



STAFF REPORT TO THE MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

**KIRSCHMAN MITIGATED NEGATIVE DECLARATION, MASTER PLAN WAIVER,
COASTAL PERMIT, LAND DIVISION, AND PRECISE DEVELOPMENT PLAN**

Items:	1A and 1B	Project ID:	2009-0377
Applicant:	Richard Kirschman	Owner:	Richard Kirschman
Property Address:	5959 State Route One, Bolinás	Assessor's Parcel:	188-100-35
Hearing Date:	November 17, 2011	Planner:	Neal Osborne

RECOMMENDATION: Grant a Mitigated Negative Declaration of Environmental Impact and Approve with Conditions

APPEAL PERIOD: Five working days to the Planning Commission

PROJECT DESCRIPTION:

The project is a proposal to divide a 10-acre lot into two lots and establish development standards for construction of a new residence within a proposed building envelope. Parcel A would be 6.93 acres and Parcel B would be 3.07 acres in size. The site is currently developed with a residence, accessory buildings, a driveway, two water wells, and a septic system. The 10-acre lot slopes down from the western boundary towards the east to Copper Mine Creek and a small pond. All existing improvements are located on proposed Parcel A, and proposed Parcel B is currently a mixed woodland area. No construction is proposed with this application; however, the land division would create a new separate legal lot with an 11,000 square foot building envelope for future construction of a new single-family residence, and a separate area downslope for a future septic system leach field. The building envelope is proposed approximately 130 feet southeast of the existing residence. A new 175-lineal-foot driveway would branch off the existing driveway to provide access to the future residence. Domestic water supply for the future residence would be from existing Well #2 on proposed Parcel A through a 15-foot water facilities easement. Access and utilities to Parcel B would be provided through a 40-foot roadway and utilities easement across Parcel A, a portion of Kirschman's property at 5963 State Route One (188-100-27), and an existing easement through the adjacent O'Connor property at 5955 State Route One (AP 188-100-23) to State Route One.

To approve the project, affirmative findings are required pursuant to the following Marin County Interim Code Section(s) (MCC): 22.47.010I (Master Plan Waiver), 22.56.130I (Coastal Permit), 20.56.120I (Tentative Map), and 22.45.050.BI (Development Plan).

The project site is located within the appeal jurisdiction of the California Coastal Commission. Any person may file an appeal of the County of Marin's final decision on the Coastal Development Permit to the California Coastal Commission.

GENERAL INFORMATION:

Countywide Plan

Land Use Designation: C-AG3, Coastal Agricultural, one unit per one acre to nine acres

Community Plan: Bolinas

Zoning: C-ARP-5, Coastal Agricultural Residential Planned District, one unit per 5 acres maximum density

Lot size: 10 acres (AP 188-100-35)

3.023 acres (AP 188-100-27)

Adjacent Land Uses: Single-family residential, Point Reyes National Seashore

Vegetation: Mixed woodland with oak, fir, bay, eucalyptus, and redwood trees, and a riparian corridor along Copper Mine Creek with alder and willow trees, grasses and forbs.

Topography and Slope: The project site slopes down less than 5% to the southwest towards Copper Mine Creek and then uphill from the creek with a 55% slope to a bench with a 17% slope, then uphill with a 35% slope, and to another bench area with less than 5% near the rear property line.

Environmental Hazards: The upland property is located within the Alquist-Priolo Earthquake Study Zone of the San Andreas Fault Zone. Fault traces have been identified in the vicinity of Copper Mine Creek and a possible fault trace bisects the upper portion of the property. Fire hazards associated with the forest in a Wildland Urban Interface (WUI) area.

ENVIRONMENTAL REVIEW:

An Initial Study has been prepared pursuant to the requirements of the California Environmental Quality Act and the Environmental Coordinator of the County of Marin has recommended the grant of a Mitigated Negative Declaration of Environmental Impact with four mitigation measures (refer to Attachments 33, 34, 35, 36, 37, and 38). Before making a decision on the proposed Mitigated Negative Declaration, the Deputy Zoning Administrator will consider all comments submitted on the Initial Study during the public review period from October 5, 2011 through November 4, 2011. Staff received comments from representatives of the Point Reyes National Seashore, the California Coastal Commission, Caltrans, and from adjacent property owners John and Cela O'Connor. The comments are discussed in the following Project Analysis section of this staff report. The primary issues identified include adequacy of the Initial Study regarding Local Coastal Program Unit I Land Use Plan policy consistency analysis for residential development in an agricultural district, and the environmental impact analysis regarding existing and proposed developments within wetlands and stream buffer areas, and an Earthquake Hazard Zone. Additional comments request clarification of the Master Plan Waiver, question whether the project would comply with the minimum lot size of the zoning district, provide notification that an Encroachment Permit would be required from Caltrans for any work in the State Route One right-of-way, and assert that the proposed additional access to the proposed lot is not legal pursuant to terms of the existing easement through the O'Connor property (Please refer to Attachments 8, 9, 10, and 11).

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and giving the public hearing 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 project would be consistent with the goals and policies of the Marin Countywide Plan, the Bolinas Community Plan, and the Marin County Local Coastal Program, Unit I because it involves the division of a 10-acre parcel that would result in a residential density of one unit per five acres where the density range is one unit per one acre to nine acres. The proposed density would be in the middle of the density range of the C-AG3 land use designation and is consistent with Policy CD-5.2, Correlate Development and Infrastructure. The project would be consistent with the policy because Implementing Program CD-5.e, that would limit the density of proposed subdivisions with wells and septic systems or in sensitive habitat areas to the low end of the density range, has not yet been codified in the Coastal Zone.

The property contains sensitive biological resource areas along Copper Mine Creek, the upland forest, and in the wetlands buffer area and ponds. The site is also entirely within the San Andreas Fault Zone and a fire hazard area (WUI) near the boundary of the Point Reyes National Seashore. Mitigation measures and conditions of approval are recommended to reduce potential impacts to less than significant to provide for plan consistency and allow for the future development of a new residence on the proposed residential lot. The project, as modified by conditions of approval, would not result in adverse impacts to coastal resources and would be consistent with the goals and policies of the Marin Countywide Plan, the Bolinas Community Plan, and the Local Coastal Program, Unit I.

ZONING CONSISTENCY:

The project would be consistent with the maximum allowable density of the C-ARP-5 zoning district because the land division would result in two lots on 10 acres. The design of the project would be consistent with the zoning standards and with implementation of the mitigation measures and standard conditions of approval, and would be compatible with the site and surrounding environment. Please refer to the recommended resolution for detailed findings.

PROJECT ANALYSIS:

Background

The Kirschman Land Division in 1976 divided a 10-acre lot into two lots (Parcel One with 3.032 acres, and Parcel Two with 7.018 acres) with a recorded Parcel Map (PM Book 13 at Page 34).

Parcel Two (5959 State Route One) contains the 1,600 square foot residence built by Mr. Kirschman in 1975 with Building Permit 16655 when the zoning designation was A-5 (Agricultural, five acres minimum lot area). A domestic water supply permit was issued August 8, 1974 for a well to provide water to this residence (refer to Attachment 30). In the early 1980s, Mr. Kirschman excavated and constructed the two ponds on the level area northeast of Copper Mine Creek.

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Parcel One (5963 State Route One) contains a 960 square foot residence identified as a caretaker's cottage built by Mr. Kirschman in 1985 with Building Permit 29241, Coastal Permit 85-07, and Design Review 85-33. The zoning was C-ARP-5 (Coastal, Agricultural Residential Planned, one unit per five acres maximum density). On May 29, 1985, Environmental Health Services issued a Revised Permit to Operate Mutual Water Supply System for 5959 State Route One, and a Permit to Operate Mutual Water Supply System for 5963 State Route One with reliance on the well approved in 1974. On January 16, 1990, Building Permit 29241 was cancelled (refer to Attachment 32) because there was no record of a Department of Public Works approval of final inspection because an engineer's certification letter for the foundation, grading and drainage was not submitted. If this issue has not already been addressed, staff recommends that Mr. Kirschman apply to the Chief Building Official to reinstate this Building Permit, and submit the requisite engineer's certification letters to the Department of Public Works.

In 2008, approximately three acres were added to the seven-acre lot to make it 10 acres in size, via a lot line adjustment pursuant to the approved Buckenmeyer et al. Tentative Map Waiver and recorded Parcel Map (PM Book 2008 at Page 215). The Tentative Map Waiver project reduced the number of lots held in common ownership by Buckenmeyer, Kirschman, Faure-Brac, and Crockett from eight to four by adding portions of the shared 18.65-acre property, one to each of the four owners' neighboring properties. (Please see Attachment 29 for the Buckenmeyer et al. Tentative Map Waiver Notice of Administrative Decision, record map, and background information).

Biological Resources and Creeks

The project site may contain sensitive species including federally listed threatened California Red-legged Frog, Northern Spotted Owl, and Steelhead. No sensitive plant or wildlife species were observed by the applicant's wildlife biologist during site visits in 2007 and 2010. As stated in the Initial Study and the biological studies prepared by Carlos Alvarado, a Wildlife Biologist with PBS&J, the potential impacts to these sensitive resources and their habitats can be mitigated to be less than significant. However, suitable nesting habitat may exist in the forest for protected raptors and pre-construction surveys shall be required if tree removal or construction is proposed during the nesting season from March 1st through September 15th. Suitable Steelhead habitat exists in Copper Mine Creek, Cronin Creek adjacent to the north, and these blue-line creeks are tributaries of Pine Gulch Creek and Bolinas Lagoon that also support Coho Salmon. No development or other work is proposed with the 100-foot streamside conservation area and standard erosion control measures shall be required in the areas proposed for development to prevent impacts to the creek, fish, and riparian habitat. Before recordation of the Parcel Map, the applicant shall submit a plan to the Director for review and approval that indicates the location and design details of protection fences that shall be installed before commencement of construction activities along the driveway through buffer areas. A condition before issuance of Building Permits and/or commencement of construction activities, protection fences shall be constructed along the driveway through the wetlands and creek buffer areas to protect these areas. The applicant is willing to construct temporary fences during the construction phase, but does not agree that the fences should be permanent to maintain an open meadow appearance. Staff also recommends a condition of approval for the preparation and implementation of a riparian and wetland buffer area management plan prepared by a qualified biologist to assure habitat is managed to optimize the diversity of plant and animal species, and habitat value. Consideration should be given to the replacement of the driveway culverts crossing of the creek with a full span bridge, improving water quality, and protecting native species.

Wetlands

The National Wetlands Inventory prepared by the United States Fish and Wildlife Service maps the constructed ponds on the property as Freshwater Ponds. The LCP Lagoon Protection Policy 18 requires a 100-foot buffer area around the ponds and associated wetlands where no development, unless dependent on the resources are allowed as follows:

“To the maximum extent feasible, a buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands as delineated by the Department of Fish and Game and in accordance with Section 30121 of the Coastal Act and with the criteria developed by the U.S. Fish and Wildlife Service. No uses other than those dependent upon the resources shall be allowed within the buffer strip.”

No work is currently proposed within the wetlands or the 100-foot wetlands buffer, however the existing 10-foot wide common driveway and two domestic water supply wells and their associated pumps and pipelines are located within the buffer area. No improvements are proposed to the existing driveway and the submitted plans show no proposed modifications to the well infrastructure to add one residence to the mutual water system currently in use by the residences at 5955 and 5963 State Route One. Additional traffic associated with construction vehicles and the future residence would access through this buffer area. The provision of water supply infrastructure within the wetlands buffer could be considered a type of use that relies on the water resources found in the wetlands and could be permitted if determined to be consistent with all LCP policies. Implementation of a riparian and wetlands management plan should be required to maintain and restore the wetlands to compensate for the previous site disturbance. Two wells currently exist within the wetlands buffer area. Environmental Health Services granted a permit for Well 1 located 65 feet south of the creek in 1974 when a Building Permit was obtained for construction of the residence at 5959 State Route One. In 1985, Environmental Health Services issued a “Revised Permit to Operate Mutual Water Supply System” for two wells that serve the residences at 5959 and 5963 State Route One. Well 2 is located 310 feet north of the creek and was apparently drilled in 1987. This well currently provides the water for the mutual system. Well 1 has been disconnected from the system due to poor water quality. The August 25, 2009 well test results indicate Well 2 provides 21 gallons per minute with no noticeable drawdown over a 3-day test period. Based on these test results, with no drawdown of the water table, the project is not expected to adversely affect groundwater and the biological resources dependent on the wetlands because the standard design standard of 1.5 gallons per minute per residence would use 4.5 gallons per minute for three residences proposed on the mutual system. The proposed amount of water use from the well would not result in drawdown that could affect groundwater quantity and quality, and with no drawdown would result in no adverse effects to the biological resources that depend on the water in this wetlands area.

Geologic Hazards

The subject property is located entirely within the Earthquake Hazard Zone along the San Andreas Fault and the development of a new residence could subject occupants and structures to strong ground shaking during a proximate seismic event. LCP Policy 4 in Shoreline Protection and Hazards Areas, states,

“The County of Marin does not encourage new residential development of such parcels and expressly states that the issuance of a coastal development permit for such property does not warrant said property’s safety from geologic hazards. Further, the County of Marin will

not accept liability for subsequent personal or property damage caused by geologic processes on said properties. To assure that the builder or subsequent purchasers are expressly aware of the policy, a 'waiver of liability' shall be executed and recorded by the property owner prior to the issuance of a coastal development permit. Further, except for short-term, emergency food, shelter, and clothing, the County of Marin will not participate in emergency or disaster relief funding for properties so identified and would recommend such limitations on State and/or federal disaster/emergency grant and/or loans."

A geotechnical evaluation prepared by Craig Herzog, a Geotechnical Engineer, and Donn Ristau, a Consulting Engineering Geologist with Herzog Geotechnical Consulting Engineers determined that it will be feasible to locate improvements within the upper portion of the property. The evaluation concluded that development should be at least 300 feet from the edge of the fault trace. As proposed, the building envelope would be a minimum of 300 feet from the edge of the mapped fault trace in the middle of Parcel B. The evaluation recommends a detailed geotechnical investigation before design of the future residential improvements to verify that fault traces are not present within the area of proposed structures. Also, as required by the LCP hazards policy, staff recommends a condition of approval before recordation of the Parcel Map, requiring the property owner to record a Waiver of Liability on the title of the property that acknowledges the geologic hazards on the property and holds the County of Marin harmless for approving development in a geologic hazard area.

Water Supply

The subject Kirschman properties at 5963 and 5959 State Route One are currently being served by Well 2 that is located on proposed Parcel A near the northeastern corner of the property. The well is 50 feet from the front property line that borders the O'Connor property at 5955 State Route One and 60 feet from the side property line that borders the Point Reyes National Seashore. The location of the well is within the 100-foot wetlands buffer, on the boundary of the 100-foot stream buffer along Cronin Creek, and 160 feet from the well on the adjacent O'Connor property. The applicant's engineer determined that the location of the well is more than 100 feet from the septic system on the O'Connor's lot and would not limit the future redevelopment potential of the neighbor's property due to observed vegetation and the location of the neighbor's own well. This well is a component of the mutual water system that Environmental Health Services granted a "Revised Permit To Operate Mutual Water Supply System" on May 29, 1985. Drilling Permits were not required until 1990. This permit appears to be a provisional permit because it includes a clause stating that it is valid only after approval by the Coastal Commission. No Coastal Permit for Well 2 was found in County records. Consequently, this application for Coastal Permit shall include a review of Well 2 as part of the existing and proposed mutual water supply system. Well 1 is located 65 feet south of Copper Mine Creek and was originally approved in 1974. The applicant's civil engineer provided information to Environmental Health Services staff that this well has been disconnected from the mutual system and that Well 2 provides all of the water due to high mineral content of the water from Well 1. Additional treatment facilities would be required for the water from Well 1 to be used as a domestic water supply.

The submitted plans show that the water supply for the proposed lot, Parcel B, would also obtain water from Well 2 as a third residence in the mutual water supply system. The submitted plans show a water facilities easement for the benefit of Parcel B proposed across Parcel A. The water would be pumped uphill to an existing 4,200 gallon tank on Parcel A for distribution to the existing two residences and the proposed future residence on Parcel B.

The Environmental Health Services Division staff determined that the development of Parcel B would have an adequate water supply with the existing mutual water system. However, corrections to the common water system records may be required to correctly identify the current Assessor's Parcel numbers of the properties, any improvements to the treatment facilities if Well 1 is to be used, all required easements, and to obtain an upgraded water system permit, before recordation of the Parcel Map. These requirements are recommended as Condition of Approval 30 in Attachment 2.

Access

The proposed access to Parcel B would be from State Route One, through an existing easement on the O'Connor property, through a proposed 40-foot roadway and utilities easement on Parcel A and on the property at 5963 State Route One. The existing common driveway to 5959 and 5963 State Route One is 10 feet wide and consists of gravel surfacing over the gradually sloped areas and asphalt pavement on the steep portions. The Department of Public Works and the Bolinas Fire Protection District require the construction of three 18-foot by 40-foot turnouts along the driveway to allow for vehicles to pass. Anita Tyrell-Brown, Fire Chief of the Bolinas Fire Protection District determined that the common driveway, with the proposed turnouts as shown on the tentative map, is acceptable to the Bolinas Fire Protection District provided that the turnouts are constructed to current code standards (see Attachment 19). The conceptual proposal for a 175-foot driveway to the potential building site on Parcel B would be 12 feet wide with retaining walls up to 4 feet tall to support fill and cut slopes. The estimated grading for the turnouts along the common driveway would consist of 10 cubic yards of balanced cut and fill, and the grading for the new driveway to the proposed building site would consist of 90 cubic yards of cut and 280 cubic yards of fill.

The O'Connors object to the additional traffic and utility services proposed through their property to serve the new residence on Parcel B. The O'Connors assert that the access and utilities easement through their property allows access and utility services to the Kirschman property as described before the Buckenmeyer Tentative Map Waiver approval. The assertion is that only the two existing residences have rights of access and utilities, and the current easement language does not allow for an additional building site. Attorneys representing O'Connor and Kirschman have asserted their different legal interpretations of this issue. The Department of Public Works staff determined that a legal access easement does exist for Kirschman though the O'Connor property and the assertion that the existing easement is not adequate for access to the proposed lot is a civil issue that does not preclude approval of the proposal. Rights of access and utility services to the proposed lot appears to be an issue that will ultimately resolved in a court of law (refer to Attachments 10 and 20).

Visual Effects

The proposed building envelope would be located in the middle of the forested hillside approximately one-half mile from State Route One and trails within the Point Reyes National Seashore and the Golden Gate National Recreation Area. The site is located on a hill at an elevation approximately 100 feet above the elevation of the highway. Based on the limited visibility for 25-foot tall white story poles constructed at the corners of the building envelope, the visual appearance of a future residence at this distance on a 25% slope hill would be substantially screened with existing trees and the hill. The background would be more forested hills that would limit the visual presence of structures. The single-family residential project would not result in adverse visual effects and would be consistent with the applicable sections of LCP Visual Resources Policy 21 as follows:

“All new construction in Bolinas, Stinson Beach and Muir Beach shall be limited to a maximum height of 25 feet. To the maximum extent feasible, new development shall not impair or obstruct an existing view of the ocean, Bolinas Lagoon, or the national or State parklands from Highway 1 or Panoramic Highway.”

The visual effects from the highway and from other public vantage points on the trails within the Point Reyes National Seashore and the Golden Gate National Recreation Area would be minimal within an existing forested area with other residential development of the Dogtown community area. The construction of a residence would not impair or obstruct existing views. No views of the Pacific Ocean, Bolinas Lagoon, or national or State parklands would be affected.

The Land Use and Building Design Guidelines (Exhibit C) proposed with the Precise Development Plan application would limit the scale of development to 2,900 square feet of floor area and a 540 square foot garage. Maximum building height would be 25 feet above grade. Building materials and colors would be subdued to blend into the surroundings, and any exterior lighting shall be unobtrusive and non-glaring. The visual appearance of a future residence proposed with a subsequent Coastal Permit and Design Review application will be reviewed in detail for compliance with these development standards before issuance of Building Permits.

Fire Safety and Tree Removal

The property has a mixed oak woodland association where the building envelope is proposed and is within a High Hazard Zone of the Wildland-Urban Interface (WUI). As such, tree removal is proposed due to poor health of the trees to improve fire safety at the site. Ray Moritz, Fire Ecologist and Urban Forester prepared “An Arboricultural Analysis and Vegetation Management Plan” for the site. Although this report references the Tree Protection Ordinance 3342, this ordinance does not apply in the Coastal Zone. All species and sizes of trees, and significant vegetation are protected in the Coastal Zone for habitat value. Proposed tree removal is limited to nine trees of which seven are in poor condition and represent fire hazards resulting from Sudden Oak Death (SOD) infection. The proposed tree removal would reduce fire hazards on the site and in combination with the common driveway improvements for three turnouts, provide safer access to the area for fire suppression activities. Before any site disturbance, Tree Protection Zones are recommended around the trees to be retained. A tree protection fencing plan should be prepared by the consulting arborist and the fences installed before commencement of work.

Comments on the Initial Study and proposed Mitigated Negative Declaration

The County of Marin received comments regarding the Initial Study from John and Cela O’Connor; Cicely A. Muldoon, Superintendent of the Point Reyes National Seashore; Ruby Pap, District Supervisor of the North Coast District, California Coastal Commission; and Gary Arnold, California Department of Transportation (Please refer to Attachments 8, 9, 10, and 11).

Response to Comments

The Project Analysis section above provides information that should be considered in addition to the following responses. The project has been evaluated in the context of the LCP policies for resource protection. The LCP Unit I, as amended, was used as a reference document and is listed as item 19 in Attachment A of the Initial Study. The analysis does evaluate the whole of the action being proposed

with this project and does include the evaluation of the existing driveway and Well 2 within the wetlands and creek buffer areas.

The density of the proposed project would result in two residences on and aggregate of 10 acres in compliance with the maximum density of one unit per five acres pursuant to the C-ARP-5 zoning. This density would be in the middle range of the Countywide Plan land use designation of one unit per one to nine acres.

A Master Plan Waiver is appropriate for small subdivisions pursuant to Marin County Interim Zoning Code in Chapter 22.45 and Section 22.47.010I because the project would result in the potential for construction of only one new single-family residence, the two-lot land division is being reviewed with a Tentative Map and Parcel Map, and the objectives of a Master Plan would be achieved with a Precise Development Plan and subsequent Design Review. The Precise Development Plan establishes development standards for future construction of one single-family residence, the driveway access, the location of a building envelope, and the location and design of infrastructure. A more detailed Design Review and Coastal Permit will be required for the review of a proposal to construct the single-family residence and driveway improvements to address the zoning code standards in more detail.

The visual analysis of the potential single-family residence is discussed in the Project Analysis section above. A preliminary review of the proposed development standards for a future residence and story poles constructed at the corners of the building envelope, no adverse visual effects have been identified.

The Initial Study relied on the recommendation from the qualified wildlife biologist for pre-construction bird surveys to be completed within 30 days of proposed construction. If a 3-day time frame is more appropriate, then this time frame can be modified in the conditions of approval.

Wetland Conservation Areas required in CWP Policy BIO-3.1 is comparable to the wetland protection policies in the LCP. The statement on page 17 of the Initial Study is incorrect because Lagoon Protection Policy 18 does protect wetlands and a 100-foot buffer area. The primary difference between the two policies is the method by which wetlands are delineated. The CWP policies use the Army Corps of Engineers definition of wetlands, but the LCP uses the one parameter definition in California Code of Regulations Title 14, similar to the United States Fish and Wildlife service definition.

As stated above in the Project Analysis section, Copper Mine Creek, Cronin Creek, and Pine Gulch Creek provide suitable Steelhead habitat and Pine Gulch Creek also supports Coho Salmon. The avoidance of any new development activities within the creek and wetland buffer, erosion control, and fencing to limit access along with implementation of a recommended management plan would protect the fisheries.

CONCLUSION:

Staff finds that the proposed land division and precise development plan would be consistent with the LCP policies in the Coastal Zone and would be consistent with the development standards in the C-ARP-5 zoning district. The project will be suitable for the site with implementation of mitigation measures to address the constraints associated with the San Andreas Fault Zone, known fault traces, possible fault traces, fire hazards, and the biological resources associated with the forest, riparian, and wetlands areas. The proposal would be a reasonable scale of development for the site and would be consistent with the overall density standards for development in the ARP-5 zoning district that allows for

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a variety of lot sizes consistent with maximum allowable density of the entire 10-acre property. The project would result in one new lot and the potential for one new residence with access over an existing common driveway and would be compatible with the neighborhood character and coastal resources.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record including all comments on the draft Mitigated Negative Declaration, conduct a public hearing, and adopt the attached Resolutions granting a Mitigated Negative Declaration of Environmental Impact and approving the Kirschman Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan based on the findings and subject to the conditions of approval contained therein.

Attachments:

1. Proposed Resolution granting a Mitigated Negative Declaration of Environmental Impact for the Kirschman Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan
2. Proposed Resolution recommending approval with conditions of the Kirschman Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan
3. Location Map
4. Assessor's Parcel Map
5. Tentative Map (EXHIBIT A)
6. Composite Constraints Map (EXHIBIT B)
7. Land Use and Building Design Guidelines (EXHIBIT C)
8. Ruby Pap, California Coastal Commission e-mail 10/28/11
9. Cicely A. Muldoon, Point Reyes National Seashore, 10/26/11
10. John and Cela O'Connor letters and e-mails, 11/3/11 with attached letters dated 3/27/10, 5/10/10, 5/18/10, 9/9/10, 5/25/11, 5/31/11, 5/31/11, 8/9/11, and 9/28/10 Analytical Sciences Water Test Laboratory Report; 9/21/11, 8/15/11, 5/31/11, 5/24/11, 12/17/10 e-mails Zaltsman and Crawford, 10/26/10 with attached Rifkind Law Group 9/29/10 letter and Douglas P. Ferguson 9/20/10 letter, 9/10/10, 9/10/10, 4/23/10, 9/15/08 with attached Recorded Covenants and Easements
11. Gary Arnold, California Department of Transportation letter, 10/21/11
12. Scott Callow, CDA e-mail, 10/25/11
13. Scott Callow, CDA EHS letters, 10/25/11, 9/30/11
14. Environmental Health Services Interdepartmental Transmittal (Water), 9/15/10 and 4/1/10
15. Environmental Health Services Interdepartmental Transmittal (Sewage), 9/22/10
16. Irving L. Schwartz, ILS Associates, Inc. Letters and e-mails, 11/3/11, 11/2/11, 10/11/11, 8/5/11, 7/20/11, 7/20/11 to DPW, 6/28/11 with attached Applicant's Statement, 5/23/11, 5/2/11, 4/18/11, 4/6/11, 4/5/11, 12/28/10, 8/24/10, 5/27/10, 5/19/10, 4/15/10, 3/31/10 to DPW, 12/11/09, Project Description 12/7/09, Water Well Test Results, Sewage Disposal System Drainfield Calculations 10/13/09
17. Department of Public Works Inter-Office Memorandum, 8/17/11
18. Jennifer Blackman, Bolinas Community Public Utility District letters, 10/27/11, 8/18/11
19. Anita Tyrrell-Brown, Bolinas Fire Protection District letters, 6/23/11, 6/3/10, 3/17/10 to DPW
20. Douglas P. Ferguson letters, 10/13/11, 3/30/10
21. Neal Osborne, CDA e-mail 9/27/11
22. Thomas Lai e-mail, 5/16/11
23. Kristina Tierney and Cela O'Connor e-mails, 5/4/11 and 5/3/11

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24. Kristina Tierney and Irving L. Schwartz e-mails, 11/9/10
25. Richard Kirschman letters, 11/23/10, 9/18/08
26. Ray Moritz, Portion of Kirschman Fire Mangement Plan, August 2010
27. Mark J. Riesenfeld letters and FAX, 12/28/09, 6/9/09
28. Stewart Title of California, Inc., 5959 State Route One, Bolinas Preliminary Report, 10/6/09
29. CDA Notice of Administrative Decision, Buckenmeyer et al. Tentative Map Waiver, 2/15/08
30. Building Department, 5959 State Route One, Bolinas, Building Permit Records, 1974
31. Environmental Health Services, Revised Permit and Permit to Operate Mutual Water Supply System, 5/29/85
32. Building Department, 5963 State Route One, Bolinas, Building Permit Records, 1985

The following attachments were provided to the Deputy Zoning Administrator only. They are available for public review at the Community Development Agency, Planning Division during regular business hours: Monday through Thursday, 8:00 A.M. to 4:00 P.M. and Fridays, 8:00 A.M. to Noon.

33. Proposed Mitigated Negative Declaration and Initial Study
34. Dogtown Biological and Wetland Assessment Report, May 2007 (EXHIBIT D)
35. Dogtown Biological and Wetland Assessment Addendum, 28 April 2010 (EXHIBIT E)
36. Preliminary Geologic Hazards Evaluation, November 2009 (EXHIBIT F)
37. Arboricultural Analysis & Vegetation Management Plan, April 2010 (EXHIBIT H)

The following attachment was provided to the Deputy Zoning Administrator Hearing Officer only, and is maintained in a confidential file in the Planning Division.

38. Cultural Resources Study of the 46 Acre Dogtown Lot Adjustment Project, June 2007 (EXHIBIT G)

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION _____

A RESOLUTION GRANTING A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE KIRSCHMAN MASTER PLAN WAIVER, COASTAL PERMIT, LAND DIVISION, AND PRECISE DEVELOPMENT PLAN

5959 STATE ROUTE ONE, BOLINAS

ASSESSOR'S PARCEL 188-100-35

SECTION 1: FINDINGS

- I. WHEREAS Richard Kirschman submitted the Kirschman Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan application. The project is a proposal to divide a 10-acre lot into two lots and establish development standards for construction of a new residence within a proposed building envelope. Parcel A would be 6.93 acres and Parcel B would be 3.07 acres in size. The site is currently developed with a residence, accessory buildings, a driveway, two water wells, and a septic system. The 10-acre lot slopes down from the western boundary towards the east to Copper Mine Creek and a small pond. All existing improvements are located on proposed Parcel A and proposed Parcel B is currently a mixed woodland area. No construction is proposed with this application; however, the land division would create a new separate legal lot with an 11,000 square foot building envelope for future construction of a new single-family residence, and a separate area downslope for a future septic system leach field. The building envelope is proposed approximately 130 feet southeast of the existing residence. A new 175-lineal-foot driveway would branch off the existing driveway to provide access to the future residence. Domestic water supply for the future residence would be from existing Well #2 on proposed Parcel A through a 15-foot water facilities easement. Access and utilities to Parcel B would be provided through a 40-foot roadway and utilities easement across Parcel A. The property is located at 5959 State Route One, Bolinas, and is further identified as Assessor's Parcel 188-100-35.
- II. WHEREAS the Marin County Community Development Agency prepared an Initial Study for the project that determined no significant effects would occur, and there is no evidence that the project may have a significant effect on the environment.
- III. WHEREAS the Marin County Environmental Coordinator has determined that, based on the Initial Study, a Mitigated Negative Declaration of Environmental Impact is required for the project pursuant to the California Environmental Quality Act (CEQA).
- IV. WHEREAS on October 5, 2011, an Initial Study and proposed Mitigated Negative Declaration of Environmental Impact were completed and distributed to agencies and interested parties to commence a 30-day public review period for review and comment on the Mitigated Negative Declaration, and a Notice of the public review period and Marin County Deputy Zoning Administrator hearing date to consider granting final approval of the Mitigated Negative Declaration was published in a general circulation newspaper pursuant to CEQA.
- V. WHEREAS, after the close of the 30-day public review period on November 4, 2011, the Marin County Deputy Zoning Administrator reviewed and considered the information contained in the draft Mitigated Negative Declaration, Initial Study, and comments and responses thereto.

SECTION 2: ACTION

NOW, THEREFORE, LET IT BE RESOLVED that the Marin County Deputy Zoning Administrator hereby makes the following findings:

1. Notice of the initial public review period and hearing on the Negative Declaration was given as required by law and said hearing was conducted pursuant to Sections 15073 and 15074 of the State CEQA Guidelines and the County CEQA process.
2. All individuals, groups and agencies desiring to comment on the Negative Declaration were given the opportunity to address the Marin County Deputy Zoning Administrator.
3. The Negative Declaration of Environmental Impact for the project consists of the Negative Declaration, Initial Study, responses to comments, and all supporting information incorporated by reference therein.
4. The Negative Declaration of Environmental Impact was completed in compliance with the intent and requirements of CEQA, the State CEQA Guidelines, and the County's CEQA process.

LET IT BE FURTHER RESOLVED that the Marin County Deputy Zoning Administrator hereby grants the Mitigated Negative Declaration of Environmental Impact for the Kirschman Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan application as an adequate and complete environmental document for purposes of approving the project and declares that the Mitigated Negative Declaration has been completed and considered in conjunction with the comments thereto, in compliance with CEQA, the State CEQA Guidelines, and the County's CEQA process.

SECTION 3: DECISION

GRANTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 17th day of November 2011.

JEREMY TEJIRIAN, AICP
DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION _____

**A RESOLUTION APPROVING
THE KIRSCHMAN MASTER PLAN WAIVER, COASTAL PERMIT, LAND DIVISION,
AND PRECISE DEVELOPMENT PLAN**

ASSESSOR'S PARCEL 188-100-35

5959 STATE ROUTE ONE, BOLINAS

SECTION 1: FINDINGS

- I. WHEREAS, Richard Kirschman, proposes to divide a 10-acre lot into two lots and establish development standards for construction of a new residence within a proposed building envelope. Parcel A would be 6.93 acres and Parcel B would be 3.07 acres in size. The site is currently developed with a residence, accessory buildings, a driveway, two water supply wells, and a septic system. The 10-acre lot slopes down from the western boundary towards the east to Copper Mine Creek and a small pond. All existing improvements are located on proposed Parcel A and proposed Parcel B is currently a mixed woodland area. No construction is proposed with this application; however, the land division would create a new separate legal lot with an 11,000 square foot building envelope for future construction of a new single-family residence, and a separate area downslope for a future septic system leach field. The building envelope is proposed approximately 130 feet southeast of the existing residence. A new 175-lineal-foot driveway would branch off the existing driveway to provide access to the future residence. Domestic water supply for the future residence would be from existing Well 2 on proposed Parcel A through a 15-foot water facilities easement. Access and utilities to Parcel B would be provided through a 40-foot roadway and utilities easement across Parcel A and an existing easement to State Route One on the property at 5955 State Route One. The subject property is within the C-ARP-5 zoning district and is located at 5959 State Route One, Bolinas, further identified as Assessor's Parcel 188-100-35.
- II. WHEREAS, the Marin County Deputy Zoning Administrator held a duly noticed public hearing on November 17, 2011, 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 reviewed and considered testimony in favor of, and against, a proposed Negative Declaration and determined, subject to the conditions of project approval contained herein, that this project will not result in any potentially significant environmental impacts, and qualifies for a Mitigated Negative Declaration of Environmental Impact in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County's CEQA process.

- IV. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin Countywide Plan because:
- A. The proposed project would comply with Marin County standards for geotechnical engineering and seismic safety, and include improvements to protect lives and property from hazard;
 - B. The proposed project would result in one new building site with the potential for construction of a 2,900 square foot single-family residence and driveway improvements, a principally permitted use under the governing C-AG-3 general plan designation;
 - C. The proposed project would result in development which conforms to the governing standards related to building height, size and location;
 - D. The proposed project would comply with governing development standards related to grading, flood control, drainage and utility improvements as verified by the Department of Public Works;
 - E. The proposed project would not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or their services; and
 - F. The proposed project would minimize soil disturbance and maximize protection of natural vegetation.
- V. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Bolinas Community Plan because:
- A. The proposed project involves a two-lot land division and future development based on development standards for construction of a single-family residence, which is a principally permitted use on the property.
 - B. The proposed project would not adversely impact the surrounding natural environment with regard to vegetation, wildlife habitats, or drainage.
 - C. The proposed project would maintain adequate off-street parking to accommodate the proposed project as verified by the Marin County Department of Public Works.
 - D. The proposed project would be compatible with the surrounding community character and would not substantially affect the surrounding built environment with regard to views from adjacent properties, privacy for the subject and surrounding properties, and access from State Route One.
- VI. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Master Plan Waiver approval pursuant to the requirements and objectives of the Planned District standards (Chapter 22.45 and §22.47.010I of the Marin County Interim Zoning Code) as described below.
- A. The project would result in the potential for construction of one single-family dwelling unit.
 - B. The two-lot land division requires a Tentative Map and Parcel Map.

C. The objectives of a Master Plan would be achieved with a Precise Development Plan that establishes development standards for future construction of one single-family residence, the driveway access, the location of a building envelope, and the location and design of infrastructure. A more detailed Design Review and Coastal Permit will be required for the review of a proposal to the construct the single-family residence and driveway improvements.

VII. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Coastal Permit approval pursuant to the requirements and objectives of the Local Coastal Program, Unit I (§22.56.130I of the Marin County Interim Zoning Code) as described below

A. Water Supply:

The Community Development Agency, Environmental Health Services Division staff determined that a common water supply system can be approved for the additional residence that could be built on the proposed new lot. The existing wells and 4,200-gallon storage tank would be adequate to supply water to three single-family residences. Well testing for Well 2 documented pumping of 21 gallons per minute without drawdown of the water table. Conditions of approval will require an upgrade to the water system permit to indicate the three lots that obtain service, any required easements, and any treatment facilities that may be required to meet current standards.

B. Septic System Standards:

Marin County Environmental Health Services staff reviewed the proposed project and recommended approval with conditions of approval.

C. Grading and Excavation:

The project site has a variety of slopes and the building gradual 5% slope and minor grading is proposed for 51 cubic yards of excavation and 52 cubic yard of fill. The excavation would occur for installation of the structure's foundation, the driveway, patios, and walkways. All grading and excavation work would be subject to the review and approval of the Department of Public Works, Land Use and Water Resources Division, to ensure consistency with Marin County requirements.

D. Archaeological Resources:

Review of the Marin County Archaeological Sites Inventory indicates that the subject property is located in an area of high archaeological sensitivity. A Cultural Resources Study was completed in 2007 for the Buckenmeyer project that found no cultural resources on the proposed lot. The steep slope of the proposed lot is unlikely to have supported Native American habitation. However, the small amount of grading proposed could disturb cultural resources and a condition of approval requires that in the event cultural resources are discovered during construction, all work shall stop immediately and the services of a qualified consulting archaeologist shall be engaged to assess the value of the resource and to develop appropriate protection measures.

E. Coastal Access:

The project is located more than two miles inland of the Pacific Ocean and one mile from Bolinas Lagoon at an elevation of approximately 300 feet and would not impede coastal access.

F. Housing:

The proposed project would not result in the removal of a residential unit that would provide housing opportunities for people of low or moderate income. The project would not affect the availability of affordable housing within the Bolinas community.

G. Stream and Wetland Conservation Protection:

The project site is located along protected blue-line creeks -- Copper Mine Creek bisects the property and approximately 50 feet of the northwest side of the property is within 100 feet of Cronin Creek. The site also contains two constructed ponds that the National Wetlands Inventory identifies as Freshwater Ponds. While a complete delineation of hydric soil and hydrophytic vegetation was not prepared as required in the Coastal Zone, the applicant mapped a 100-foot wetlands buffer around the edge of the ponds based on Section 404 of the Clean Water Act. The 100-foot creek buffer along Copper Mine Creek is also mapped on a Composite Constraints Map. The existing common driveway crosses Copper Mine Creek over a two culverts, permitted Well 1 is within the 100-foot creek buffer area, and as-built Well 2 was constructed in 1987 within the 100-foot wetland buffer area mapped. No fill is proposed within the mapped wetlands or the creek and no work is proposed within the buffer areas. However, Well 2 is subject to a Coastal Permit and shall be evaluated for conformance with LCP Policy 18, "To the maximum extent feasible, a buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands as delineated by the Department of Fish and Game and in accordance with Section 30121 of the Coastal Act and with the criteria developed by the U.S. Fish and Wildlife Service. No uses other than those dependent upon the resources shall be allowed within the buffer strip." The wells and appurtenant facilities are dependent on the water resources in the wetlands and could be allowed within the buffer pursuant to Section 30233 of the Coastal Act. However, the mapped buffer is likely smaller than the buffer would be if based upon the United States Fish and Wildlife Service wetlands classification system, which defines wetlands based on one or more of the three attributes: 1) The land supports predominately hydrophytic vegetation; 2) The substrate is predominately undrained hydric soil; and 3) The substrate is saturated with water or covered by shallow water at some time during the growing season of each year. The construction of Well 2 occurred 24 years ago and additional disturbance of the site may be required for maintenance and modifications to serve the proposed residence. To compensate for past construction and future work within the creek and wetland buffers, staff recommends a condition of approval requiring the preparation and implementation of a creek and wetland management plan to protect the resource values of the site. The plan shall evaluate the biological productivity of the areas within the creek and wetlands buffers and require maintenance and restoration of the biological productivity and quality of the resources to maintain optimum populations and water quality. Best Management Practices shall be implemented for all development activities to prevent soil erosion and the driveway through the buffer areas shall be fenced to protect the resources. With the implementation of these conditions of approval, the project

would comply with the stream and wetland conservation protection policies of the Local Coastal Program.

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 Natural Resources Map for Unit I of the Local Coastal Program indicates that the subject property is located in an area of sensitive wildlife resources. Also, review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates nine special-status wildlife species occurring in the project area including the Marin hesperian (*Vespericola marinensis*), Ricksecker's water scavenger beetle (*Hydrochara rickseckeri*), American Badger (*Taxidea taxus*), California black rail (*laterallus jamaicensis coturniculus*), black swift (*Cypeloides niger*), saltmarsh common yellowthroat (*Geothlypis jamaicensis coturniculus*), California red-legged frog (*Rana draytonii*), hoary bat (*Lasiurus cinereus*), and the northern spotted owl (*Strix occidentalis caurina*). The habitat associations for four of these species do not exist on the project site and the small-scale scope of the project would not adversely affect the existing habitat. However, there is suitable habitat for Marin hesperian, Ricksecker's water scavenger beetle, American badger, California red-legged frog, and northern spotted owl, although none were observed during the biologist's field surveys. A saltmarsh common yellowthroat was observed in the study area, but no nests were located in the wetlands area. The beetle and semi-aquatic snail require very specialized wetlands of perennial seeps or shallow streams that would not be disturbed by the project. The small building envelope of 11,000 square feet within the ten-acre project site would not adversely affect potential habitat of the northern spotted owl, red-legged frog, and the hoary bat. Mitigation measures required as conditions of approval would require implementation of best management practices as recommended by the applicant's biologist. These include construction of protection fencing along the driveway through the wetlands and creek areas, and the building envelope before construction, training of workers, construction during the dry season, a construction management plan, and monitoring of the land clearing activities by a biologist to protect frog habitat. and with avoidance of the primary grassland area. Additional mitigation measures for protection of owls and hawks would include vegetation removal outside the nesting season or pre-construction surveys during the nesting season no more than 30 days before commencement of work. With the implementation of the mitigation measures required as conditions of approval, the project would protect wildlife consistent with LCP policies.

J. Protection of Native Plant Communities:

The Natural Resources Map for Unit I of the Local Coastal Program indicates that the subject property is not located in an area containing rare plants. A review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject property may contain habitat for Marin manzanita (*Arctostaphylos virgata*) and the Coast yellow leptosiphon (*Leptosiphon croceus*). The Marin manzanita requires sandstone or granite outcroppings that are not located on the project site. The Coast yellow leptosiphon is plant found in Coastal bluff scrub and Coastal prairie that are not present on

the project site. In addition, the relatively small-scale project would not have an adverse impact on the habitat of native plant communities.

K. Shoreline Protection:

The subject property is not adjacent to the shoreline, and the proposed project would not result in adverse affects to the shoreline. The project would not require additional shoreline protection.

L. Geologic Hazards:

The project site is located entirely within the Earthquake Hazard Zone along the San Andreas Fault Zone and would be subjected to strong ground shaking during a proximate seismic event. The applicant submitted a geotechnical evaluation prepared by Herzog Geotechnical Consulting Engineers that determined the project to be feasible and safe if constructed with properly engineered structural components setback from the edge of the mapped fault traces. As part of design level investigations for future residential construction, trenches shall be excavated to verify that fault traces are not present. The Marin County Community Development Agency - Building Inspection Division will determine seismic compliance with the California Building Code during review of the building plans. In addition, as a condition of project 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.

M. Public Works Projects:

The proposed project does not entail expansion of public works facilities such as public roads, flood control projects, or utility services.

N. Land Division Standards:

The land division would comply with the standards because the design of the parcels would provide the maximum feasible clustering of development within the central portion of woodlands on the site. The location of the proposed parcel and building envelope would cluster development in the vicinity of the existing residences and would avoid the lower portions of the site where agricultural uses might occur. The proposed building envelope is located within the least environmental sensitive portion of the site more than 390 feet from the creek buffer area.

O. Visual Resources:

The proposed development standards would limit the maximum height of a future residence to 25 feet above grade and would not impair or obstruct coastal views from State Route One. The proposed development standards would require unobtrusive exterior colors to blend into the surrounding environment with forms that follow the natural contours. The structures would be relatively small residential and accessory structures, and would not result in substantial visual effects from public vantage points. The adjacent property owners would see the future residential structure through a screen of trees, but the visual effect would be typical for a residence in the Bolinas community. The exterior materials would be blend into the surrounding hillside forest. Utility line extensions would be constructed

underground and the lighting for the exterior would be unobtrusive and non-glaring, directed downward, and hooded. The specific details of the visual effects would be evaluated at the time a residence is proposed for the new building site with a subsequent Coastal Permit and Design Review process.

P. Recreational/Commercial/Visitor Facilities:

The project site is governed by C-ARP-5 (Coastal, Agricultural Residential, Planned District) zoning regulations and would not affect the established character of the Bolinas village commercial area in the VCR zoning district. The project would have no affect on recreation, commercial, or visitor facilities.

Q. Historic Resource Preservation:

The property is not located within the boundaries of the Bolinas Historic District and no historic resources would be affected by the project.

VIII. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Land Division approval pursuant to the requirements in Marin County Code Chapter 20.56, Action On Tentative Map Where Parcel Map Required (Section 20.56.120 Required findings) as described below. The map shall be denied for any of the following causes:.

A. The proposed map is not consistent with applicable general and specific plans.

The Kirschman Tentative Map is a two-lot land division of a 10-acre lot that is consistent with the Marin Countywide Plan land use designation of C-AG3, Coastal Agriculture Conservation, 1 unit per 1 acre to 9 acres. The resultant density would be 1 unit per 5 acres – consistent with the density range. The Kirschman Tentative Map is consistent with the Local Coastal Program and the Bolinas Community Plan because it would result in one additional building site within the existing community area and would not result in adverse effects to coastal resources or the Bolinas Community. Overall, the project is consistent with the goals and policies of the Countywide Plan because it would create one additional residential parcel within the Coastal Recreation Corridor consistent with existing low density residential development in the vicinity without adversely impacting natural resources or disrupting existing public services for water supply, fire protection, waste disposal, schools, traffic, circulation or other services. Finally, the proposed project would not result in substantial grading or tree removal, or other adverse impacts on the environment, consistent with Environmental Quality and Community Development Element policies. Therefore this negative finding cannot be made and the map can be approved.

B. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The proposed design or improvement of the Kirschman two-lot land division is consistent with the Marin Countywide Plan land use designation of C-AG3, Coastal Agriculture, one unit per one acre to nine acres. The Kirschman Tentative Map is consistent with the Local Coastal Program and the Bolinas Community Plan because it would result in one additional building site with an access driveway leading from an existing shared common

driveway from State Route One. The Building Envelope would be located more than 100 feet from the wetlands and stream conservation areas. Future development would be designed to minimize visual impacts, grading, and disturbance of the coastal resources through a subsequent Coastal Permit and Design Review process. Therefore this negative finding cannot be made and the map can be approved.

- C. This site is not physically suitable for the type of development.

The site has moderate 25% slope where the new driveway and Building Envelope are proposed, and the soil types can accommodate residential development including an individual on-site septic system. The Building Envelope would be located outside the 100-foot wetlands and stream conservation areas. Therefore this negative finding cannot be made and the map can be approved.

- D. The site is not physically suitable for the proposed density of development.

The site has moderate 25% slopes where the new driveway and Building Envelope are proposed, and the lot size can accommodate residential development including an individual on-site septic system. Further, the project would not result in significant adverse physical impacts related to unstable soil conditions or drainage alterations. Therefore this negative finding cannot be made and the map can be approved.

- E. The design of the subdivision or proposed improvement is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the land division is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the subject property is an infill site in an existing rural residential area. Mitigation will be required as conditions of approval to protect fish and wildlife, and their habitats. The areas of the property that would provide primary habitat value for wildlife along the creek and around the wetlands would be avoided with exception to the use of the existing common driveway and as-built well. Therefore this negative finding cannot be made and the map can be approved.

- F. The design of the subdivision is not likely to cause serious public health problems.

The design of the land division and proposed improvements are not likely to cause serious public health problems because the proposed project would result in the installation of access and drainage improvements along the existing driveway serving the property. Finally, conditions of approval require the applicant to comply with fire safety, access, water and sanitary service standards as required by the Bolinas Fire Protection District, the Department of Public Works, and the Environmental Health Services Division. Therefore this negative finding cannot be made and the map can be approved.

- G. The design of the subdivision or type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

The design of the land division would not conflict with any public easements for access or public use of the property within the proposed land division. Therefore this negative finding cannot be made and the map can be approved.

- IX. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Precise Development Plan approval (§ 22.47.050.BI of the Marin County Interim Zoning Code) as described below
- A. The project would be consistent with the land use designations of the Local Coastal Plan.
 - B. The project is designed to minimize potential impacts and Coastal Permit and Design Review will be required before approval of residential development on the proposed lot to minimize impacts to drainage, erosion, grading, landscaping, tree and native plant protection, and circulation/transportation.
 - C. The project would not involve Transfer of Development Rights.
 - D. Public safety personnel and equipment will be able to serve the project pursuant to the improvements to the common driveway to provide three new turnouts, as approved by the Bolinas Fire Protection District.
 - E. The project would exhaust the potential for future residual development, based upon the Countywide Plan, Local Coastal Plan, Unit I, and zoning district densities.
 - F. The project would be located to avoid areas that are impacted by noise, hazardous materials, and flooding.
 - G. The project would contain adequate areas for physical development and related on-site circulation and parking, and would have minimal, if any, visual impacts from offsite vantage points.

SECTION 2: ACTION

NOW, THEREFORE, LET IT BE RESOLVED, that the Deputy Zoning Administrator approves the Kirschman Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan application pursuant to Marin County Interim Coastal Zoning Code Sections 22.47.010I, 22.56.130I, 20.56.120, and 22.45.050.BI. This Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan approval permits the division of a 10-acre lot into two lots and establishes development standards for construction of a new residence within an 11,000 square foot building envelope on Parcel B. Parcel A currently contains a single-family residence and a common driveway, two wells and a water storage tank and would comprise 6.93 acres. Parcel B currently is vacant and would comprise 3.07 acres.

SECTION 3: CONDITIONS OF PROJECT APPROVAL

1. The County of Marin approves the Kirschman application (Project ID 2009-0377) pursuant to Marin County Interim Zoning Code Sections 22.47.010I (Master Plan Waiver), 22.56.130I (Coastal Permit), 20.56.120I (Tentative Map), and 22.45.050.BI (Development Plan) to divide an existing 10-acre property into two lots and establish development standards for construction of a new

residence within an 11,000 square foot building envelope on Parcel B. Parcel A would be 6.93 acres and Parcel B would be 3.07 acres in size. The subject property is located at 5959 State Route One, Bolinas and is further identified as Assessor's Parcel 188-100-35.

2. Except as modified herein, plans submitted for a Parcel Map, Coastal Permit, and Building Permit for the approved project shall substantially conform to plans on file in the Marin County Community Development Agency (CDA), Planning Division, identified as Exhibit A, "Lands of Kirschman, Tentative Map and Precise Development Plan" consisting of two sheets prepared by ILS Associates, Inc., Civil Engineering and Land Surveying date stamped received July 25, 2011; Exhibit B, "Lands of Kirschman, Composite Constraints Map", consisting of one sheet prepared by ILS Associates, Inc., Civil Engineering and Land Surveying, date stamped received July 25, 2011; Exhibit C, "Land Use and Building Design Guidelines", date stamped received December 29, 2010; and Exhibit H, "Arboricultural Analysis and Vegetation Management Plan" prepared by Moritz Arboricultural Consulting Urban Forestry Associates, dated April 19, 2010.
3. The applicant must submit two Parcel Map Checking applications, one application to CDA Planning Division and one application to the Department of Public Works, County Surveyor. After approval of the Parcel Map, the applicant shall file a Parcel Map with the County Recorder, with fees, to record the land division approved herein. The required Parcel Map must be in substantial conformance with Exhibit A, as modified herein, including, but not necessarily limited to, the proposed lot lines and easements. Parcel Map data and form must be in compliance with provisions of Chapter 20.64 of the Marin County Code.
4. BEFORE RECORDATION OF THE PARCEL MAP, the Notice of Decision shall be recorded on the title of the subject property.
5. BEFORE RECORDATION OF THE PARCEL MAP, the following items must be submitted to the Community Development Agency, Planning Division:
 - a. Verification from the Community Development Agency, Environmental Health Services Division that confirms all water service permit requirements have been satisfied to provide water distribution facilities to the approved lot.
 - b. A wetlands and creek management plan prepared by a qualified biologist for review and approval of the Director that establishes an implementation program for the protection of the biological resources within the 100-foot buffer areas. The management plan shall assure that the habitat is managed to optimize the diversity of plant and animal species, and habitat value. Consideration should be given to the replacement of the driveway culverts crossing of the creek with a full span bridge, methods to improve water quality, and protecting native wildlife and plant species.
 - c. A wetlands conservation buffer area fencing plan, created in consultation with a qualified biologist, subject to the review and approval of the Community Development Agency.
6. BEFORE ISSUANCE OF A GRADING PERMIT OR BUILDING PERMIT FOR IMPROVEMENTS TO THE COMMON DRIVEWAY, the applicant shall obtain Design Review and Coastal Permit approvals for the details of the driveway design, retaining walls, grading, vegetation removal and replacement, and drainage.

7. BEFORE ISSUANCE OF A BUILDING PERMIT AND CONSTRUCTION OF THE COMMON DRIVEWAY AND RESIDENCE ON PARCEL B, the applicant shall obtain Design Review and Coastal Permit approvals for the details of the residential design, driveway, retaining walls, grading, vegetation removal and replacement, and drainage.
8. BEFORE ISSUANCE OF A BUILDING PERMIT FOR A RESIDENCE ON PARCEL B, the applicant shall hire a qualified geotechnical engineer to excavate trenches within the area proposed for construction to determine if fault traces are present. The geotechnical engineer shall recommend design standards to avoid any fault traces and engineering features to provide for optimal safety of the residential structures.
9. Unless a public emergency services provider recommends otherwise or unique circumstances necessitate a change, street addressing for the approved lots shall be as follows:

<u>Parcel</u>	<u>Street Address</u>
A	5959 State Route One, Bolinas CA (Dogtown Area)
B	5969 State Route One, Bolinas CA (Dogtown Area)

10. The Kirschman Land Division approval must be vested with the filing of the required Parcel Map in compliance with all conditions of approval within three years after the date it is conditionally approved by the County of Marin. A timely filing is made when all parties having record title interest in the real property submit written consent, and a fully executed Mylar complying with all conditions of approval, including executed versions of all required agreements and paying all required fees, are submitted to the County Surveyor. The Community Development Agency Director may administratively authorize extensions to this mandatory vesting period upon written request by the applicant and payment of the appropriate extension fee for a period not to exceed an aggregate of five years beyond the expiration date. Extension of the Land Division approval may also be permitted pursuant to applicable State law.
11. Pursuant to California Government Code Section 66474.9(b), the County of Marin shall require that the applicant defend, indemnify, and hold harmless the County or its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers and employees to attack, set aside, void, or annul, the approval by the County of the Kirschman Land Division, which action is brought within the time period provided for in California Government Code Section 66499.37. The County shall promptly notify the applicant of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
12. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall construct tree protection fencing as recommended in Exhibit H, a silt fence between the construction site and the creek buffer area, and a fence between the existing driveway and the creek and wetland buffer areas. No construction vehicles or equipment shall access the buffer areas outside the existing driveway alignment.
13. BEFORE RECORDATION OF THE PARCEL MAP, 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 actions associated with the San Andreas Fault through the property. The Waiver of Public Liability shall be submitted to the Director for review and approval before recordation.

14. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall follow Best Management Practices (BMP) by submitting a Stormwater Runoff Pollution Control Plan ("Plan") that addresses both interim (during construction) and final (post construction) stormwater pollution control measures. The Plan should follow guidelines as established in "Start at the Source," published by the Bay Area Stormwater Management Agencies Association. The Marin County Department of Public Works must approve such Plan prior to the issuance of a Building Permit. This Plan must comply with construction guidelines of the Marin County Stormwater Pollution Prevention Program, which includes, but is not limited to: siltation fencing, hay bales, and other drainage erosion control measures; stabilization of graded soils; hydroseeding; protection of graded soils from precipitation and runoff; and limiting construction equipment access. Ground-disturbing activities should be conducted during the dry season (May through October) to reduce the potential of soil erosion.
15. A Wetland Conservation Area (WCA) buffer shall be permanently fenced along the edge of the existing driveway before commencement of construction, and any activities outside the fenced driveway within the buffer shall be prohibited without further approval or review by the Marin County Community Development Agency (**Mitigation Measure G.1.1**).
16. To avoid impacts to individual red-legged frogs or the habitat, the following best management practices shall be implemented (**Mitigation Measure G.1.2**):
 - a. Prior to any ground disturbance activities, all workers associated with site modifications and access through the protected WCA and SCA shall attend Workers Environmental Awareness Program (WEAP). The WEAP training shall discuss the life history of the red-legged frog, their legal status and protection.
 - b. To minimize disturbance of breeding and dispersing red-legged frogs, all construction activity within red-legged frog upland habitat (defined as all habitat within one mile of aquatic habitat) shall be conducted during the dry season between April 15 and October 15 or before the onset of the rainy season, whichever comes first. If construction activities are necessary in red-legged frog upland habitat between October 15 and April 15, the project proponent shall consult with the USFWS to determine operational protocols for protection of frogs and their habitat.
 - c. To minimize disturbance and mortality of adult and juvenile red-legged frog in underground burrows, the project proponent shall minimize the extent of ground-disturbing activities within these habitats (grasslands and riparian areas within one mile of aquatic habitat) by requiring the contractor to limit staging areas for equipment storage and access to the work area to the minimum necessary for construction. No mowing or other vegetation disturbance shall take place in wetland or wetland buffer areas. In addition, the project proponent shall ensure that the contractor installs temporary exclusion fencing between the construction work area and potential aquatic habitat for all construction that occurs within one mile of aquatic habitat, this would include the driveway in the vicinity of the ponds and creek, and in the building envelope area.
 - d. The project proponent shall ensure that a qualified wildlife biologist monitors the land clearing activities within red-legged frog upland habitat. This will ensure that no take of individual red-legged frog occurs during project construction. If a red-legged frog is found, then the monitor shall immediately stop construction in that area and contact USFWS for advice.

- e. A construction management plan, which provides the locations of vehicle access routes, equipment staging areas, excavated fill material stockpile areas, and timing of the construction shall be prepared for the review of staff from the CDA and Department of Public Works. Access to construction areas shall be planned to avoid affecting wetland or riparian habitats. All vehicle and pedestrian access routes related to the construction shall be identified and marked in the field. Wetland and riparian habitats adjacent to the construction areas shall be staked or fenced using orange construction fencing or flagging and construction equipment will be excluded from this area. The location of these areas shall be shown on the construction management plan. The construction management plan shall indicate that work will be conducted during the dry season between April 15 and October 15 or before the onset of the rainy season, whichever comes first. If construction activities are necessary between October 15 and April 15, the plan shall provide that the project proponent shall consult with the USFWS. The plan shall state that all workers shall attend the WEAP training and state when and where the training will be provided. The construction management plan shall limit the work area to the minimum necessary for construction and include the installation of temporary exclusion fencing between the construction work area and potential aquatic habitat. The construction management plan shall state that if any red-legged frogs are found at the project site, CDA staff must be contacted immediately and all work shall cease. Contact shall be initiated with USFWS. The construction management plan shall be implemented as approved.
17. To avoid impacts to special-status nesting birds including raptors, one of the following must be implemented (**Mitigation Measure G.1.3**):
 - a. Conduct vegetation removal and other ground disturbance activities associated with construction during September through March, when birds are not nesting; or
 - b. Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season. A qualified wildlife biologist shall conduct a pre-construction raptor survey no more than 3 days prior to initiation of grading to provide confirmation on the presence or absence of active nests in the vicinity (at least 300 feet around the project site). If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with CDFG and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 25 feet is required by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the nest-setback zone shall be fenced and construction personnel restricted from the area. A survey report by the qualified wildlife biologist verifying that the young have fledged shall be submitted to the County prior to initiation of grading in the nest-setback zone.
 - c. The construction management plan required by Mitigation Measure G.1.1 shall address Impact G.1.2 and include all recommended avoidance measures for special-status nesting birds. Specifically, the plan must be internally consistent with its recommendations for protecting special-status nesting birds and red-legged frogs. Timing for surveys and agency coordination must be included, as needed and include the timing of the construction. The plan shall be prepared for review by CDA and DPW staff.
 18. To avoid impacts to paleontological, archaeological, or historical sites, objects, or structures, a site specific Cultural Resources Study shall be conducted for Parcel B prior to any ground disturbance. The building envelope and the proposed locations of any other improvement,

including leachfields, grading, retaining walls, and driveway improvements shall be staked and surveyed for potential resources. If ground covering makes it impossible to conduct an adequate visual inspection, a program of mechanical subsurface presence/absence testing shall be conducted to locate potentially significant prehistoric archaeological deposits. If intact deposits are located which cannot be avoided by project redesign, a plan for the evaluation of the resource according to CEQA Guidelines shall be submitted to the Marin County Planning Department for approval. If evaluative testing demonstrates that the construction site contains a resource eligible for inclusion on the California Register of Historic Resources, a plan for mitigation of impacts to the resource shall be submitted to the Marin County Planning Department for approval. Mitigation can take the form of additional data retrieval through hand excavation combined with archaeological monitoring of all earth moving inside the zone of archaeological sensitivity to ensure that all significant archaeological information is recorded and/or removed for analysis before work is allowed to recommence (**Mitigation Measure N.1.1.1**).

19. 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 shall submit a written report to the Marin County Community Development Agency Director advancing appropriate mitigations to protect the resources discovered. At the discretion of the Environmental Coordinator and consistent with CEQA, the Environmental Coordinator shall retain a Native American monitor to evaluate any cultural resource discovery for sacred values and propose protection measures appropriate to the Federated Indians of the Graton Rancheria Sacred Sites Protection Committee. 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.
20. All flashing, metal work and trim shall be an appropriately subdued, non-reflective color. All exterior lighting shall be subdued, downward directed, hooded, and the minimum lumens necessary for safety only.
21. 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.
22. During construction, the applicant shall take all appropriate measures, including watering of disturbed areas and covering the beds of trucks hauling fill to or spoils from the site, to prevent dust from grading and fill activity from depositing on surrounding properties.
23. All soils disturbed by development of the project shall be reseeded with native groundcover, grasses, wildflowers, and mulch to control erosion.

24. The applicant shall be responsible for ensuring that all construction vehicles, equipment and materials are stored on site and off the street and common driveway so that pedestrians, bicyclists, and vehicles can pass safely at all times.
25. The applicant shall be responsible for ensuring that the number of construction vehicles shall be limited to the minimum number necessary to complete the project.
26. No trees, except those approved for removal, shall be removed except to comply with local and State fire safety regulations, to prevent the spread of disease as required by the State Food and Agriculture Department, and to prevent safety hazards to people and property.
27. All utilities proposed to serve the future residence on Parcel B shall be underground.
28. 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.

Marin County Environmental Health Services: Sewage Disposal

29. A minimum three bedroom, Class I septic system is required on the newly created parcel. A favorable site review was conducted 9/01/09 and 9/15/09. Meet requirements to obtain a construction permit from Environmental Health Services prior to obtaining a building permit. Identification of a replacement area and a passing evaluation is required for the septic system connected to the existing residence prior to final map approval. Avoid cut >24" for the proposed 40' roadway & utilities easement that is located down gradient of the existing drainfield for Parcel A. A 5' setback is required from paved surfaces. A 25' setback is required if cuts are >24".

Marin County Environmental Health Services: Water Supply

30. The addition of a residential service connection and/or an additional lot requires a new domestic water permit prior to Final Map and Building Permit approvals.
31. BEFORE APPROVAL OF THE PARCEL MAP:
 - a. Obtain a valid domestic water permit. Either the second and primary well, or both, can be proposed for domestic use, if compliance with County domestic water standards are demonstrated, including water treatment. As a minimum, treatment in the form of filtration and disinfection shall be required due to the shallow nature of the wells and seals, and the site conditions. The Coastal Permit is also a condition of the domestic water permit.
 - b. Applicable requirements set forth in the April 1, 2010 letter from EHS, notifying the applicant that the submittal for the Domestic Water Supply Permit was incomplete, will need to be followed, as well as other applicable requirements depending on the applicant's design proposal.
 - c. Submit a plot plan showing the 100-foot radius around Well #1 that supports the evaluation that the setback issue to septic systems are resolved for Well #1.

32. If at any time the County is presented with information that the existing septic systems on the neighboring lots are closer than 100 feet from the well(s), the County may require destruction of the well under permit by a licensed well driller.

Marin County Department of Public Works

33. BEFORE RECORDATION OF A PARCEL MAP, submit a Parcel Map to DPW for review and approval. The Parcel Map shall be prepared in accordance with Marin County Code (MCC) Title 20, Subdivisions, and the Subdivision Map Act.
34. BEFORE, OR CONCURRENTLY WITH THE PARCEL MAP RECORDATION, all proposed easements shall be recorded.
35. Provide a road/driveway maintenance agreement for review and approval by DPW. Once approved by DPW, the maintenance agreement shall be recorded concurrently with the Map.
36. Improvement Plans must conform to MCC, Title 24 Development Standards and/or as approved by the Department of Public Works and/or the County Fire Department.
37. Prior to any development plans for the sites (grading and/or building permits) a geotechnical stability report shall be required. The report shall not only address standard geotechnical site conditions/seismic data for building construction, but also shall include evaluation and mitigation of any geotechnical findings that may potentially impact current and future site improvements.
38. BEFORE ISSUANCE OF ANY BUILDING PERMITS:
 - a. All driveway improvements shall conform to MCC§24.04.260-320 of the Marin County Code and as approved by the District Fire Marshal.
 - b. The paved portion of the existing access road is presented as being 10 feet wide. The minimum width for an access driveway for 2 to 6 dwellings is 16 feet (MCC§24.04.260[b]). The access driveway width may require expansion to meet the minimum requirements per the District Fire Marshal when the new parcel is developed.
 - c. Portions of the existing driveway exceed an 18% slope with an asphalt surface. MCC§24.04.300 requires that driveway of slopes greater than 18% shall be concrete surfaced. Therefore, improvements of portions of the driveway exceeding a slope of 18% may be required as per the direction of the District Fire Marshal.

California Department of Transportation

39. Before any work or traffic control encroaches on the State Route One right-of-way, the applicant shall obtain an Encroachment Permit from the California Department of Transportation. Further information is available on the following website:
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

SECTION 4: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest the Kirschman Master Plan Waiver, Coastal Permit, Land Division, and Precise Development Plan approval by recording a Parcel Map before November 17, 2014, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date and the Community Development Director 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, Marin County Civic Center, San Rafael, no later than 4:00 p.m. on November 28, 2011.

SECTION 5: DECISION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 17th day of November, 2011.

JEREMY TEJIRIAN
DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
Deputy Zoning Administrator Secretary