



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR SANDY FIELDS COASTAL PERMIT AND MINOR DESIGN REVIEW EXTENSION

Item No:	C2.	Application No:	EX 08-32 and EX 08-33
Applicant:	Stacey Ford	Owner:	Sandy Fields
Property Address:	76 Overlook Road Point Reyes Station	Assessor's Parcel:	119-081-18
Hearing Date:	September 11, 2008	Planner:	Vivian Lo
		Reviewed By:	Jeremy Tejriran
RECOMMENDATION:	Approve With Conditions		
APPEAL PERIOD:	5 Working days to the Planning Commission		
LAST DATE FOR ACTION:	September 19, 2008		

PROJECT DESCRIPTION:

The applicant, Sandy Fields, is requesting a 2-year Coastal Permit and Minor Design Review extension to vest Coastal Permit (CP 04-17) and Minor Design Review (DM 04-29) conditional approval granted by the Deputy Zoning Administrator (DZA) on August 31, 2004 for the construction of an 1,362 square foot addition to an existing 762 square foot single-family residence and to construct a 672 square foot detached garage. The proposed residence would meet the following minimum setbacks to corresponding property lines: 12 feet from the north (rear) property line, 45 feet from the south (front) property line, 10 feet from the east (right side) property line, and approximately 275 feet from the west (left side) property line. The proposed garage would meet the following minimum setbacks to corresponding property lines: 57 feet from the north (rear) property line, 8 feet from the south (front) property line, 42 feet from the east (right side) property line, and 312 feet from the west (left side) property line. In addition, the applicant (with consent from the neighboring property owner) is proposing removal of 16 eucalyptus trees located along the common property line between the subject property and Assessor's Parcel 119-081-28 (70 Overlook Road).

GENERAL INFORMATION:

Countywide Plan:	C-AG3 (Coastal, Agricultural, one unit per 1 to 9 acres)
Zoning:	C-ARP-1.0 (Coastal, Agricultural, Residential, one unit per acre maximum density)
Lot size:	34,740 square feet (0.80 acres)
Adjacent Land Uses:	Residential, recreation
Vegetation:	Introduced landscaping, including numerous cypress and eucalyptus trees
Topography and Slope:	Relatively flat
Environmental Hazards:	None identified

ENVIRONMENTAL REVIEW:

The Environmental Coordinator has determined that this project is Categorically Exempt from the requirements of the California Environmental Quality Act pursuant to 15301, Class 1 of the CEQA Guidelines because it entails construction of an addition to an existing single-family residence and construction of a detached accessory structure 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 giving the earliest possible decision date in accord with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property.

PLAN CONSISTENCY:

The proposed project is generally consistent with the goals and policies of the Marin Countywide Plan, the Point Reyes Station Community Plan, and the Local Coastal Program, Unit II. Please refer to the Plan consistency findings contained in the attached resolution for more information.

PROJECT ANALYSIS:

The subject property consists of Lot 3 of the map entitled "Map of Overlook Farm", recorded November 20, 1979 in Volume 17 of Maps, at Page 93, Marin County Records. The property is currently developed with an approximately 762 square foot, two-story single-family residence, a 600 square foot cottage (which serves as a bed and breakfast unit), and three 120 square foot detached accessory structures used for laundry and storage purposes. The proposal was approved by the Deputy Zoning Administrator on August 31, 2006. The applicant did not vest the approval prior to expiration on August 31, 2008.

Pursuant to Marin County *Interim* Code (Title 22I) Sections 22.56.120I and 22.82.130I, the applicant is requesting two year extensions to vest the conditional approval of the Fields Coastal Permit (CP 04-17) and Minor Design Review (DM 04-29) applications approved by the Deputy Zoning Administrator (DZA) on August 31, 2006 (Deputy Zoning Administrator Resolution No. 06-163). Construction of the project has not yet begun. The requested Extensions do not propose any changes to the 2006 project or the 2006 Deputy Zoning Administrator's conditional approval. Please refer to the attached 2006 staff report and Resolution approving the Fields Coastal Permit and Minor Design Review for more information regarding the original approval.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and approve the Fields Coastal Permit Extension and Minor Design Review Extension based on the findings and subject to the conditions contained in the recommended Resolution.

Attachments:

1. Recommended Resolution approving the Fields extensions
2. Staff report dated January 26, 2008.
3. Resolution approving the Fields Coastal Permit and Minor Design Review, dated August 31, 2006
4. Memorandum dated August 17 and 30, 2008

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. _____

A RESOLUTION APPROVING THE SANDY FIELDS
COASTAL PERMIT AND MINOR DESIGN REVIEW EXTENSIONS

ASSESSOR'S PARCEL NO. 119-181-18

76 OVERLOOK ROAD, POINT REYES STATION

SECTION I: FINDINGS

I. WHEREAS the applicant, Stacey Ford, on behalf of the owner, Sandy Fields, has submitted a request for a two year extension of her approved Coastal Permit and Minor Design Review application for the construction of a 1,362 square foot addition to an existing 762 square foot single-family residence and to construct a 672 square foot detached, two-car garage. The approved residence would meet the following minimum setbacks to corresponding property lines: 12 feet from the north (rear) property line, 45 feet from the south (front) property line, 10 feet from the east (right side) property line, and approximately 275 feet from the west (left side) property line. The approved garage would meet the following minimum setbacks to corresponding property lines: 57 feet from the north (rear) property line, 8 feet from the south (front) property line, 42 feet from the east (right side) property line, and 312 feet from the west (left side) property line. In addition, the applicant (with consent from the neighboring property owner) was authorized to remove 16 eucalyptus trees located on the common property line between the subject property and Assessor's Parcel 119-081-28 (70 Overlook Road).

The subject property is located at 76 Overlook Road, Point Reyes Stations, and is further identified as Assessor's Parcel 119-181-18; and

II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on September 11, 2008, to consider the merits of the project, and hear testimony in favor of and in opposition to the extension; and

III. WHEREAS the Marin County Deputy Zoning Administrator found that the approved project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1; and

IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the extension is consistent with the Marin Countywide Plan because the project would:

- A. Provide housing opportunities in the Coastal Recreation Corridor without adversely affecting agricultural areas or public open space in the project vicinity;
- B. Contribute to the diversity of housing stock for Point Reyes Station residents;
- C. Comply with Marin County standards for flood control, geotechnical engineering, and seismic safety, and include improvements to protect lives and property from hazard;

- D. Result in development which conforms to the governing standards related to building height;
 - E. Not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services;
 - F. Minimize soil disturbance and maximize of natural vegetation to the extent feasible; and
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the extension is consistent with the mandatory findings to a Coastal Permit (Section 22.56.130 of the Marin County Code) because the following findings continue to apply:

A. Water Supply:

The North Marin Water District has reviewed the proposed addition and detached two-car garage and indicated that water will be provided to the property in conformance with District regulations. (Please refer to Section II, Conditions of Project Approval, North Marin Water District.)

B. Septic System Standards:

The Marin County Department of Environmental Health Services (EHS) has reviewed the proposed single-family residence and detached two-car garage and determined that the application is acceptable as presented with compliance of conditions of project approval. (Please refer to Section II, Conditions of Project Approval, Environmental Health Services.)

C. Grading and Excavation:

Grading and excavation would be limited to the minimum amount necessary to accommodate the proposed addition and detached two-car garage. Conditions of project approval require that construction activities conform with the Department of Public Works erosion and sediment control requirements established in Section 23.08 of the Marin County Code.

D. Archaeological Resources:

Review of the Marin County Archaeological Sites Inventory indicates that the subject property is located within an area of high archeological sensitivity. Therefore, a condition of project approval requires that, if archaeological, historic, or prehistoric resources are discovered during construction, construction activities shall cease, and the Community Development Agency staff shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State and Federal law. A registered archeologist, chosen by the County and paid for by the applicant, shall assess the site and shall submit a written report to the Community Development Agency staff advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Community Development Agency staff. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Community Development Agency staff. If the report identifies significant resources, amendment of

the permit may be required to implement mitigations to protect resources. Additionally, the identification and subsequent disturbance of an Indian midden requires the issuance of an excavation permit by the Department of Public Works in compliance with Chapter 5.32 (Excavating Indian Middens) of the County Code.

E. Coastal Access:

While the subject property is located between Tomales Bay and the first public road, the site is not located adjacent to a coastal area identified by the Local Coastal Program Unit II, where public access is desirable or feasible. The site is not located near any tidelands or submerged lands subject to the public trust doctrine.

F. Housing:

The proposed project would not result in the removal of a residential building which provides housing opportunities for people of low or moderate income, and would not affect the availability of housing stock within the Point Reyes Station community.

G. Stream Conservation Protection:

This finding is not applicable because the project is not situated in an area subject to the streamside conservation policies as identified on the National Resources Map for Unit II of the Local Coastal Program or near any ephemeral or intermittent stream identified on the Inverness Quadrangle of the U.S. Geological Survey.

H. Dune Protection:

This finding is not applicable because the project site is not located in a dune protection area as identified by the Natural Resources Map for Unit II of the Local Coastal Program.

I. Wildlife Habitat:

The Natural Resources Map for Unit II of the Local Coastal Program indicates that the project site is not located in an area of sensitive wildlife resources. Review of the California Natural diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject property is located in a habitat area for the Great Egret and Great Blue Heron (*Ardea Herodias*) which are classified as endangered animal species by State and Federal Governments. However, the site has already been disturbed by development. In addition, staff contacted Point Reyes Bird Observatory staff and Audubon staff and determined that no roosting sites have been recorded on or in the immediate vicinity of the subject property. Therefore, the probability that the additional improvements and tree removal would threaten the habitat areas for these bird species is minimal.

J. Protection of Native Plant Communities:

The Natural Resources Map for Unit II of the Local Coastal Program indicates that the subject property is not located in an area containing rare and endangered plants. A review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject property is not located in an area of any rare or endangered plant species as classified by State or Federal Governments.

K. Shoreline Protection:

This finding is not applicable because the project site is not located adjacent to the shoreline or within a bluff erosion zone.

L. Geologic Hazards:

This finding is not applicable because the subject property is not located in an area of geologic hazards as indicated on Geologic Hazards map for Unit II of the Local Coastal Program, and is not located within the delineated boundaries of the San Andreas Fault zone as identified on the Alquist-Priolo special Studies Zone Map.

M. Public Works Projects:

This finding is not applicable because the proposed project does not entail expansion of public roads, flood control projects, or utility services.

N. Land Division Standards:

The subject property is a legal lot of record and no land division or property line adjustment is proposed as a part of this project.

O. Visual Resources:

The project consists of an addition to an existing single-family residence and construction of a detached two-car garage which are of a height, scale, and design that is compatible with the established character of the surrounding community. The approved structures comply with the heights allowed within the governing C-ARP-1.0 zoning district and would be screened from view with existing trees and proposed landscaping.

P. Recreation/ Visitor Facilities:

This finding is not applicable because the proposed project would not provide commercial or recreational facilities, and the project site is not governed by VCR (Village Commercial, Residential) zoning regulations, which require a mixture of residential and commercial uses.

Q. Historic Resource Preservation:

This finding is not applicable because the subject property is not located within the historic preservation boundaries for Inverness as identified in the Marin County Historic Study for the Local coastal Program.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves a two year extension of the Fields Coastal Permit and Minor Design Review subject to the same conditions as originally identified in the Resolution approving the project, as enumerated below.

1. Plans submitted for a Building Permit shall substantially conform to plans identified as "Exhibit A," entitled, "Addition to fields Residence," consisting of 1 sheet prepared by Stacey N. Ford, received on November 10, 2003, with revisions on May 14, 2004, June 8, 2004, October 21, 2005, and July 12, 2006 and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
2. Approved exterior building materials shall substantially conform to the materials listed as notes on Sheet A1 of "Exhibit A: on file with the Marin County Community Development Agency including:

Roofing:	Class 'A' composition shingles
Siding:	Painted horizontal siding
Trim:	Painted wood

All flashing, metal work, and trim shall be treated or painted an appropriately subdued, non-reflective color.

3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit exterior color samples for review and final approval by CDA staff. Colors shall consist of subdued, earthtone colors that are compatible with the surrounding natural environment.
4. 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 Field Coastal Permit and Minor Design Review conditions of approval as notes.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit either: 1) a Statement of Conformance, signed by a certified or licensed landscape design professional confirming that the landscape design requirements of Chapter 23.10 of the Marin County Code have been met; or 2) a letter from the North Marin Water District indicating that the landscaping required by Condition 6, below, complies with all conditions of the District's Water Conservation Ordinance.
6. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a letter from the North Marin Water District indicating that the project complies with District Regulation 17 – Mandatory Water Conservation Measures.
7. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a landscape plan for review and final approval by the Director. The landscape plan shall include the following information:
 - a. Schedule of plantings, including number of each species of proposed plantings by scientific and common names;
 - b. Clear indication of the location of each planting and the height at maturity;
 - c. Container size at time of planting; and
 - d. Method and general location of irrigation necessary to establish new landscaping.

The goal of the required landscape plan shall be to provide visual screening along the westerly elevation of the addition that is suitable within the constrained area between the building and the existing fence.

8. BEFORE FINAL INSPECTION, the applicant shall install all landscaping and an automatic drip irrigation system in accordance with the approved landscape plan, as indicated in Conditions 6, above. The applicant shall call for a Community Development Agency staff inspection of the landscaping at least five working days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection and imposition of hourly fees for subsequent reinspections.
9. BEFORE FINAL INSPECTION AND UPON VESTING OF THIS APPROVAL, this Notice of Decision shall be recorded against the title to the property to alert potential owners about the limitations on use of the addition and detached garage.
10. Exterior lighting shall be located and/or shielded so as not to cast glare on nearby properties.
11. All construction activities shall comply with the following standards:
 - a. 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 and the following holidays (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day). Loud noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) can be maintained, operated, or serviced at the construction site from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Minor jobs (e.g., painting, hand sanding, sweeping) with minimal or no noise impacts on the surrounding properties are exempted from the limitations on construction activity. 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.
12. All utility connections and extensions (including but not limited to electric, communication, and cable television lines) serving the development shall be undergrounded from the nearest overhead pole from the property, where feasible as determined by the Community Development Agency staff.
13. 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. Construction involving modifications that do not substantially comply with the approval, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications are obtained by the applicant.
14. If archaeological, historic, or prehistoric resources are discovered during construction, construction activities shall cease, and the Community Development Agency staff shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State and Federal law. A registered archeologist, chosen by the County and paid for by the applicant, shall assess the site and shall submit a written report to the Community Development Agency staff advancing appropriate mitigations to protect the resources discovered. No work at the site

may recommence without approval of the Community Development Agency staff. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Community Development Agency staff. If the report identifies significant resources, amendment of the permit may be required to implement mitigations to protect resources. Additionally, the identification and subsequent disturbance of an Indian midden requires the issuance of an excavation permit by the Department of Public Works in compliance with Chapter 5.32 (Excavating Indian Middens) of the County Code.

Marin County Community Development Agency – Environmental Health Services Division

15. BEFORE ISSUANCE OF A BUILDING PERMIT, Building Permit plans shall be revised to show the location of all plumbing lines (sewage and water).
16. BEFORE ISSUANCE OF A BUILDING PERMIT, Building Permit plans shall be revised to show the “office” with one or more of the following features: (1) a large, arched doorway without a door, which opens onto the entryway or a main activity area; (2) use of a half wall or railing along at least one side of the room; and/or (3) a conversation pit which interrupts the floor area.
17. BEFORE ISSUANCE OF A BUILDING PERMIT, EHS will require a complete monitoring and maintenance inspection by a qualified individual.

Marin County Department of Public Works - Land Use and Water Resources Division

18. An erosion and siltation control plan shall be submitted for work occurring between October 15 and April 15.

Marin County Fire Department

19. BEFORE FINAL INSPECTION, the applicant shall provide confirmation from the Fire Marshal that all requirements of the Marin County Fire Department have been met.

North Marin Water District

20. BEFORE FINAL INSPECTION, if fire sprinklers are required, replacement of the ¾-inch lateral with a 1-inch lateral and the 5/8-inch meter with a 1-inch meter will be required to provide the flow required by the sprinkler system.
21. The project must conform to District Regulation 17 – Mandatory Water Conservation Measures.

SECTION III: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Fields Coastal Permit and Minor Design Review Extension approvals by September 11, 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 Agency Director approves it. An extension of up to two years may be granted for cause pursuant to Sections 22.56.120 and 22.82.130 of the Marin County Code.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Marin County 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 September 18, 2008.

SECTION IV: VOTE

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 11th day of September 2008.

BEN BERTO
DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary