

MARIN COUNTY PLANNING COMMISSION AGENDA  
Marin County Civic Center, Room 328 - San Rafael  
REGULAR – February 24, 2003

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- 11:00 A.M. 1. ROUTINE TRANSACTIONS  
a. Incorporate Staff Reports into Minutes  
b. Continuances  
2. COMMUNICATIONS  
3. DIRECTOR'S ORAL REPORT  
a. Report on Progress of General Plan Updates  
b. Update on Board of Supervisors Actions  
c. Report on On-Going/Pending Development Projects  
4. OPEN TIME FOR PUBLIC EXPRESSION, LIMITED TO THREE MINUTES PER SPEAKER
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- 11:30 A.M. 5A. DRAFT NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT: DICKENS  
5B. TENTATIVE MAP/SUBDIVISION AND DESIGN REVIEW: DICKENS CG/JT

Hearing to consider applications proposing to divide a 2.1-acre parcel into six single-family residential lots and Design Review for a single-family residence on proposed Lot 4. The Design Review would result in a two-story, 2,989 square foot single-family residence with an attached garage that would be located adjacent to the existing residence near the top of the hill on the property. The proposed residence would attain a maximum height of 29.5 feet above finished grade, and would maintain minimum setbacks of 25 feet from the proposed access easement along the western front property line and 7 feet from the southern side property line. The project site is currently accessed by an existing driveway that extends from the entry to North San Pedro Road to the existing single-family residence on Lot 6. The applicant proposes to widen and improve the existing driveway from the North San Pedro Road up to the northern boundary of proposed Lot 6. The first approximately 120 feet of the access way, referred to as Arbor Court, from North San Pedro Road would maintain a minimum paved width of 28 feet, and would then narrow to a width of 16 feet as it curves up the hill. The applicant also proposes drainage system improvements designed to collect on-site storm water through catch basins along Arbor Court and culverts that would direct water to drainage dissipaters along the northern property line. Domestic water and sanitary services to the proposed lots would be provided by the Marin Municipal Water District and the Las Gallinas Sanitary District, respectively. The existing sanitary sewer main that extends from North San Pedro Road to the existing residence on Lot 6 would be utilized by the other residences within the subdivision. The future residences would be connected to the sewer main by individual laterals, but the applicant does not propose increasing the capacity of the sewer main. Other public utilities, including gas, electric, and telephone, would be extended underground to the proposed undeveloped lots from utility easements along Arbor Court. The subject property is located at **277 North San Pedro Road, San Rafael**, and is further identified as **Assessor's Parcel 180-181-30**.

Prior to taking action on the merits of the project, the Planning Commission will consider the grant of a Negative Declaration of Environmental Impact for this project.

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12:30 P.M. LUNCH/WORKSHOP ON PROTOCOL AND PROCEDURES

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- 1:30 P.M. 6A. DRAFT NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT: THREE SONS, LLC (NICK'S COVE)  
6B. MASTER PLAN AMENDMENT AND MASTER PLAN WAIVER REQUEST/COASTAL PERMIT/PRECISE DEVELOPMENT PLAN/TIDELANDS PERMIT: THREE SONS, LLC (NICK'S COVE) JP

Hearing to consider the proposed project as a request for a Master Plan Amendment for proposed improvements on the "Lands of Three Sons, LLC") and a Master Plan Waiver request for construction of the off-site septic system and well on the "Lands of Zimmerman", and Coastal Permit, Precise Development Plan, and Tidelands Permit approvals for the restoration of the commercial facilities associated with Nick's Cove. The project consists of various land use programs and the physical redevelopment of Nick's Cove to provide commercial and recreational uses to serve both the local community and visiting tourists. The major objectives of the land use program are to: (a) support the economic vitality of the eastern shore of Tomales Bay; (b) restore and preserve an historic resource; and (c) provide amenities to the general public and public access to Tomales Bay. In general, the project proposes to provide 11 over-night guest units, one on-site manager's residence, a restaurant facility, a pier for public access (including viewing and fishing and access to four boat slips within Tomales Bay) and various site improvements including on-site parking with valet service, water storage tanks, underground utility lines, stream restoration and landscaping modifications to the existing water source from springs on the "Lands of Poncia" (Assessor's Parcel 104-110-10) and off-site sewage disposal and water systems on the "Lands of Zimmerman" (Assessor's Parcel 104-110-11) to serve the commercial project. The subject property is located at **23240 State Route One, Marshall (Assessor's Parcel 104-140-02), 23115 State Route One, Marshall (Assessor's Parcel 104-150-01) and 23900 State Route One (Assessor's Parcel 104-110-11).**

Prior to taking action on the merits of the project, the Planning Commission will consider the grant of a Negative Declaration of Environmental Impact for this project.

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3:15 P.M. B R E A K

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- 3:30 P.M. 7. FINAL ENVIRONMENTAL IMPACT REPORT: OAKVIEW MASTER PLAN, VESTING TENTATIVE MAP AND USE PERMIT TH

Continued meeting on the Final EIR for the Oakview proposal to consider action recommending that the Board of Supervisors certify the Final EIR as adequate and complete pursuant to the California Environmental Quality Act (CEQA). A public hearing to receive testimony on the Planning Commission's recommendation for certification of the Final EIR has not been scheduled. This meeting is a continuation of the August 5, 2002 Commission meeting at which the hearing on the Final EIR was closed and staff directed to provide additional information on issues of concern to the Commission prior to action to certify the Final EIR. The project proposes to subdivide the 106.3-acre subject property, located in the northwestern quadrant of the U.S. Highway 101/Lucas Valley Road interchange, into two parcels for future residential and office building development. Parcel 1 would include 15.3 acres reserved for 28 detached single-family residential lots, 1.8 acres of public right-of-way, and 34.8 acres of open space for a total of 51.9 acres. Parcel 2 would consist of 20.1 acres reserved for 94,400 square feet of administrative/professional office development, and 34.3 acres of open space for a total of 54.4 acres. All open space areas would be deeded or offered for dedication to the Marin County Open Space District, the Marinwood Community Services District, or a similar public entity. The subject property is zoned RMP-1.38 (Residential, Multiple Family, Planned District, 1.38 units per acre maximum density) which requires Master Plan review for the ultimate development of the site. RMP zoning allows office buildings subject to securing a Use Permit pursuant to Marin County Code Section 22.47.022(12)(e). A Tentative Map is required pursuant to Marin County Code Section 20.08.050 because the proposal entails division of the subject property into two roughly equal-sized lots for the residential and office portions of the project. The project is located at 200 Lucas Valley Road, San Rafael, and is within the unincorporated area of Marin County immediately north of the City of San Rafael. The project site is bounded on the east by Highway 101, on the south by Lucas Valley Road, on the west by residential lots along Ellen Drive, Erin Drive, Lisa Court, and Elvia Court, and on the north by Miller Creek, and is further identified as Assessor's Parcel 164-270-03.

(This item was continued from the hearing of August 5, 2002.)

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- 8. APPROVAL OF MINUTES – FEBRUARY 10, 2003, MEETING
  - 9. FUTURE AGENDA DISCUSSION ITEMS, FIELD TRIPS
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I PLANNING COMMISSION VOTING REQUIREMENTS

- A. For the following action, four (4) affirmative votes from the Planning Commission membership must be cast.
  - 1. Adopt recommendation to adopt or amend a general community specific plan, or
  - 2. Adopt a recommendation on zoning text or zoning district amendments.
  - 3. Reverse or modify a previous decision of the Director or Hearing Officer for Zoning Code or Subdivision Code matters.
- B. Any other action by the Planning Commission requires a majority or quorum (for a minimum of three affirmative votes).

II. GUIDELINES FOR TIME LIMITS ON PRESENTATION AND PUBLIC TESTIMONY

The Planning Commission's general meeting procedure and time limit guidelines are as follows:

- A. Planning Division staff report 5-10 minutes
- B. Planning Commission questions to staff
- C. Applicant's presentation 10 minutes maximum
- D. Appellant's presentation 10 minutes maximum  
(applies only if public hearing is required to act on a valid appeal)
- E. Public Testimony (depending on the number of speakers) 3-5 minutes each

(Written testimony is greatly appreciated [10 copies], and should be received no later than 9:00 a.m. on the Monday prior to the day of the hearing. Please send written testimony to the Marin County Community Development Agency - Planning Division, 3501 Civic Center Drive, Room 308, San Rafael, California 94903. ***When written testimony is presented, it is not necessary to read the entire text into the minutes; it will automatically become a part of the record.***)

- F. Close public hearing

(When public hearing is closed, no further discussion between applicant, public and Commission is appropriate unless the majority of the Commission agrees to hear new information only.)

III. OPEN TIME FOR PUBLIC EXPRESSION

Testimony regarding projects or plans not scheduled on the agenda will not be considered a part of the administrative record.

IV. NOTICE REGARDING BUS SERVICE

The Marin County Civic Center is served by Golden Gate Transit Bus Routes 1, 23, and 39 with connections to other routes at Third and Hetherton Streets in San Rafael. For more information call (415) 453-2100.

***NOTE: ALL PLANNING COMMISSION MEETINGS ARE TAPE RECORDED.***

**\*\* (Visit our website at "<http://www.co.marin.ca.us/depts/BS/main/brdscomm/mcbds/plngcom.cfm>. ") \*\***