



MARIN COUNTY
 COMMUNITY DEVELOPMENT AGENCY
 BRIAN C. CRAWFORD, DIRECTOR

**STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR
 LOGAN COASTAL PERMIT AND DESIGN REVIEW CLEARANCE**

Item No:	C4	Application No:	CP 09-1 and DC 09-2
Applicant:	Harry W. and Suzanne Logan	Owner:	Harry W. and Suzanne Logan
Property Address:	354 Mesa Road, Point Reyes Station	Assessor's Parcel:	119-161-14
Hearing Date:	May 28, 2009	Planner:	Scott Greeley

RECOMMENDATION:

Approve with Conditions

APPEAL PERIOD:

June 4, 2009

LAST DATE FOR ACTION:

June 15, 2009

PROJECT DESCRIPTION:

The applicants are requesting a Coastal Permit and Design Review Clearance approval to construct a 672 square foot detached garage on a property that is developed with a residence. The applicants are proposing to use a brown paneling for the walls, dark green trim, and a gray, metal roof. The garage would attain a maximum height of approximately 15 feet and would maintain the following approximate setbacks: 20 feet from the northerly front property line, approximately 232 feet from the southerly rear property line, 10 feet from the easterly side property line, and approximately 125 feet from the westerly side property line.

GENERAL INFORMATION:

Countywide Plan:	C-AG3 (Coastal, Agricultural, 1 dwelling unit per 1-9 acres)
Zoning:	C-ARP-1 (Coastal, Agricultural-Residential, Planned, 1 acre minimum lot size)
Community Plan Area:	Point Reyes Station Community Plan
Lot size:	1.38-acres
Adjacent Land Uses:	Rural residential and agricultural
Vegetation:	Native trees and shrubs and mixed grasses
Topography and Slope:	Gentle to moderately sloping
Environmental Hazards:	N/A

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(e) of the CEQA Guidelines because it entails the construction of a new garage, which is incidental to the primary residence and will not result in substantial grading, vegetation removal or other potentially significant impacts to 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 600 feet of the subject property. No comments, adverse or otherwise have been received by staff in response to the public notice for the proposed project.

PLAN CONSISTENCY:

The proposed project is generally consistent with the goals and policies of the Marin Countywide Plan, the Point Reyes Station Community Plan, the Local Coastal Program and Titles 22I (Interim Zoning) and 24 (Development Standards) of the Marin County Code, because it will not result in tree removal, significant grading, or other adverse impacts on the environment. Due to its small size and traditional design, the garage would be compatible with the rural character of the local community. Please refer to the plan consistency findings contained in the attached resolutions for more information.

PROJECT ANALYSIS:

The applicant is proposing to construct a 672 square foot detached garage. The 1.38-acre property is primarily gently sloping, with native trees and shrubs and mixed grasses on the property. The applicant has applied for Design Review Clearance for the garage because it is a new structure in a C-ARP- 1 zone, which is a planned zoning district. Coastal Permit approval is required because the project is in the coastal zone.

The project is a permitted accessory use to the primary residence for the C-ARP-1 zoning district. As outlined in the attached resolution, the proposed garage complies with the design standards found in the Countywide Plan and Point Reyes Station Community Plan.

The Department of Public Works, North Marin Water District, Environmental Health Services, Marin County Fire Department, Point Reyes Station Village Association, and California Coastal Commission have reviewed, commented, and provided conditions of approval with regards to the full scope of the project, which are identified in the attached resolution.

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

- Attachments:**
1. *Recommended Resolution approving of the Logan Coastal Permit and Design Review Clearance*
 2. *CEQA Exemption*
 3. *Assessor's Parcel Map*
 4. *Driving Directions and Location Map*
 5. *Project Plans*
 6. *Color Samples*
 7. *Marin County Department of Public Works Memo, dated 4/14/09*
 8. *Marin County Environmental Health Services (Sewage) Memo, dated 8/6/08*
 9. *Marin County Fire Department email, received 8/2/08*
 10. *North Marin Water District Memo, dated 7/25/08*
 11. *California Coastal Commission Memo, dated 9/22/08*

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR
RESOLUTION NO. 09-
A RESOLUTION APPROVING THE LOGAN COASTAL PERMIT AND DESIGN REVIEW
CLEARANCE
354 MESA ROAD, POINT REYES STATION
ASSESSOR'S PARCEL 119-161-14

SECTION I: FINDINGS

- I. WHEREAS, Harry and Suzanne Logan, are seeking Coastal Permit and Design Review Clearance approvals to construct a 672 square foot detached garage on a property that is developed with a residence. The applicants are proposing to use a brown paneling for the walls, dark green trim, and a gray, metal roof. The garage would attain a maximum height of 15 feet and would maintain the following approximate setbacks: (1) 20 feet from the northerly front property line; (2) approximately 232 feet from the southerly rear property line; (3) 10 feet from the easterly side property line, and (4) approximately 125 feet from the westerly side property line. **The subject property is located at 354 Mesa Road at Point Reyes Station, and is further identified as Assessor's Parcel 119-161-14.**
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly-noticed public hearing May 28, 2009, 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 the construction of a new garage, which is incidental to the primary residence and will not result in substantial grading, vegetation removal or other 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-AG3 (Coastal, Agricultural, 1-9 acre minimum lot size) land use designation;
 - B. The project will comply with CWP policies minimizing air, water, and noise pollution and comply with applicable standards for air quality. The project will cause short-term increases in construction-related emissions and short-term construction-generated noise impacts will be minimized by limiting the hours of construction to the hours of 7:00a.m. and 5:00p.m., Monday through Friday, and between the hours of 9:00a.m. and 4:00p.m. on Saturday. (CWP Policies, Noise Policies, NO-1.1, NO-1.3);
 - C. The project has been designed and conditioned to avoid hazards from erosion, landslide, floods, and fires, and will result in a built environment which is healthful, safe, quiet, and of good design both functionally and aesthetically. (CWP Policies, Environmental Hazards Policies, EH-2.3, EH-3.1, EH-4.1, EH-4.2, Community Design Policies DES-1.1 DES-1.2, DES-4.1, DES-4.c, DES-5.1);
 - D. The project will comply with Marin County development standards related to parking, grading, drainage, flood control, and utility improvements as verified by the Department of Public Works. (CWP Policies, Biological Policy, BIO-4.20);

- E. The project site is not within a sensitive habitat and does not support special status species and will therefore not result in impacts to special-status species (CWP Policies Biological Resources, BIO-1.1 and BIO-2.1);
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the pertinent Residential Development Design Review Guidelines and Natural Resources policies of the Point Reyes Station Communities Plan for the following reasons:
 - A. The scale and design of the project is compatible with other structures found in the community (PRSCP Policy PA-3.7).
 - B. The project is consistent with new residential development criteria outlined in the community plan (PRSCP Policies RL-3.1, RL-3.2a, RL-3.2b, RL-3.2c, RL-3.2d, RL-3.3b, and RL-3.4b, RL-3.3c).
- VI. 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 has been reviewed and accepted by the North Marin Water District. Therefore, the project is consistent with this finding.
 - B. Septic System Standards

The proposed project has been conditioned to meet septic system standards by Environmental Health Services, including having the existing septic system inspected prior to Building Permit issuance. Therefore, the project is consistent with this finding.
 - C. Grading and Excavation

The project, as designed, is located on a very light slope and will keep grading to a minimum. Therefore, the project is consistent with this finding.
 - D. Archaeological Resources

A review of the Marin County Archaeological Sites Inventory indicates that the subject property is considered to be in an area of high archaeological sensitivity. 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. Therefore, the project is consistent with this finding.
 - E. Coastal Access

The subject property is not located adjacent to the shoreline and therefore will not affect coastal access. Therefore, the project is consistent with this finding.

F. Housing

The proposed project will have no impact upon the availability of affordable housing stock within the Point Reyes Station community because it does not entail the demolition or conversion of any affordable housing. Therefore, the project is consistent with this finding.

G. Stream and Wetland Resource Protection

The proposed project is located outside the vicinity of any recognized sensitive streams or creeks subject to streamside conservation policies of the Local Coastal Program. Therefore, the project is consistent with this finding.

H. Dune Protection

The proposed project entails the construction of a detached garage in Point Reyes Station and would not disturb natural dunes because it is not adjacent to the shoreline. Therefore, the project is consistent with this finding.

I. Wildlife Habitat

Based on review of the California Natural Diversity Database, no evidence of impact to wildlife habitat was found. Therefore, the project is consistent with this finding.

J. Protection of Native Plant Communities

Based on review of the California Natural Diversity Database, this region of Point Reyes Station is potentially suitable habitat for the Marsh microseris, a perennial flowering herb. Marsh microseris is known to exist in vernal moist to saturated sites in coastal terrace prairies or along the coast. The site conditions are not appropriate for the presence of the plant because there are no wetlands or coastal terrace prairie evident on the property. Therefore, the project is consistent with this finding.

K. Shoreline Protection

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone. Therefore, the project is consistent with this finding.

L. Geologic Hazards

The project site is outside of the LCP Unit I Geologic Hazards Maps and the finding is therefore not applicable. Therefore, the project is consistent with this finding.

M. Public Works Projects

The proposed project has not been identified by the Department of Public Works or by any other agency as having an affect on any existing or proposed local public works projects in the area. Therefore, the project is consistent with this finding.

N. Land Division Standards

No land division or property line adjustment is proposed as part of this project. Therefore, the project is consistent with this finding.

O. Visual Resources

The proposed project entails the construction of a detached garage. Based on the scale of the proposed project and its design matching the existing community character, it would not have any visual impact. Therefore, the project is consistent with this finding.

P. Recreation/Visitor Facilities

The project is located on the rural outskirts of the Point Reyes Station community and accessed by a private driveway coming off of Mesa Road. The project will not have any impact upon recreation or visitor facilities. Therefore, the project is consistent with this finding.

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. Therefore, the project is consistent with this finding.

VII. Whereas, the Marin County Deputy Zoning Administrator finds that the Mandatory Findings for a Design Review per Section 22.82.040I of the Marin County Zoning Code can be made. The proposed project is within the intent and objectives for Design Review, based on the following findings:

A. **It is consistent with the countywide plan and any applicable community plan and local coastal program;**

The proposed project entails the construction of a garage in a planned, agricultural-residential community and is a permitted use and is incidental to the primary residence. As noted above in Section I: Findings, subsections IV and V, the proposed project complies with the C-AG3 policies of the General Plan and the Point Reyes Station Community Plan. Therefore, the project is consistent with this finding.

B. **It will properly and adequately perform or satisfy its functional requirements without being unsightly or creating substantial disharmony with its locale and surroundings;**

The proposed project entails the construction of a 672 square foot detached garage. In order to avoid creating an unsightly impact or disharmony with the surrounding community, the garage has been designed to utilize colors and materials found in the environment. In addition, the project is being conditioned to utilize a non-reflective, darker gray roof than presently exists on the primary residence to minimize glare and further blend with the surrounding environment. Therefore, the project is consistent with this finding.

C. **It will not impair, or interfere with, the development, use, or enjoyment of other property in the vicinity, or the orderly and pleasing development of the neighborhood as a whole, including public lands and rights-of-way;**

The proposed project entails the construction of a 672 square foot detached garage on a greater than 1-acre lot. Due to its scale, location, and minimal amount of necessary grading, the project would have no impact on further development, use, or the enjoyment of this or any other properties in the area. Therefore, the project would be consistent with this finding.

- D. **It will not directly, or in a cumulative fashion, impair, inhibit or limit further investment or improvements in the vicinity, on the same or other properties, including public lands and rights-of-way;**

The project is located on a private driveway off Mesa Road and is to be situated close to the primary residence. The proposed use is a permitted accessory and incidental use to the primary residence on a greater than 1-acre lot. Based on the scale of the project and the size of the parcel it is to be situated upon, along with the size of surrounding properties, the project would have no impact on further investment or improvements on this or any other properties in the area. Therefore, the project would be consistent with this finding.

- E. **It will be properly and adequately landscaped with maximum retention of trees and other natural material;**

No existing trees have been identified for removal with the proposed project. Therefore, the project would be consistent with this finding.

- F. **It will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or juxtaposition. Adverse effects may include, but are not limited to, those produced by the design and location characteristics of:**

1. The scale, mass, height, area and materials of buildings and structures,

The garage would comply with the development standards for accessory structures and new development identified in the General Plan, Point Reyes Station Community Plan, and Development Ordinance.

2. Drainage systems and appurtenant structures,

The project would not result in substantial changes to existing drainage patterns because it will require minimal grading and not result in a significant amount of new impervious surfaces. In addition, the Department of Public Works will review and approve a drainage plan prior to Building Permit issuance.

3. Cut and fill or the reforming of the natural terrain, and structures appurtenant thereto such as retaining walls and bulkheads,

The proposed project would result in a minimal level of ground disturbance because the site where the garage is proposed to be located is relatively flat.

4. Areas, paths and rights-of-way for the containment, movement or general circulation of persons, animals, vehicles, conveyances and watercraft,

The proposed project entails the construction of a 672 square foot garage and is located off a private driveway which comes off Mesa Road on the rural outskirts of the community of Point Reyes Station. It will not increase the intensity of use or disrupt existing circulation routes. Therefore, it would have no impact on pedestrian, animal, or vehicular access.

5. Other developments or improvements which may result in a diminution or elimination of sun and light exposure, views, vistas and privacy;

The garage would attain a maximum height of 15 feet and be located off a private driveway which comes off Mesa Road on the rural outskirts of the community of Point Reyes Station. The nearest residence on adjacent properties is approximately 100 feet from the proposed garage. Therefore, there would be no impact to sun and light exposure, views, or privacy.

Therefore, the project would be consistent with this finding.

- G. **It may contain roof overhang, roofing material, and siding material that are compatible both with the principles of energy-conserving design and with the prevailing architectural style in the neighborhood.**

The materials, coloring, and design will compliment the development which is already found in the environment and surrounding community. In addition, the project is being conditioned to utilize a non-reflective, darker gray roof than presently exists on the primary residence to minimize glare and further blend with the surrounding environment. Therefore, the project would be consistent with this finding.

SECTION II: CONDITIONS OF PROJECT APPROVAL

Marin County Community Development Agency, Planning Division

1. This Coastal Permit and Design Review Clearance approval shall permit the construction of a 672 square foot detached garage. The walls shall consist of a brown paneling, along with a dark green trim, and a gray, metal roof. The garage would attain a maximum height of 15 feet and would maintain the following setbacks from corresponding property lines or road right of way edge: (1) 20 feet from the northerly front property line; (2) approximately 232 feet from the southerly rear property line, (3) 10 feet from the easterly side property line, and (4) approximately 125 feet from the westerly side property line.
2. The roof of the garage shall be composed of a dark grey, non-reflective metal. The applicant shall submit color and materials samples of the metal roof for approval by Planning staff.
3. Plans submitted for a Building Permit shall substantially conform to plans identified as "File Copy," entitled, "NEW GARAGE 354 MESA ROAD," consisting of four sheets, dated June 23, 2009, received July 8, 2009, with revisions dated March 20, 2009 and received on March 26, 2009 and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
4. Approved exterior building materials and colors shall substantially conform to the color samples identified as "Exhibit B," received July 8, 2008, and on file with the Marin County Community Development Agency.

5. 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.
6. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off site shall be permitted for safety purposes only, shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
7. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a Vegetation Management Plan to the Marin County Fire Department for review and approval. A copy of said Vegetation Management Plan shall be submitted to the Community Development Agency.
8. All utility connections and extensions serving the project shall be installed underground.
9. 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.
10. 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.
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 Hoffman Coastal Permit, 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. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit an Erosion and Siltation Control Plan if grading or site disturbance is to occur between October 15 and April 15.
14. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a grading and drainage plan for the project. All drainage facilities shall terminate and be managed within property lines.
15. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall identify the existing and proposed driveway surface. A hardscape driveway may be required [MCC §24.04.300 and 310]
16. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a site plan with a minimum scale of 1/8 inch per foot or 1:10.
17. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a note on the plans stating that the Design Engineer/Architect shall certify to the County in writing that all grading, drainage, and retaining wall construction was done in accordance with plans and field directions. Driveway, parking, and other site improvements shall be inspected by a Department of Public Works engineer prior to final inspection.

Marin County Environmental Health Services

18. BEFORE ISSUANCE OF A BUILDING PERMIT, the septic system must be inspected. Submit the inspection report to EHS.

North Marin Water District

19. If fire sprinklers are required, replacement of the 3/4 -inch lateral and the 5/8-inch meter will be necessary in order to provide the flow required by the sprinkler system. If applicable, the applicant should contact the North Marin Water District to arrange for this upgrade and occupancy approval shall not be granted until the water service upgrade is complete.
20. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide written confirmation from the North Marin Water District that the project conforms to District Regulation 17 pertaining to Mandatory Water Conservation Measures.

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 approval by complying with all conditions of approval, obtaining Building Permits for the approved work, and substantially completing approved work before June 28, 2011, 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 Deputy Zoning Administrator approves it. An extension of up to four years may be granted for cause pursuant to Section 22.56.120I of the Marin County Code.

The Building Permit approval expires if the building or work authorized in this does not commence within one year from issuance of such permits. A Building Permit is valid for two years during which construction is required to be completed. All permits shall expire by limitation and become null and void if the building or work authorized by such permit is not completed within two years from the date of the permit. Please be advised that if your Building Permit lapses after the vesting date stipulated in the approval, and no extensions have been granted, the Building Permit may become null and void. Should you have difficulties in meeting deadlines for completing the work pursuant for a Building Permit, the applicant may apply for an extension at least ten days before the expiration.

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 **June 4, 2009**.

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 28th day of June 2009.

THOMAS K. LAI
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary