



MEMORANDUM

TO: Marin County Planning Commission

FROM: Sabrina Cardoza, Senior Planner *SC*

DATE: August 23, 2023

RE: Planning Commission Hearing of August 28, 2023, Agenda Item 5
Brian Johnson Trust Coastal Permit
21 Calle Del Onda, Stinson Beach
Assessor's Parcel 195-162-49
Project ID P3049

Attachment 1 (Revised Recommended Resolution) entails additional revisions to the Recommended Resolution provided to the Planning Commission via staff's memorandum sent on August 10, 2023. Previously proposed and newly proposed revisions shown in track changes include:

1. Revisions to Recommended Resolution Section 5.J. (Public Facilities and Services) that reflect the expiration of the Stinson Beach County Water District's septic system variance approval;
2. Addition of a new Condition of Approval 3, which requires that the applicant shall submit evidence of a septic system approval from the Stinson Beach County Water District prior to the issuance of a Building Permit;
3. Revisions to Condition of Approval 8, which now includes monitoring of dune restoration at three, five, and ten years from the date of initial native plant installation and minimum performance standards which requires provisions for additional further action if monitoring conducted by a qualified biologist indicates that initial restoration has failed and for a new timetable for monitoring to be established should initial restoration fail;
4. Text edits for clarity purposes regarding the takings analysis under Recommended Resolution Section 7; and
5. Text edits to address typographical errors throughout the Recommended Resolution.

Additionally, attached are two resolutions related to the environmental review conducted for the project. Attachment 2 (CEQA Denial Resolution) is a revised CEQA resolution provided to the Planning Commission at the August 14, 2023 hearing. This resolution entails the action taken by the Planning Commission to deny the Subsequent Mitigated Negative Declaration by a vote of three ayes and three noes on July 31, 2023.

Attachment 3 (Recommended CEQA Resolution) is the recommended CEQA resolution proposed for the Planning Commission's reconsideration of the Subsequent Mitigated Negative Declaration denial issued on July 31, 2023.

RECOMMENDATION

On the August 14, 2023, the Planning Commission took a straw vote to approve the merits of the project with a vote of one no and five ayes. A motion was then made to reconsider the prior decision on the mitigated negative declaration that was made on July 31, 2023. This motion passed with a vote of one no and five ayes.

Staff's recommendation that the project be conditionally approved remains unchanged. However, the recommendation has been revised to approve subsequent Mitigated Negative Declaration based on attachment 3 (Recommended CEQA Resolution) and to conditionally approve the project based on the findings and subject to the conditions contained in Attachment 1 (Revised Recommended Resolution).

Attachments:

1. Revised Recommended Resolution
2. CEQA Denial Resolution, adopted July 31, 2023
3. Recommended CEQA Resolution