

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 20-140

A RESOLUTION APPROVING THE COLLEGE OF MARIN COASTAL PERMIT, DESIGN REVIEW, AND USE PERMIT
72 WHARF ROAD, BOLINAS
ASSESSOR'S PARCEL: 193-081-14

SECTION I: FINDINGS

1. **WHEREAS**, Perkins Eastman Architects, on behalf of the owner, College of Marin, has submitted a Coastal Permit, Design Review, and Use Permit application to demolish three existing structures and construct a new 2,416 square foot building on a developed lot in Bolinas. The 2,416 square feet of proposed development would result in a floor area ratio of 23 percent on the 10,275 square foot lot.

The proposed building would reach a maximum height of 20 feet, 6 inches above surrounding grade and the exterior walls would have the following setbacks: 25 feet from the northern front property line; 10 feet from the western side property line; 27 feet, 3 inches feet from the eastern side property line; 26 feet, 7 inches feet from the southern rear property line.

The structure would be used as an educational facility, located within a residential zone.

The property is located at 72 Wharf Road, Bolinas and is further identified as Assessor's Parcel 193-081-14.

2. **WHEREAS**, on December 3, 2020, the Marin County Deputy Zoning Administrator held a duly noticed public hearing to take public testimony and consider the project.
3. **WHEREAS**, the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3 of the CEQA Guidelines because the construction of a new educational facility on a previously developed property would not result in significant impacts to the environment.
4. **WHEREAS**, the project is consistent with the goals and policies of the Marin Countywide Plan for the following reasons:
 - A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.
 - B. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide habitat for special-status species of plants or animals.

- C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, baylands, or woodlands.
 - D. The project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and CWP BIO-4.1) because the proposed development would not encroach into any Stream Conservation Areas or Wetland Conservation Areas.
 - E. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.
 - F. The project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during review of the Building Permit application and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.
 - G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during review of the Building Permit application.
 - H. The project is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines and the natural environment from adverse impacts related to development.
 - I. The project is consistent with CWP residential design policies and programs (DES-3.b and DES-4c) because it would fit within the context of the neighborhood, minimize the perception of mass and bulk, and comply with the Single-family Residential Design Guidelines.
5. **WHEREAS**, the project is consistent with the goals and policies of the Bolinas Community Plan for the following reasons:
- A. The project is consistent with the Land Use policy (LU-1) because it is not located within the Bluff Erosion Zone,
 - B. The project is consistent with Land Use policy related to stream protection (LU-2) because it is not located within the Alder Creek buffer area.
 - C. The project is consistent with Land Use Policy related to septic capacity (LU-4) because the project does not entail new residential development within the area identified in Community Plan figure 4-3 as not suitable for on-site sewage disposal.
6. **WHEREAS**, the project is consistent with the mandatory findings for Coastal Permit approval (Marin County Code Section 22.56.130I).

A. Water Supply.

The project site is served by the Bolinas Community Public Utility District (BCPUD). As such, the property has a viable water source.

B. Septic System Standards.

There is no need for a septic system at the project site as the property is served by the Bolinas Community Public Utility District's sanitary services.

C. Grading and Excavation.

The project earthwork entails 133 cubic yards of cut, 28 cubic yards of fill, and 105 cubic yards of offhaul. The earthwork is limited to accommodate the proposed structure and parking area. The earthwork would not significantly alter the existing site, with the hillside at the rear of the proposed structure maintained in its natural state. Pervious pavers are to be used to create the parking area, reducing overall impermeability of the site and limiting stormwater runoff.

The geotechnical report, prepared by Geosphere Consultants, dated September 23, 2020, evaluated the existing site and determined that the proposal is feasible.

Additional grading details are to be provided and reviewed by the Department of Public Works (DPW) at the time of building permit submittal.

D. Archaeological Resources.

A review of the Marin County Archaeological Sites Inventory Maps on file in the Planning Division indicates that the subject property is located in an area of high archaeological sensitivity. The property is currently developed with three structures and the proposed development is located within the general area of the existing development footprint.

Further, as required by the Marin County Code, in the event archeological resources are uncovered during construction, all work shall immediately cease, and the services of a qualified consulting archaeologist be engaged to assess the value of the resource and to develop appropriate mitigation measures.

E. Coastal Access.

The property does not have access to the shoreline. That said, the lot is located across the street from a dock, owned by the College of Marin. No changes are proposed at this property. As such, the project would not result in impacts to coastal access.

F. Housing.

The removal of existing structures that provide housing opportunities for persons of low and moderate income is not included in the scope of work.

G. Stream and Wetland Resource Protection.

The subject property is not adjacent to a stream or wetland. This

H. Dune Protection.

Dunes are not present in the project vicinity.

I. Wildlife Habitat Protection.

The California Natural Diversity Database (CNDDDB) is an inventory of the status and locations of rare plants and animals in California. Identified within a mile of the project site are the following species: California Ridgway's rail (*Rallus obsoletus obsoletus*) and round-headed Chinese-houses (*Collinsia corymbosa*). No species listed is considered to be endangered. The California Ridgway's rail is a bird whose habitat is salty and brackish water marshes that contain pickleweed and cordgrass. The round-headed Chinese-houses is a flowering plant whose habitat are coastal sand dunes. As the habitat for these species are not present on site, it is unlikely that these birds and plants will be impacted by the project.

J. Protection of Native Plant Communities.

The project does not entail a significant change to the existing vegetation, which includes a mix of ornamental landscaping and native plantings. While vegetation is proposed for removal, the amount of modification to the site is not considered significant as there are no protected species or environmental resources on the property that would be adversely impacted by the project. Further, the site does not contain a significant number or type of nonindigenous, invasive plant species that threaten native plant species.

K. Shoreline Protection.

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone.

L. Geologic Hazards.

The project site is not located within the Unit I Local Coastal Program geologic hazards map. A Geotechnical Report was prepared by Geosphere Consultants, providing results of the geotechnical investigation for the proposed project. The report notes that the project is feasible provided recommendations presented in the report are used.

M. Public Works Projects.

The proposed project will not affect any existing or proposed public works projects in the area.

N. Land Division Standards.

No land division or lot line adjustment is proposed as part of this project

O. Visual Resources and Community Character.

The one-story structure reaches a maximum height of 20 feet, 6 inches. The tallest portion of the structure is a dormer, which articulates the proposed structure. Existing structures within the project vicinity are a mix of one- and two-story buildings of varied architectural styles. The proposed educational facility is located in a similar footprint as the existing improvements and the scale would not detract from the community character. Further, given the topography of the site, the structure is not visible from all off site vantage points; nor is the project visible from Highway 1 nor Panoramic Highway.

P. Recreational/Commercial/Visitor Facilities.

The proposed project would not provide commercial or recreational facilities, and the subject property is not governed by VCR (Village Commercial Residential) zoning regulations, which require a mixture of residential and commercial uses.

Q. Historic Resource Preservation.

The project site is not located within any designated historic district boundaries as identified in the Marin County Historic Study for the Local Coastal Program. However, the structure was built prior to 1930. Therefore, a Historical Analysis was conducted and prepared by Preservation Architecture.

The report concludes that while the historical use of the property as a U.S. Coast Guard facility has local significance, the structures themselves are not historical resources.

Recognizing the importance of the historical use of the site to the community, the applicants have incorporated into the project scope the following items to preserve the local history of the site:

- 1) The applicant and owner will collaborate with the Bolinas Museum to prepare a detailed and thorough documentation of the site that will be housed in the Museum.
- 2) The new design incorporates a symbolic nautical lantern to represent the safe passage and protection previously provided by the coast guard station. The design will also incorporate a metal plaque on the front gate to acknowledge the site's history into the future.

7. **WHEREAS**, the project is consistent with the mandatory findings for Design Review approval (Marin County Code Section 22.82.040I).

Mandatory Findings for Design Review (Marin County Code Section 22.82.040I)

A. It is consistent with the Countywide Plan and any applicable community plan and local coastal program;

As noted above, the project is consistent with the Countywide Plan, Bolinas Community Plan, and Local Coastal Program. Additionally, because the project is located within the C-RA-B2 zoning district, the educational facility requires Use Permit approval to operate. The findings for the Use Permit are discussed in the following section and would ensure that the project is in compliance with applicable standards and policies.

- B. It will properly and adequately perform or satisfy its functional requirements without being unsightly or creating substantial disharmony with its locale and surroundings;**

Overall, the project's scale, color/materials, and design satisfy its functional requirements without being unsightly or creating substantial disharmony with its locale and surroundings. Further, the history of the site is respected and commemorated through the installation of a nautical lantern and plaque to ensure harmony with the locale and its proximity to the shoreline.

- C. It will not impair, or interfere with, the development, use, or enjoyment of other property in the vicinity, or the orderly and pleasing development of the neighborhood as a whole, including public lands and rights-of-way;**

The proposed project should not interfere with the development, use, or enjoyment of properties within the vicinity, or the orderly and pleasing development of the neighborhood as development patterns in the area are varied. Further, the project is located entirely on private property and set back from property lines in compliance with the Development Code.

- D. It will not directly, or in a cumulative fashion, impair, inhibit or limit further investment or improvements in the vicinity, on the same or other properties, including public lands and rights-of-way;**

The project would not limit potential development on neighboring properties and would not have an impact on further investment or improvements on this or any other properties in the area because the residence is located solely on the subject property.

- E. It will be properly and adequately landscaped with maximum retention of trees and other natural material;**

Removal of significant vegetation is not included in the project scope as there is limited vegetation on the subject property given the location and state of the existing improvements. Few changes to the existing site vegetation are proposed. Native plantings around the existing improvements are to be maintained.

- F. It will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or juxtaposition. Adverse effects may include, but are not limited to, those produced by the design and location characteristics of:**

- 1. The scale, mass, height, area and materials of buildings and structures,**

The overall scale, mass, and height of the proposed project is consistent with the surroundings. Further, it is consistent with the scale of the existing structures. Given the proximity to Bolinas's historic downtown, the structure is designed to respect the character of the area while creating a modern update to a neglected site. Colors and materials include light gray painted horizontal siding, dark gray painted trim, gray standing seam metal roof, and dark mullioned windows. A recessed entryway is

painted an orange color to provide architectural interest on the site. All lighting shall be downlit and shielded.

2. Drainage systems and appurtenant structures,

As noted above, the property incorporates permeable paving at the parking area to enhance permeability on site. Stormwater is to be collected and dispersed in a landscape area. Additionally, an earthen swale is proposed at the rear of the structure. The Department of Public Works will further evaluate the drainage plans at the time of Building Permit submittal to ensure the project would not result in adverse impacts.

3. Cut and fill or the reforming of the natural terrain, and structures appurtenant thereto such as retaining walls and bulkheads,

Earthwork is limited to site improvements and is not utilized to develop large, flat outdoor areas and maintains natural site forms.

4. Areas, paths and rights-of-way for the containment, movement or general circulation of persons, animals, vehicles, conveyances and watercraft,

A parking analysis was prepared as part of the operational characteristics for the site. One ADA parking space, five single-stall parking spaces, and one tandem parking space is provided on site. The proposed parking area is behind an operable fence that is located on private property. There is no impact to offsite parking, nor are changes to the right-of-way anticipated.

5. Other developments or improvements which may result in a diminution or elimination of sun and light exposure, views, vistas and privacy;

The project, as designed, will not result in a reduction of sun or light exposure enjoyed on surrounding properties, or impact views, vistas, and/or privacy enjoyed on surrounding properties because the structure is in a similar location and of a similar scale as the existing improvements.

G. It may contain roof overhang, roofing material, and siding material that are compatible both with the principles of energy-conserving design and with the prevailing architectural style in the neighborhood.

Design elements include roof overhangs and materials that are energy-conserving. Further, the project would be required to comply with both State and local energy efficiency standards.

8. **WHEREAS**, the project is consistent with the mandatory findings for Conditional Use Permit approval (Marin County Code Section 22.88.020I.3).

A. The establishment, maintenance or conducting of the use for which a use permit is sought will not, under the particular case, be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular

case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

A Use Permit approval is required to allow an educational facility within the C-RA-B2 zoning district. However, the site has historically been used as both a Coast Guard Station and subsequently an educational facility. This Use Permit serves to formally allow the historic use of the site, and as a result it will be considered permitted rather than legal non-conforming.

The educational facility would have one classroom, an office, restrooms, and associated storage. The classroom could accommodate 24 students and two staff members. Hours of operation would vary but would typically coincide with typical business hours (Monday – Saturday, 8 am - 5 pm). The site would be closed when not in use.

ADA compliant design features are incorporated into the design to ensure equitable use of the property.

Granting the Use Permit on the subject property would not be detrimental to the public interest, health, safety, convenience, or welfare of persons working or residing in the surrounding neighborhood because the property has historically been used as a community serving facility, and would continue to provide public benefits related to science and education.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED that the project described in condition of approval 1 is authorized by the Marin County Deputy Zoning Administrator and is subject to the conditions of project approval.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

SECTION III: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the College of Marin Coastal Permit, Design Review, and Use Permit subject to the conditions as specified below:

CDA-Planning Division

1. This Coastal Permit, Design Review, and Use Permit approval authorizes the demolition of three existing structures and construction of a new 2,416 square foot educational facility on a developed lot in Bolinas. The 2,416 square feet of development would result in a floor area ratio of 23 percent on the 10,275 square foot lot.

The building would reach a maximum height of 20 feet, 6 inches above surrounding grade and the exterior walls would have the following setbacks: 25 feet from the northern front property line; 10 feet from the western side property line; 27 feet, 3 inches feet from the eastern side property line; 26 feet, 7 inches feet from the southern rear property line.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Bollinas Marine Field Station," consisting of 12 sheets prepared by Perkins Eastman Architects, received in final form on September 25, 2020, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2020" with respect to all of the standard conditions of approval.

SECTION IV: VESTING

NOW THEREFORE, BE IT RESOLVED that unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within two years of the date of the approval shall expire and become void. The permit shall not be deemed vested until the permit holder has actually obtained any required Building Permit or other construction permit and has substantially completed improvements in accordance with the approved permits, or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval.

SECTION V: APPEAL RIGHTS

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than five business days from the date of this decision ([date for end of appeal period]).

SECTION VI: ADOPTION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 3rd day of December 2020.



IMMANUEL BEREKET
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Michelle Reed

Michelle Reed
DZA Recording Secretary