



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

STAFF REPORT TO THE MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Caltrans Coastal Permit 2011-0116

RECOMMENDATION: **Approval**
HEARING DATE: **April 28, 2011**

Project ID No:	2011-0386	Applicant:	Michelle Ray, California
Application No:	2011-0116		Department of Transportation
Agenda Item:	1.	Owner:	State of California
Last Date for Action:	April 28, 2011	Assessor's Parcel No:	Adjacent to 199-040-53
		Property Address:	State Highway 1, Stinson Beach, Post Mile Marker 10.95
		Project Planner:	Curtis Havel chavel@co.marin.ca.us (415) 507-2755
		Signature:	
Countywide Plan Designation:	C-OS (Coastal, Open Space)		
Community Plan Area:	Not applicable		
Zoning:	C-OA (Coastal, Open Area)		
CEQA:	Categorically Exempt per Section 15301, Class 1(d) of the CEQA Guidelines		

PROJECT DESCRIPTION

The California Department of Transportation (Caltrans) is proposing to undertake repair and maintenance activities on an approximately 300-foot stretch of State Highway 1 in Marin County at post mile 10.95 (approximately 1.2 miles south of Stinson Beach just south of Webb Creek and the turnoff for the Steep Ravine Cabins). The proposed project entails construction of a 230-foot long tie-back soldier pile retaining wall varying from 0 feet to 17 feet in height. The project also includes installation of a metal beam guard rail barrier and cable railing. The proposed project is necessary to repair roadway damage due to soil movement underneath the roadway, and to prevent further sliding.

PROJECT SETTING

The proposed project is located within Mount Tamalpais State Park. The habitat in the project area is north coastal scrub, which is dominated by coyote bush (*Baccharis pilularis*), toyon (*Heteromeles arbutifolia*), and poison oak (*Toxicodendron diversilobum*). Webb Creek, a perennial blue-line stream, is located north of the project area at post mile 11.04 and would be avoided during construction. Caltrans staff performed reconnaissance surveys and a review of species lists from the California Natural Diversity Database, U.S. Fish and Wildlife Services, and California Native Plant Society for the

Bolinas, San Rafael, and Point Bonita 7.5" topographic quadrangles and found that no state or federally listed threatened or endangered species are likely to occur in the project area.

DISCUSSION AND ANALYSIS

The California Department of Transportation (Caltrans) is proposing to construct improvements to a segment of Highway 1 to repair storm damage due to slipping soils, and to prevent future sliding. Coastal Permit approval from the County of Marin is required because the project is located in Mount Tamalpais State Park (as opposed to Federal lands) and partially extends outside of the roadway prism.

For the purposes of environmental review, the Marin County Planning Division is considered a responsible agency, and as such is not required to supplement the California Department of Transportation's CEQA determination. The California Department of Transportation, as the lead agency for the project, determined that the proposed project is Categorical Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1 because it entails repair and maintenance of an existing major highway that provides access to residents and visitors, and would not result in potentially significant impacts to the environment.

Pursuant to Section 101.3 of the 2007 California Building Code and Section 23.08.030(2)(a) of Title 23 the Marin County Code, the proposed project is exempt from County Building and Grading Permit requirements because the project entails the repair and maintenance of a major highway that would be performed by a public agency that assumes full responsibility for the project. However, the project is not exempt from State mandated regulatory requirements. Therefore, as mentioned earlier in this staff report, the applicant is required to obtain Coastal Permit approval from the Marin County Community Development Agency.

Vistas and views along Highway 1 will not be negatively impacted by the proposed project because there are no long distance views of the new wall. The metal beam guard rail barrier and cable railing do not create a notable negative visual impact at this project site and are similar to other safety barriers found at numerous points along Highway 1. Although there will be a change in the visual character at the project site, the changes are considered brief and unobtrusive to the traveling public in a visual context.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution approving the Caltrans Coastal Permit 2011-0116.

Attachments: 1. Proposed Resolution recommending approval of the Caltrans Coastal Permit 2011-0116
2. Location Map

The following attachments were provided to the Deputy Zoning Administrator only. They are available for public review at the Community Development Agency, Planning Division during regular business hours: Monday through Friday, 8:00 am to 4:00 pm.

3. Coastal Development Permit Application prepared by the California Department of Transportation entitled, "Highway 1 Repair and Maintenance Project (EA 04-4S220) – Marin County Post Mile 10.95" undated, and further referenced as "Exhibit A."

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION _____

A RESOLUTION APPROVING THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
COASTAL PERMIT 2011-0116
STATE HIGHWAY 1 AT POST MILE 10.95
APPROXIMATELY 1.2 MILES SOUTH OF STINSON BEACH
ADJACENT TO ASSESSOR'S PARCEL 199-040-53

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SECTION I: FINDINGS

- I. WHEREAS the California Department of Transportation submitted a Coastal Permit to undertake repair and maintenance activities on an approximately 300-foot stretch of State Highway 1 in Marin County at post mile 10.95 (approximately 1.2 miles south of Stinson Beach). The proposed project entails construction of a 230-foot long tie-back soldier pile retaining wall varying from 0 feet to 17 feet in height. The project also includes installation of a metal beam guard rail barrier and cable railing. The proposed project is necessary to repair roadway damage due to soil movement underneath the roadway, and to prevent further sliding. The project is adjacent to Assessor's Parcel 199-040-53.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on Thursday, April 28, 2011 to consider the merits of the project, and hear testimony regarding the project. The Community Development Agency, Planning Division has provided public notice identifying the applicant(s), describing the project and its location, and giving the scheduled date of the public hearing in accordance with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property and to interested parties and organizations.
- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the California Department of Transportation, as the lead agency for the project, determined that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1 because it entails repair and maintenance of an existing major highway that provides access to residents of and visitors to Stinson Beach, and would not result in potentially significant impacts to the environment. As a responsible agency, the County Planning Division is not required to supplement the California Department of Transportation's CEQA determination.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Coastal Permit approval (Section 22.56.130 of the Interim Marin County Code) pursuant to the requirements and objectives of the Local Coastal Program, Unit I as described below.
 - A. Water Supply:

The proposed project does not require or entail the construction of a water supply system.
 - B. Septic System Standards:

The proposed project does not require or entail the construction of a septic system.

C. Grading and Excavation:

The grading associated with the project is to repair a major roadway that provides access to Stinson Beach and other populated areas to the north. The amount of grading that will occur is the least amount necessary to conduct the necessary repairs, and to allow for safe passage through this section of Highway 1.

D. Archaeological Resources:

The proposed project involves the excavation of materials from a previously disturbed area. Although the project is located in an archaeologically sensitive area, the area has already been disturbed during their original construction and this project would not uncover previously undisturbed areas. Therefore, it is highly unlikely that the project would disturb cultural resources.

E. Coastal Access:

The project is not located adjacent to portions of the shoreline that provide access to the general public. The project will not interfere with the roadway leading to the Steep Ravine cabins. Furthermore, the project would not restrict the public's ability to access the shoreline in the surrounding areas.

F. Housing:

The proposed project does not involve the demolition or conversion of housing affordable to households of lower or moderate income.

G. Stream and Wetland Resource Protection:

The project will not be located within 100 feet of a blue-line creek and will be located south of Webb Creek.

H. Dune Protection:

The project site is not located in a dune protection area as identified by the Natural Resources Map for Unit I of the Local Coastal Program.

I. Wildlife Habitat:

The project site is not located as an area that contains significant vegetation on the natural resource maps on file with the Marin County Planning Department, and the repair work will not remove significant amounts of vegetation because the area has been previously disturbed and does provide habitat to any endangered or threatened plant or animal species.

J. Protection of Native Plant Communities:

The project site does not contain a significant number or type of nonindigenous, invasive plant species which would threaten the preservation or reestablishment of native plant species, either on or off the site.

K. Shoreline Protection:

The project is not located within a designated bluff-top erosion zone. Furthermore, the repair work is required to provide continued access to coastal-dependant land uses that occur in Stinson Beach and other nearby coastal communities.

L. Geologic Hazards:

Highway 1 is constructed in an area that is notoriously susceptible to soil movement. The repair project is to prevent future soil instability near and around this stretch of Highway 1.

M. Public Works Projects:

The proposed project will not detract from the rural scenic characteristics of the existing roadway, does not entail water or sewer improvements, and will conform to the resource and visual policies of the Local Coastal Program.

N. Land Division Standards:

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

O. Visual Resources:

The project consists of limited vegetation removal during the repair of an existing roadway and would not adversely affect the visual resources in the area.

P. Recreation/Visitor Facilities:

The proposed project would not provide commercial or recreational facilities, and the project site 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 the designated historic preservation boundaries as identified in the Marin County Historic Study for the Local Coastal Program.

SECTION II: CONDITIONS OF APPROVAL

NOW THEREFORE BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the California Department of Transportation Coastal Permit 2011-0116 subject to the conditions of approval listed below.

1. Pursuant to Marin County Code Section 22.56.130I, and consistent with "Exhibit A," entitled, "Highway 1 Repair and Maintenance Project (EA 04-4S220) – Marin County Post Mile 10.95," prepared by the California Department of Transportation, this approval hereby authorizes repair and maintenance activities on an approximately 300-foot stretch of State Highway 1 in Marin County at post mile 10.95 (approximately 1.2 miles south of Stinson Beach just south of Webb Creek and the turnoff for the Steep Ravine Cabins). The approved project entails construction of a 230-foot long tie-back soldier pile retaining wall varying from 0 feet to 17 feet in height. The project approval also includes installation of a metal beam guard rail barrier and cable railing.

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. The Community Development Agency Director may administratively authorize modifications to the approved project and land use requirements that are determined to be minor and consistent with the findings herein.

SECTION III: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT RESOLVED that the project is vested upon approval and termination of the appeal period and shall be valid for a period of 2 years. An extension of up to four additional years may be granted for cause pursuant to Section 22.56.120I of the Marin County Code if the applicant applies for an extension at least 30 days before the expiration date above and the Deputy Zoning Administrator approves it.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m. on May 5, 2010.**

SECTION IV: ACTION

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 28th day of April, 2010.

JOHANNA PATRI, AICP
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary