

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION 11-115

A RESOLUTION APPROVING THE CALIFORNIA DEPARTMENT OF TRANSPORTATION  
COASTAL PERMIT 2011-0116  
STATE HIGHWAY 1 AT POST MILE 10.95  
APPROXIMATELY 1.2 MILES SOUTH OF STINSON BEACH  
ADJACENT TO ASSESSOR'S PARCEL 199-040-53

\*\*\*\*\*

**SECTION I: FINDINGS**

- I. WHEREAS the California Department of Transportation submitted a Coastal Permit to undertake repair and maintenance activities on an approximately 300-foot stretch of State Highway 1 in Marin County at post mile 10.95 (approximately 1.2 miles south of Stinson Beach). The proposed project entails construction of a 230-foot long tie-back soldier pile retaining wall varying from 0 feet to 17 feet in height. The project also includes installation of a metal beam guard rail barrier and cable railing. The proposed project is necessary to repair roadway damage due to soil movement underneath the roadway, and to prevent further sliding. The project is adjacent to Assessor's Parcel 199-040-53.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on Thursday, April 28, 2011 to consider the merits of the project, and hear testimony regarding the project. The Community Development Agency, Planning Division has provided public notice identifying the applicant(s), describing the project and its location, and giving the scheduled date of the public hearing in accordance with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property and to interested parties and organizations.
- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the California Department of Transportation, as the lead agency for the project, determined that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1 because it entails repair and maintenance of an existing major highway that provides access to residents of and visitors to Stinson Beach, and would not result in potentially significant impacts to the environment. As a responsible agency, the County Planning Division is not required to supplement the California Department of Transportation's CEQA determination.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Coastal Permit approval (Section 22.56.130 of the Interim Marin County Code) pursuant to the requirements and objectives of the Local Coastal Program, Unit I as described below.
  - A. Water Supply:

The proposed project does not require or entail the construction of a water supply system.
  - B. Septic System Standards:

The proposed project does not require or entail the construction of a septic system.

C. Grading and Excavation:

The grading associated with the project is to repair a major roadway that provides access to Stinson Beach and other populated areas to the north. The amount of grading that will occur is the least amount necessary to conduct the necessary repairs, and to allow for safe passage through this section of Highway 1.

D. Archaeological Resources:

The proposed project involves the excavation of materials from a previously disturbed area. Although the project is located in an archaeologically sensitive area, the area has already been disturbed during their original construction and this project would not uncover previously undisturbed areas. Therefore, it is highly unlikely that the project would disturb cultural resources.

E. Coastal Access:

The project is not located adjacent to portions of the shoreline that provide access to the general public. The project will not interfere with the roadway leading to the Steep Ravine cabins. Furthermore, the project would not restrict the public's ability to access the shoreline in the surrounding areas.

F. Housing:

The proposed project does not involve the demolition or conversion of housing affordable to households of lower or moderate income.

G. Stream and Wetland Resource Protection:

The project will not be located within 100 feet of a blue-line creek and will be located south of Webb Creek.

H. Dune Protection:

The project site is not located in a dune protection area as identified by the Natural Resources Map for Unit I of the Local Coastal Program.

I. Wildlife Habitat:

The project site is not located as an area that contains significant vegetation on the natural resource maps on file with the Marin County Planning Department, and the repair work will not remove significant amounts of vegetation because the area has been previously disturbed and does provide habitat to any endangered or threatened plant or animal species.

J. Protection of Native Plant Communities:

The project site does not contain a significant number or type of nonindigenous, invasive plant species which would threaten the preservation or reestablishment of native plant species, either on or off the site.

K. Shoreline Protection:

The project is not located within a designated bluff-top erosion zone. Furthermore, the repair work is required to provide continued access to coastal-dependant land uses that occur in Stinson Beach and other nearby coastal communities.

L. Geologic Hazards:

Highway 1 is constructed in an area that is notoriously susceptible to soil movement. The repair project is to prevent future soil instability near and around this stretch of Highway 1.

M. Public Works Projects:

The proposed project will not detract from the rural scenic characteristics of the existing roadway, does not entail water or sewer improvements, and will conform to the resource and visual policies of the Local Coastal Program.

N. Land Division Standards:

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

O. Visual Resources:

The project consists of limited vegetation removal during the repair of an existing roadway and would not adversely affect the visual resources in the area.

P. Recreation/Visitor Facilities:

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:

The project site is not located within the designated historic preservation boundaries as identified in the Marin County Historic Study for the Local Coastal Program.

**SECTION II: CONDITIONS OF APPROVAL**

NOW THEREFORE BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the California Department of Transportation Coastal Permit 2011-0116 subject to the conditions of approval listed below.

1. Pursuant to Marin County Code Section 22.56.130I, and consistent with "Exhibit A," entitled, "Highway 1 Repair and Maintenance Project (EA 04-4S220) – Marin County Post Mile 10.95," prepared by the California Department of Transportation, this approval hereby authorizes repair and maintenance activities on an approximately 300-foot stretch of State Highway 1 in Marin County at post mile 10.95 (approximately 1.2 miles south of Stinson Beach just south of Webb Creek and the turnoff for the Steep Ravine Cabins). The approved project entails construction of a 230-foot long tie-back soldier pile retaining wall varying from 0 feet to 17 feet in height. The project approval also includes installation of a metal beam guard rail barrier and cable railing.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. The Community Development Agency Director may administratively authorize modifications to the approved project and land use requirements that are determined to be minor and consistent with the findings herein.

**SECTION III: VESTING AND APPEAL RIGHTS**

NOW, THEREFORE BE IT RESOLVED that the project is vested upon approval and termination of the appeal period and shall be valid for a period of 2 years. An extension of up to four additional years may be granted for cause pursuant to Section 22.56.120I of the Marin County Code if the applicant applies for an extension at least 30 days before the expiration date above and the Deputy Zoning Administrator approves it.

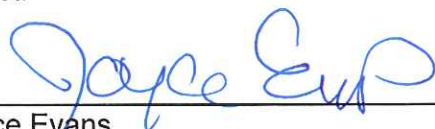
NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m. on May 5, 2010.**

**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 28<sup>th</sup> day of April, 2010.

  
 \_\_\_\_\_  
 JOHANNA PATRI, AICP  
 MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

  
 \_\_\_\_\_  
 Joyce Evans  
 DZA Secretary