

From: Wade Holland
Sent: Tuesday, December 04, 2012 4:30 PM
To: Liebster, Jack
Subject: Three items for 12/11 LCPA hearing

Attachment #1, p. 5: In the WECS section, one “alternative” for the Board to consider is shown as: “• Allow roof-mounted WECS in all districts (height limit = 10’ above roof line)”. However, as shown near the bottom of p. 6, the PC recommendation already lists such roof-mounted WECS “as a Principal Permitted Use in all coastal zoning districts.”

Attachment #3, pp. 1-2: I’m concerned about a possible future interpretation of intent stemming from the manner in which the words “and visitor-serving” are proposed for insertion into the “community character” policies for the specific communities. Owing to how the commas are used in the sentences, these provisions could be interpreted to require that all commercial development that is approved must be visitor serving. For example, in the case of Bolinas, C-BOL-1 requires (because of the placement of the commas) that three types of “uses” are to be “maintained”: (1) residential; (2) small-scale commercial and visitor-serving; and (3) agricultural. A case might be made that (2) requires that all commercial development must be both small-scale AND visitor-serving. Such an interpretation could be used to exclude, for example, a tax preparer’s office, an insurance agency, a community thrift store, a dentist, etc. I think the problem can be corrected easily, mostly with punctuation changes, as I have shown on the attached Word doc.

Attachment #3, p. 4: Concerning 22.32.190.A.5, I would respectfully disagree that changing wind testing facilities (met towers) from a conditional use (per the PC) to a permitted use (as you are now proposing) qualifies as a “minor correction or clarification.” This is a significant change, and I would hope that the Board is informed of that fact. (I’m not opposed to the change, I just want it to be accurately represented as a substantive change from what the PC proposed.)

Wade B. Holland

Suggested Modifications to “Community Character” Policies in Community Development Section of LCPA (Reference BOS Attachment #3, pp. 1-2, December 11, 2012)

C-BOL-1 Community Character of Bolinas. Maintain the existing character of residential, small-scale commercial, ~~and~~ visitor-serving, and agricultural uses in Bolinas.

C-OL-1 Community Character of Olema. Maintain Olema’s existing mix of residential, small-scale commercial, ~~and~~ visitor-serving, and open space land uses, and its small-scale, historic community character. Minimize impacts of future development in the hillside area of Olema with the following design standards:

C-PRS-1 Community Character of Point Reyes Station. Maintain the existing mix of residential, ~~and~~ small-scale commercial, and visitor-serving development, and the small-scale, historic community character in Point Reyes Station.

C-INV-1 Community Character of Inverness. Maintain the existing character of residential, ~~and~~ small-scale commercial, and visitor-serving development in the Inverness Ridge communities.

C-ES-1 Community Character of the East Shore of Tomales Bay. Maintain the existing character of low-density, residential, agriculture, mariculture, visitor-serving, and fishing or boating-related uses. Allow expansion or modification of...

C-TOM-1 Community Character of Tomales. Maintain the existing character of residential, ~~and~~ small-scale commercial, and visitor-serving development in the community of Tomales.

C-DB-1 Community Character of Dillon Beach. Maintain the existing character of residential, ~~and~~ small-scale commercial, and visitor-serving development in Dillon Beach and Oceana Marin.

C-SB-1 Community Character of Stinson Beach. Maintain the existing character of residential, small-scale commercial, and visitor-serving recreational development in Stinson Beach.

C-MB-1 Community Character of Muir Beach. Maintain the small-scale character of Muir Beach as a primarily residential community, with recreational, ~~small~~ small-scale visitor-serving, and limited agricultural uses.

Wade Holland
December 4, 2012