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December 4, 2016

Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael, CA 94903-4193 and  
C/O: **MarinLCP@marincounty.org**

Dear Marin County Board of Supervisors,

Upon review of the California Coastal Commission's amendments to the Marin County Local Coastal Program's Land Use Plan and Implementing Program, adopted by the CCC on November 2, 2016, the Stinson Beach Village Association offers the following comments and recommendations for your consideration:

The LUP and IP regulations for Bed and Breakfast Inns employ critical terms at once undefined and inconsistent. (See Attachments #1 & #2) The LUP uses the word "householder" and the IP, "household," terms not included in Article VIII, 22.130, Definitions. These terms are broad enough to include non-property owners, such as lessees, thereby circumventing the intent of C-PK-6. We suggest substituting "homeowner" for both "householder" and "household" in the respective sections of the LUP and IP. This would conform to the intent of C-PK-6 and prevent a property owner from converting a residence into a small hotel by leasing it to an on-site manager for the purpose of operating a Bed and Breakfast Inn. Since Bed and Breakfasts are being designated in the LCP as Permitted Use in residential zones, it's vital that they function as intended: providing visitors with affordable accommodations and homeowners with supplemental income while mitigating disruptions to residential neighborhoods.

Regarding provisions concerning Easkoot Creek:

**22.66.040 Stinson Beach Community Standards**

**D. Easkoot Creek.** Easkoot Creek shall be restored, as feasible, to improve habitat and support natural processes (Land Use Plan Policy C-SB-4).

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**C-SB-4 Easkoot Creek.** Restore Easkoot Creek to improve habitat and support natural processes.

*Page 85*

The words "restored" and "restore" appear in the LUP and the IP, though the IP contains the undefined qualifier "as feasible." We urge that phrase be removed, as it negates the commandment "shall" in the IP, and its subjectivity invites controversy and may improperly allow interpretations that limit restoration, ex. restoring its original course, which ran into the ocean before Marin County diverted it to empty into the southern end of the Bolinas Lagoon, thereby creating the Easkoot Creek flood plane.

California Coastal Commission staff stated on page 99 of their cover letter to the proposed modifications to the LCPA considered at the CCC hearing on November 2, 2016:

In response to public comment regarding the need for community centers in residential zoning districts to be owned and operated by non-profits, the County-adopted proposed IP requires community centers to be designed to enhance public recreational access and visitor-serving opportunities. Thus, regardless of ownership, community centers will serve public recreational access purposes, consistent with Coastal Act Section 30222. (See attachment #3)

The Coastal Act Section 30222 does not empower the County to require that community centers be designed to enhance public recreational access and visitor-serving opportunities. Furthermore, as the name implies, we believe community centers should serve primarily the needs of the residents of the communities in which they are located, not visitors.

Thank you for your consideration,

A handwritten signature in black ink that reads "Terry M. Gordon". The signature is written in a cursive style with a prominent loop at the end of the name.

Terry M. Gordon, President  
Stinson Beach Village Association

## Attachments

### **Attachment #1: C-PK-6 Bed and Breakfast Inns.**

Support bed and breakfast facilities in the Coastal Zone as a means of providing visitor accommodations, while minimizing their impacts on surrounding communities. Restrict the conversion of second units and affordable housing to bed and breakfast inns. In addition, support the location of bed and breakfast inns in areas that are easily and directly accessible from usual tourist travel routes and where there is adequate off-street parking for guests and where the problem of nearby residents being inconvenienced by noise and increased transient traffic is minimized. Bed and breakfast inns shall be permitted to host or provide facilities for gatherings, such as weddings, receptions, private parties, or retreats if located in the C-APZ, C-ARP or C-R-A and if such activities are otherwise LCP consistent. **Each bed and breakfast inn must be operated by a householder who is the sole proprietor of the enterprise and whose primary residence is on the premises where the inn accommodations are located.** [Emphasis added] *Page 125*

### **Attachment #2: 22.32.040 Bed and Breakfast Inns.**

Bed and breakfast inns (B&Bs) are subject to the requirements of this Section. The intent of these provisions is to ensure that compatibility between the B&B and any adjoining zoning district or use is maintained or enhanced.

F. Occupancy by permanent resident required. All B&Bs shall have one household in permanent residence.  
*Page 18*

### **Attachment #3: Coastal Act Section 30222:**

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.