

Marin County Deputy Zoning Administrator
Regular Meeting
Thursday, December 13, 2012
9:00 a.m.

1. LAND DIVISION (Project ID: 2012-0215): PACIFIC RESIDENTIAL LLC LAND DIVISION

The subject property is located at 571 McClay Road, Novato, and is further identified as Assessor's Parcel 146-180-46.

The Pacific Residential LLC item was continued from the hearing of November 29, 2012.

In response to the Hearing Officer, staff stated that no further correspondence had been received since the previous hearing.

The public testimony portion of the hearing was opened and closed.

The Hearing Officer noted that the history of the easement shown by prior development shows no exclusivity. He also noted that, as discussed at the previous hearing, Conditions of Approval 21 and 23 were eliminated. With those modifications, the Deputy Zoning Administrator (DZA) concurred with staff's findings and Conditions of Approval in the revised resolution, and approved the Pacific residential LLC Land Division.

The Deputy Zoning Administrator (DZA) informed all parties of interest that this action may be appealed to the Marin County Planning Commission within ten (10) working days.

2. COASTAL PERMIT AND DESIGN REVIEW (Project ID: 2012-0046): SUSAN HILL

The subject property is located at 350 Via De la Vista, Inverness, and is further identified as Assessor's Parcel 112-080-11.

In response to the Hearing Officer, staff stated that no additional correspondence had been received since the issuance of the staff report.

The public testimony portion of the hearing was opened and closed.

The Hearing Officer noted that the concerns of the interested parties had been addressed.

In response to the question regarding Condition of Approval 16, Berenice Davidson, Department of Public Works, stated that a contoured survey will be needed prior to issuance of a Building Permit.

The Hearing officer added the following Conditions of Approval:

- With the exception of the Department of Public Works requirements for AC paving, the driveway shall be permeable pavers or some other permeable surface. Site plans shall indicate surface material for all new portions of the driveway.”
- BEFORE ISSUANCE OF A BUILDING PERMIT, a contoured site plan shall be required.

With those modifications, the Deputy Zoning Administrator (DZA) concurred with staff's findings and Conditions of Approval in the revised Resolution, and approved the Hill Coastal Permit and Design Review.

The Deputy Zoning Administrator (DZA) informed all parties of interest that this action may be appealed to the Marin County Planning Commission within five (5) working days.

3. (A) NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT:
RICHARDS COASTAL PERMIT, AND DESIGN REVIEW

In response to the Hearing Officer, staff responded that a letter was received from Margo Wixsom and Greg Long of Santa Clara, and property owners at 375 Aberdeen Way, expressing concerns about the overall size of the project and its proximity to the property lines. In response to the concerns raised by Ms. Wixsom and Mr. Long, staff conducted an analysis of home sizes and lot areas along Aberdeen Way. Home sizes ranged from 600 square feet up to 2,500 square feet, and the average lot area was 24,395 square feet. Staff indicated that the findings contained in the proposed resolution, as well as analysis contained within the circulated Initial Study, considered community character issues, potential view impacts, and alternative siting locations for development on the subject property. Therefore, the concerns expressed by Ms. Wixsom and Mr. Long were not considered new information because those issues were previously addressed during the project analysis.

The public testimony portion of the hearing was opened.

Anthony Richards, project manager, spoke in favor of the project noting that the project was designed to be under 2,000 square feet and the septic field dictated the placement of the house. The public testimony portion of the hearing was closed.

The Hearing Officer noted that developing a project within the Stream Conservation Area (SCA) and the Natural Resource Stream Buffer is challenging due to the restrictive nature of those buffer zones. Prior to the public hearing, the Hearing Officer consulted with Jack Liebster, Planning Manager, to clarify Policy 3D in the Natural Resources Section of the Local Coastal Program (Unit II) regarding development within the buffer zone. Based on the engineering and biological information cited in the Initial Study, the Hearing Officer concluded that an affirmative finding can be made consistent with Policy 3D of the Natural Resources Section of the LCP. The policy citation contained within the Initial Study should be corrected to include all of the language of said policy. The Hearing Officer noted that HardiAShingle is a Class A firesafe shingle and asked that the description be stipulated in the applicant's description of siding material.

The Deputy Zoning Administrator (DZA) concurred with staff's findings and Conditions of Approval in the Resolution, and approved the Richards Negative Declaration.

The Deputy Zoning Administrator (DZA) informed all parties of interest that this action may be appealed to the Marin County Planning Commission within five (5) working days.

(B) COASTAL PERMIT, AND DESIGN REVIEW
(Project ID 2011-0220): RICHARDS

The subject property is located at 445 Aberdeen Way, Inverness, and is further identified as Assessor's Parcel 112-174-09

The Deputy Zoning Administrator (DZA) concurred with staff's findings and Conditions of Approval in the Resolution, and approved the Richards Coastal Permit and Design Review.

The Deputy Zoning Administrator (DZA) informed all parties of interest that this action may be appealed to the Marin County Planning Commission within five (5) working days.