



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

## STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR SUTTON COASTAL PERMIT AND DESIGN REVIEW

Item No:	H1	Application No:	CP 09-17 and DR 09-31
Applicant:	Davis Sutton Gary Serrano	Owner:	David Sutton Gary Serrano
Property Address:	6976 Panoramic Highway Stinson Beach	Assessor's Parcel:	195-233-09
Hearing Date:	October 15, 2009	Planner:	Veronica Corella- Pearson
	<b>RECOMMENDATION:</b>		<b>Approved with Conditions</b>
	<b>APPEAL PERIOD:</b>		<b>5 working days to the Planning Commission</b>
	<b>LAST DATE FOR ACTION:</b>		<b>October 20, 2009</b>

### PROJECT DESCRIPTION:

The owners and applicant, David Sutton and Gary Serrano have applied for Coastal Permit and Design Review approval for a new residence at 6976 Panoramic Highway in Stinson Beach. The property is developed with a 540 square foot "barrel house." The proposed new residence would be located to the west of the barrel house. The new residence would be 4,222 square feet in size, which includes an 824 square foot attached garage and a pool to the rear. The new residence would have a height of 19 feet, and have following setbacks: front (west) 30 feet, and side (north) 20 feet, and over 50 feet to the rear (east) and side (south). The proposed project would be finished with metal roofing in grey, sand-finished stucco siding in tan, and cream colored stucco railing. Also proposed is a new septic system, and an asphalt concrete driveway with a length of 116 feet.

### GENERAL INFORMATION:

Countywide Plan:	C-SF3 (Coastal, Single-family, 1 unit/1-5 acres)
Zoning:	C-RA-B6 (Coastal, Single-family Residential, 3 acres minimum lot area)
Lot size:	3 acres
Adjacent Land Uses:	Residential
Vegetation:	Non-native grassland, California Bay, and Coyote brush
Topography and Slope:	Moderate to steeply sloping
Environmental Hazards:	None identified

## **ENVIRONMENTAL REVIEW:**

The Environmental Coordinator has determined that this project is Categorical Exempt from the requirements of the California Environmental Quality Act pursuant to Section 15303, Class 3 of the CEQA Guidelines because it entails construction of a single-family residence that would not impact sensitive habitats, nor involve adverse grading or tree removal.

## **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. To date, two letters has been received regarding the project. One was from the adjacent neighbor at 7000 Panoramic regarding drainage from the new construction, the required setback distance from blue lined streams and the slope stability of the site, which is discussed further under Project Analysis. The property does not designated blue lined streams, but does have an intermittent stream, and the project does comply with the setback requirements from the Wetland Conservation Area (WCA), and the Stream Conservation Area (SCA). A drainage plan will be required to be reviewed and approved by the Department of Public Works prior to issuance of a building permit. All drainage generated onsite and all drainage structures will be required to remain within the property lines. Due to the steepness of the site, the applicant will also be required to provide a Stormwater Control Plan in compliance with Ordinance 3486. The second letter was from 6986 Panoramic Highway, regarding issues with the siting of the residence and its close proximity, and potential impacts to the passive solar design of their house. Staff has visited the site and has used mapping tools to estimate that the proposed new residence would be over 120 feet from 6986 Panoramic and would have a side yard setback of 20 feet to the north. Staff analyzed the potential visual impacts of the new residence, which is discussed further below, and has found that with new vegetation, the visual impacts of the residence would be minimized. Further, 6986 attains a maximum height of 25 feet, 8 inches, and the proposed new residence would have a maximum height of 19 feet, and staff finds that since it is located to the south of the residence, and would not be located within the path of sun travel, it would not result in shadowing that would block the residence from receiving adequate sunlight.

## **PLAN CONSISTENCY:**

The proposed project is consistent with the goals and policies of the Marin Countywide Plan and the Stinson Beach Community Plan. Please refer to the plan consistency findings contained in the attached resolution.

## **BACKGROUND:**

The project site is developed with a 540 square foot "barrel house" that is currently a vacation rental. The house contains a bathroom with a snack bar. The barrel house is located between two drainage courses that are not designated blue line streams, but the house is within a Wetland Conservation Area (WCA). Assessor's Records show that the structure has been on the property since 1972 and received building permit approval for the structure and the existing septic system.

In 2007, the applicants received Coastal Permit approval for removal of native vegetation that was within the WCA. A Native Vegetation Replanting Plan was prepared by WRA, and reviewed and accepted. The Coastal Permit was approved with a requirement that vegetation was to be

replanted within 60 days, unless an extension was approved by the Planning Division. The planting has since been completed and inspected by staff.

## **PROJECT ANALYSIS:**

### *Biological Resources*

A Coastal Wetland Delineation and Biological Assessment was completed by WRA. The proposed project was evaluated to determine if the site contained special status plant and wildlife species and sensitive habitat, and to determine the approximate location and extent of sensitive habitat areas, including wetlands, streams and riparian areas that are subject to regulations. A list of special status species that have the potential for occurrence on the subject property was compiled and a site visit was conducted. It was found that three special status wildlife species, Pallid Bat (*Antozous pallidus*), Cooper's hawk (*Accipiter cooperi*) and Loggerhead shrike (*Lanius ludovicianus*), have a moderate potential for occurring on the property. No special status wildlife species were observed and none were found to have a high potential for occurring on the property based on existing habitat conditions. The applicant has also proposed to commence construction of the project outside of bird breeding season (February 1 through August 31).

Based on vegetation communities present, existing habitat conditions, and soils observed on site, none of the plant species have a moderate or high potential to occur on the property. All special status plant species are either unlikely to occur, or would not be present due to a lack of habitat or other environmental factors. Staff has observed that a number of invasive species are still located within the area that was replanted in 2007. In recent correspondence from WRA regarding the matter, a number of recommendations were given on removal of these species. Staff has recommended a condition of approval that requires that all recommendations for invasive species removal, in the WRA letter dated June 15, 2009, be incorporated into the project. The applicant must provide a letter from a Biologist confirming that all actions have been taken to remove the invasive species. This letter must be provided to the Community Development Agency – Planning Division, prior to Final Inspection of the proposed residence.

### *Wetlands*

The property is located on a west facing slope with the center of the parcel containing multiple seeps located north and south of the barrel house, for which a wetland area was designated based on soils, vegetation and hydrology, and for conformance with the definitions of a wetland by the California Coastal Commission. The designated wetland area is approximately 0.26 acres in size. A 100 foot buffer was mapped and delineated, which entails majority of the parcel, with the exception of the area proposed for development.

### *Streams and Riparian Areas*

On the southern property line there is a creek (no blue-line designation) that traverses the property line and exits on the southwest corner of the parcel. The riparian vegetation is located predominantly in the southern portion of the parcel, with a 100 foot buffer that extends into the middle of the designated wetland.

### *Site Analysis and Building Design*

The applicant has proposed a single-family residence that would be two stories and would be located to the north of the designated wetland. The pool and septic system would be to the east of the proposed residence. The driveway to the residence would be to the west of the residence and would be approximately 116 feet in length and would require the removal of Coyote brush. The site is moderate to steeply sloping and will require conformance with Ordinance 3486, which

requires a Stormwater Control Plan for sites with an average slope of greater than 25%, and the applicant will be required to provide a drainage plan, and erosion and siltation control plan if construction is to occur during the rainy season.

Due to site constraints, the applicant has tried to construct the residence outside of the WCA and to minimize the disruption of native vegetation, while positioning the house close to the access road to minimize grading. Based on the most recent correspondence from WRA, it was found that the amount of coyote brush removed would not be significant since the site at one time supported grassland habitat, and coyote brush is a successional species has transitioned into the area in the past few decades as grazing has been curtailed.

The proposed new residence would be 3,398 square feet in size with an attached 824 square foot garage. The applicant has proposed to retain the existing 540 square foot barrel house. Currently, the barrel house meets the County's definition of a guest house. The new residence would have a large wrap around deck on the upper level. The lower level of the residence would be tucked into the hillside to minimize mass and scale. The residence would reach a maximum height of approximately 19 feet, which is in keeping with the 25 foot height limit required in Section 22.57.200. The applicant has proposed to build a residence that would meet the "Platinum" rating under the New Home Green Building Residential Design Guidelines. Staff has recommended a condition of approval that will require that the applicant provide confirmation that they have meet the "Platinum" rating prior to receiving a final inspection on the new residence.

A search was conducted of all properties within 600 feet of the parcel, and an average home size and Floor Area Ratio was determined. Based on information obtained from Assessor's Records, the largest home is 3,080 square feet in size, and the average home size 2,342 square feet. Therefore the proposed new residence would be the largest home in the immediate vicinity. Based on a site visit and review of the storey poles, staff finds that with the structure being tucked into the hillside, the amount of visual mass would be greatly reduced. Further staff has recommended a condition of approval that would require that the applicant proposed a new stucco color that would be a medium to dark earth tone, which would aid in further minimizing the appearance of the residence from public vantage points.

#### *Visual Resources*

The proposed new residence would be located a substantial distance from the adjacent neighbors at 6950, 7000, and 6250 Panoramic Highway. Most affected by the new residence is 6986 Panoramic Highway, which is approximately 120 feet from the proposed residence. The proposed residence would not significantly impact ocean views from the proposed new residence would be to the south of 6986 Panoramic, but the project would minimize views of the open grassland, and wetland/riparian areas. Staff has recommended that three Coast live oaks, a minimum container size of 24 gallons, be planted along the property line with 6986 Panoramic to reduce the visual impacts of the proposed new residence, and a site plan must be provided to Planning prior to issuance of a building permit that depicts the location of the required trees.

#### *Infrastructure*

The subject property is currently being served by the Stinson Beach Community Services District for water, and the new septic system requires review and approval by the District. The owner received approval of their new septic system in December of 2008, and staff was contacted on June 29, 2009 confirming the approval. Since then, the District has indicated that they are evaluating the projects compliance with the approval granted in December of 2008. Staff has recommended a condition of approval that the applicants provide written project approval by the

Stinson Beach Community Water District along with a copy of the plans that have been approved prior to issuance of a building permit.

#### *Existing Development*

The existing barrel house is considered to be "legal non-conforming" by CDA-Planning. The existing barrel house is being evaluated by Stinson Beach Community Water District along with the proposed residence to determine if the total conditioned area would exceed their allocation. If the barrel house and is to be removed based on the requirements of the Stinson Beach Community Water Districts requirements, all existing plumbing connections to the septic system and water line must remain in place and not be removed in order to prevent adverse impacts to the wetlands. The applicant has expressed willingness to remove all plumbing from the structure, which would be preferable to prevent negative environmental impacts.

#### **CONCLUSION**

Overall, staff finds that the proposed single-family residence is in keeping with the local community character, and with the conditions of approval, the project would not negatively impact its surroundings. Based on a review of the provided biological reports and letters, no impacts to listed species would occur from the project, and the project would be designed to incorporate a number of green building design features that reduce its energy reliance. The proposed residence has also been sited in the best possible location to meet WCA and wetland buffer requirements under the Marin Countywide Plan and the Local Coastal Program, and to reduce grading. Further, staff has finds that the project would not impact adjacent neighbors, due to its large setbacks from existing residences and with the conditions of approval, all drainage plans will be extensively reviewed at the building permit stage. It was also determined that if the project is reduced in size to meet the requirements of the Stinson Beach Community District, it would not substantially conflict with a recommendation for approval or with a determination that the project is consistent with the Marin County Community Plan and Stinson Beach Community plan and is in conformance with the required findings for Design Review and Coastal Permit approval.

#### **RECOMMENDATION:**

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

#### Attachments:

1. Proposed Resolution recommending approval of the Sutton Coastal Permit (CP 09-17) and Design Review (DR 09-31)
2. CEQA Exemption
3. Location Map
4. Assessor's Parcel Map
5. Overall Site Plan, dated 3/26/2009
6. Design Plans, prepared by Michael Moyer, 7 pages
7. Exterior materials sample
8. Stinson Beach County Water District, Design Review Approval Permit, dated 9/4/07
9. Stinson Beach County Water District, letter received 7/12/09
10. Stinson Beach County Water District, letter received 7/22/09

11. Stinson Beach County Water District, email received 9/30/09
12. Stinson Beach County Water District, letter received October 6, 2009
13. Department of Public Works, transmittal dated 7/14/09
14. WRA Coastal Wetland Delineation and Biological Assessment, dated 12/2008
15. WRA, letter received 6/15/09
16. Wendy Hunt, email received 10/01/09
17. Elizabeth Sapanai, email received 10/08/09