-foot above grade.
15. BEFORE ISSUANCE OF A BUILDING PERMIT:
 - A. Provide in plans, two independently accessible onsite resident parking spaces and two independently accessible guest spaces with a minimum size of 8.5 by 18-feet each. The guest spaces may be in tandem with the resident spaces, but not to each other.
 - B. Submit an Erosion and Siltation Control Plan if grading or site disturbance is to occur between October 15 and April 15.
 - C. Provide a destination of the drainage downspouts for the improved structure.

Stinson Beach County Water District

16. Deck piers shall maintain a 5-foot setback to the septic tank, sump tank, and sand filter.
17. Septic and sump tank access ports shall be made accessible through the proposed deck.

SECTION III: VESTING, PERMIT DURATION, AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Coastal Permit and Design Review Clearance approval by complying with all conditions of approval, obtaining

Building Permits for the approved work, and substantially completing approved work before June 26, 2010, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date above and the Community Development Director approves it. An extension of up to four years may be granted for cause pursuant to Section 22.56.050 of the Marin County Code.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m.** on **July 3, 2008**.

SECTION IV: ACTION

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 26th day of June 2008.

JEREMY TEJIRIAN
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary