

**MARIN COUNTY PLANNING DIVISION  
ADMINISTRATIVE DECISION  
Bolinás Community Land Trust (BCLT) Emergency Coastal Permit**

**Decision:** **Approved with Conditions**  
**Date:** **May 9, 2023**

Project ID No:	P4047	Applicant(s):	Sean Kennings
		Owner(s):	Bolinás Community Land Trust
		Assessor's Parcel No(s):	193-020-55
		Property Address:	Vacant lot on Mesa Road, Bolinás
		Project Planner:	Immanuel Bereket (415) 473-2755 <a href="mailto:ibereket@marincounty.org">ibereket@marincounty.org</a>
		Signature:	
Countywide Plan Designation:		C-SF5 (Coastal, Single-Family, 1-2 units per acre)	
Community Plan Area:		Bolinás Community Plan	
Zoning District:		C-RA-B2 (Coastal, Residential Agriculture District)	
Environmental Determination:		Exempt per CEQA Guidelines section 15303, Class 3	

**PROJECT SUMMARY**

The applicant, Sean Kennings, on behalf of the property owners, the Bolinás Community Land Trust (BCLT), requests emergency Coastal Permit approval to establish a new private RV Trailer campground on a vacant lot with frontage along Mesa Road in Bolinás.

The project would create sites to install up to 23 RV trailers and a new on-site wastewater system on a vacant site between 100 and 200 Mesa Road in Bolinás. Each RV trailer would be single-story and would measure approximately 34 feet nine inches wide by eight feet ½ inch long, with ramps that provide accessibility. A typical RV trailer would measure approximately 11 feet four inches above the surrounding grade. The exact dimensions of the trailers may depend on the type of trailer chosen for the site. The sites for the RV trailers would be clustered together and would provide the following setbacks: 30 feet from the west side property line; over 170 feet from all other property lines. The modular buildings and septic system would be clustered together on previously disturbed grounds to avoid sensitive habitats and meet required setbacks. The immediate use of the RV trailers would be to provide temporary accommodations for approximately 59 residents currently inhabiting substandard trailers on the adjacent property.

Emergency Coastal Permit approval is required pursuant to Marin County Local Coastal Program, Implementation Section 22.68.030, because the project proposed a development in the Coastal Zone.

## **MARIN COUNTY LOCAL COASTAL PROGRAM, IMPLEMENTATION PLAN CONSISTENCY**

### **Mandatory Findings for Emergency Coastal Permit (Marin County Local Coastal Program, Implementation Plan Section 22.70.140)**

- A. An emergency (defined as a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential services) exists that requires action more quickly than permitted by the procedures of this Article for a Coastal Permit, and the work can and will be completed within 30 days unless otherwise specified by the emergency permit.**

In response to a request made by Mr. Larry Baskin, Receiver, Marin County employees inspected the property located at 160 Mesa Road, Bolinas on July 26, 2022. During the inspection, staff found unpermitted trailers, mobile homes, and detached accessory structures currently being used for residences without the benefit of required permits. These structures have no access to domestic drinking water and adequate sewage disposal services. Instead, domestic waster is provided through garden hoses while bathing facilities are provided by porta potties throughout the property disbursed throughout the property. Further, staff found four separate areas throughout the property evidence where sewage surfaced onto the ground, as demonstrated by positive nitrate testing.

On October 10, 2022, the County issued a letter to the property owners and the Receiver, enumerated it's findings and requesting that they take immediate steps to address further damage to health, property and environment. Subsequent letters were issued to the to the property owners and the Receiver requesting they address all outstanding. To date, no steps have been taken to cure the issues detailed in the October 10<sup>th</sup> letter.

Lack of adequate means of sewage disposal poses a high risk to public health and could further inflict irreparable damage to the environment and the inhabitants if unabated. The project would provide temporary accommodations for approximately 59 residents currently inhabiting substandard trailers on the adjacent property, while allowing abatement of the existing conditions to commence. In a letter dated March 23, 2023, Christina Gomez-Mira, Executive Director of the Coastal Health Alliance, details the health risk poses to the tenants and the general public. In addition, the letter details the need for immediately action to cure the existing unsanitary conditions, which has created an environment where communicable diseases could easily spread including skin infections, diarrheal diseases and potentially hepatitis A.

The Emergency Coastal Permit will address the immediate public health crises on the neighboring site by providing emergency and temporary alternative housing to the residents, with sanitary sewage control.

- B. Public comment on the proposed emergency action has been reviewed, if time allows.**

An Emergency Coastal Permit application was submitted on March 10, 2023. Upon receipt, the project was transmitted to the Department of Public Works (DPW), Environmental Health Services (EHS), the California Coastal Commission (CCC) and posted online for public view.

Staff received written memos from DPW and EHS and an e-mail correspondence from the CCC; and four correspondences from the public (one in favor and three in opposition). All correspondences are provided as Attachment No. 5.

**C. The proposed work is consistent with applicable Marin County Local Coastal Program policies.**

The proposed Emergency Coastal Permit is in conformance with the Marin County Local Coastal Program, Implementation Plan Section 22.70.140, as worker Agricultural Dwelling Unit accessory uses and structures are permitted use in the Agricultural Residential Planned (C-ARP) zoning district where the project site is located under 22.62.060(D), Table 5-1-C of the Local Coastal Program Implementation Plan. To ensure further consistency with the Marin County Local Coastal Program, a condition of approval requires that a Coastal Permit is submitted for the project within 30 days of the issuance of Emergency Coastal Permit approval, as required under Sec. 22.70.140(E).

**D. The proposed work is the minimum amount of temporary development necessary to abate the emergency in the least environmentally damaging short- and long-term manner.**

As documented in attachment No. 4, staff inspected the property located at 160 Mesa Road, Bolinas on July 26, 2022, and found trailers, mobile homes, and detached accessory structures were being used for residences without an approved means of sewage disposal. During the inspection of July 26, 2022, staff found four separate areas throughout the property where sewage surfaced onto the ground as demonstrated by positive nitrate testing, which requires immediate action to abate and prevent further environmental degradation and reduce potential damage to life, health, and general public safety. The Emergency Coastal Permit will address the immediate public health crises on the 160 Mesa Road site by providing emergency and temporary alternative housing to the residents, with sanitary sewage control. In addition, the Emergency Coastal Permit provides such emergency and temporary alternative housing to the residents in the least environmentally damaging short- and long-term manner, because the proposed alternative housing takes the form of an RV campground located on the least environmentally sensitive portion of the neighboring lot, which RV campground can be later removed with no permanent effects. Therefore, the proposed work is the minimum amount necessary to abate the emergency in the least environmentally damaging short- and long-term manner.

**ACTION**

The project described in condition of approval 1 below is authorized by the Marin County Planning Division and is subject to the conditions of project approval.

This planning permit is an entitlement to apply for construction permits, not a guarantee that they can be obtained, and it does not establish any vested rights. 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.

## CONDITIONS OF PROJECT APPROVAL

### CDA-Planning Division

1. This Emergency Coastal Permit authorizes the establishment of a temporary private RV Trailer campground on a vacant lot with frontage along Mesa Road located between 100 and 200 Mesa Road in Bolinas, further identified as Assessor's Parcel Number 193-020-55. The Emergency Coastal Permit authorizes the installation of up to 23 RV trailers and a new on-site wastewater system on a vacant site between 100 and 200 Mesa Road in Bolinas. Each RV trailer shall be single-story and shall measure approximately 34 feet nine inches wide by eight feet ½ inch long, with ramps that provide accessibility. The exact dimensions of the trailers may depend on the type of trailer chosen for the site. The sites for the RV trailers shall be clustered together and shall provide the following setbacks: 30 feet from the west side property line; over 170 feet from all other property lines.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Emergency Workforce Housing Mobile/Trailer Units," consisting of 10 sheets prepared by Bolinas Community Land Trust, received in final form on March 10, 2023, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
  - a. Prior to issuance of a building permit, the applicant shall engage a qualified biologist to clearly identify and mark the required wetland buffer zones.
3. A Coastal Permit application for the project as approved in Condition of Approval 1 above shall be submitted to the County of Marin, Planning Division within 30 days of the issuance of this Emergency Coastal Permit pursuant to the coastal permit filing provisions of Marin County Local Coastal Program, Implementation Plan section 22.70.030.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2023" with respect to all of the standard conditions of approval and special conditions No. 6 and No. 9.

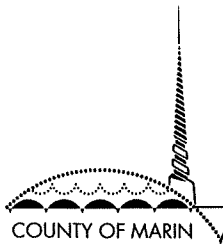
### VESTING

Pursuant to Marin County Local Coastal Program, Implementation Plan Section 22.70.140.D, all Emergency Coastal Permits shall expire ninety (90) days after issuance, unless extended for good cause by the Planning Director, such extension is limited as much as possible in duration, and such extension is subject to challenge provisions per Section 22.70.040. All emergency development pursuant to this section is considered temporary and must be removed and the affected area restored if it is not recognized by a regular Coastal Permit within six months of the date of permit issuance, unless the Director authorizes an extension of time for good cause.

cc: *{Via email to County departments}*  
CDA – Director  
CDA – Deputy Director of Planning  
CDA – Deputy Director of Housing  
DPW – Land Development  
CDA – Environmental Health Services  
North Marin Water District  
Marin County Fire Department  
California Coastal Commission

Attachments:

1. Marin County Uniformly Applied Conditions 2023
2. Department of Public Works, memorandum dated May 2, 2023
3. Environmental Health Division, memorandum dated April 28, 2023
4. Code Compliance memorandum, dated October 12, 2022
5. Correspondences



**MARIN COUNTY UNIFORMLY APPLIED CONDITIONS  
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS**

**2023**

STANDARD CONDITIONS

1. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.
2. The applicant/owner shall defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin and shall cooperate fully in the defense.
3. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.
4. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

SPECIAL CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.

3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off-site shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the "Disclosure Statement Concerning Agricultural Activities," as required by Section 23.03.050 of the Marin County Code.
6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.
7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A

report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.
11. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building's finished floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.
12. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in "Exhibit A" unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
13. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.
14. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California's Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.
15. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all the approved and required landscaping has been completed and that any necessary irrigation has been installed.
16. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.
17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and



compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

### CODE ENFORCEMENT CONDITIONS

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

**PLANNING APPLICATION REVIEW**

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - Second Transmittal

DATE: 5/2/23

DUE: 5/1/23

TO: Immanuel Bereket

FROM: Maurice Armstrong

APPROVED: 

RE: BCLT Costal Permit P4047

APN: 193-020-55

ADDRESS: Vacant lot between 200 and 100  
Mesa Rd, Bolinas

**TYPE OF DOCUMENT**

- DESIGN REVIEW
- COASTAL PERMIT
- LAND DIVISION
- VARIANCE
- USE PERMIT
- ADU PERMIT
- ENVIRONMENTAL REV.
- OTHER:

**Department of Public Works Land Use Division has reviewed this application for content and:**

**Comments Included (Inc.) or Attached (Att.) from other DPW Divisions:**

- Find it **COMPLETE**
- Find it **INCOMPLETE**, please submit items listed below
- Find it **NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM**

- Traffic
- Flood Control
- Other: \_\_\_\_\_

**Note to Planning**

DPW's understanding of the proposed emergency application is to provide up to 23 temporary mobile homes (RV trailers) and a new on-site wastewater treatment system on the Bolinas Mesa. A permanent housing proposal is expected to be provided by the expiration of the emergency costal permit. DPW is supportive of the emergency project however, the current submittal contains the minimum information needed to support the project's temporary nature. The following items should be addressed upon the expiration of the emergency costal permit and transition of the temporary housing to the permanent housing solution.

1. It is recommended that the applicant consult with a Certified Access Specialist (CASp) regarding accessibility requirements for the permanent housing proposal.
2. A grading plan per submittal checklist item 2 was not submitted with the emergency application. DPW has noted the existing site is relatively flat and the information presented on Sheet D.1 suggests only minimal grading should be required for the placement of the mobile homes and trenching for utility hookups. Upon expiration of the emergency costal permit and transition of the temporary housing to permanent housing solutions, cut and fill volumes for the project shall be provided to establish additional permit requirements.
3. A drainage plan per submittal checklist item 3 that indicates the direction, path, and method of water dispersal was not provided. The proposed bioretention facility dimensions an overflow outlet pipe, however the location of the outlet pipe outfall is not shown in the plan set. The outfall shall be located to ensure existing drainage patterns are maintained and proposed mobile homes are not undermined. In addition, the reserve/alternate mobile home placement location does not show proposed drainage improvements. If the alternate location is utilized, drainage improvements shall be

placed onsite that conform to the California Building Code, California Residential Code, and Marin County Code.

4. Proposed driveway width of 14' does not conform to MCC 24.04.260 for up to 23 dwelling units. Per MCC 24.04.260 & 24.04.030, a driveway servicing 20 or more dwelling units shall conform to the residential road standard. MCC 24.04.110 defines the residential road standard as 36' wide. The substandard driveway width of 14' is supported by DPW for the temporary emergency costal permit in consideration of the following site conditions:
  1. A secondary access is provided through the neighboring property.
  2. The site is relatively flat with no physical obstacles such as large rocks, trees, or water bodies.

Note that upon expiration of the emergency costal permit and transition of the temporary housing to permanent housing solutions, a compliant driveway width as well as other driveway requirements per Marin County Code shall be provided.

5. Plan Sheet D.1 appears to propose parking stalls adjacent to each mobile home as well as 11 additional stalls to the south-east, however sheet D.1 only dimensions 10' x 20' parking stall adjacent to mobile homes 15 and 16. DPW is evaluating the project as providing 10' x 20' parking stalls adjacent to each of the 23 potential mobile homes and 11 additional 10' x 20' parking stalls to the south-east. The forthcoming permanent housing proposal shall clearly dimension a compliant number of parking stalls that comply with MCC 24.04.340 & 24.04.380.
6. It is recommended that the applicant consult with the local Fire authority regarding emergency access and serviceability for the temporary and permanent housing solutions.
7. Per submittal checklist item, 1K mailboxes were not identified. Upon expiration of the emergency costal permit and transition of the temporary housing to permanent housing solutions, mailboxes shall be identified onsite.

### **Merit Comments**

#### **Prior to Issuance of a Building Permit or permanent placement of mobile homes:**

##### **Driveways:**

1. Per Marin County Code § 24.04.240, where a driveway intersects a road, every attempt shall be made to intersect at ninety degrees or as close to that angle as possible. Demonstrate compliance.
2. Per Marin County Code § 24.04.255, the centerline radius of driveways extending in excess of one hundred fifty feet from a public or private road shall not be less than thirty feet. Demonstrate compliance.
3. Per Marin County Code § 24.04.260(b), § 24.04.110, the minimum improved width of a driveway serving more than six dwelling units shall comply with Road standards.
4. Per Marin County Code § 24.04.275, turnouts shall be required on driveways over one hundred fifty feet in length or if sight distance problems exist unless the driveway is at least sixteen feet in width. The number, location and dimensions of required turnouts shall be subject to the review and approval of the agency and shall be no less than eighteen feet wide (full driveway width) and sixty feet long including transitions. Demonstrate compliance.
5. Per Marin County Code § 24.04.290, driveway approaches shall be constructed in accordance with the appropriate U.C.S. drawing unless prior approval to do otherwise is obtained from the agency. Demonstrate compliance.

##### **Parking:**

6. Per Marin County Code § 24.04.335(d), no compact parking spaces shall be allowed in providing the number of parking spaces required by this chapter.

7. Per Marin County Code § 24.04.380(a), head-in parking spaces shall be a minimum eight and one-half feet by eighteen feet. Parallel spaces shall be a minimum eight feet by twenty feet. For constrained locations such as garages serving single-family dwellings, spaces shall be a minimum nine feet by twenty feet. Demonstrate compliance.
8. Per Marin County Code § 24.04.400, the maximum cross-slope or grade of a parking area shall not be more than eight percent. Demonstrate compliance.
9. **Grading & Drainage Plans:** Provide the following information on the drainage and grading plan:
  - a. Plan shall provide existing and proposed topographic contours, or a sufficient number of spot elevations, to describe drainage patterns. The proposed project shall maintain existing drainage patterns.
  - b. Plan shall show and label all existing and proposed drainage features and improvements. Improvements may include down spouts, footing and foundation drains, area drains and catch basins, piping and out fall structures or means of dispersion. Note that 2022 California Plumbing Code (CPC) §1101.12.1 requires roof areas of buildings to be drained by roof drains and gutters. Note as well that CPC §1101.6.5(2) indicates that the point of discharge shall not be less than 10 feet from the property line.
  - c. The plan shall tabulate the existing and proposed areas of impervious surface for the property, and demonstrate that there will be no net increase in runoff from the developed site compared to pre-existing development.
  - d. Plan shall show and label the limit of disturbance. Provide the total area to be disturbed and the proposed cut and fill earthwork volumes. Indicate to where off haul will be taken.
  - e. Indicate means of restoring all disturbed areas.
  - f. Add a note on the plans indicating that the plan preparer shall certify to the County in writing upon the completion of work that all grading and drainage improvements were installed in accordance with the approved plans and field direction. Be aware that a DPW Engineer will need to inspect and accept work after receipt of certification letter. Certification letters shall reference building permit number or numbers for specific work being certified, the address of the property and the Assessor's Parcel Number (APN), and shall be signed and stamped by the certifying professional.

**Erosion & Sediment Control Plan:**

10. Per Marin County Code § 24.04.625(b)(e), provide an Erosion and Sediment Control Plan (ESCP) which shall include information required in the most recent version of the MCSTOPPP ESCP Standard Template. The template can be found in the "Construction Erosion and Sediment Control Plan Applicant Package" available at the following link: <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/mcstoppp-erosion-and-sediment-control-plan-applicant-package.pdf?la=en>. Note the actual template begins on page 11 of the document.

**Stormwater Control Plan:**

11. Provide a Stormwater Control Plan as required by Marin County Code § 24.04.627 Permanent Stormwater Controls for New and Redevelopment. You may refer to the BASMAA Post Construction Manual which you can access at the County's website for post-construction stormwater management requirements, publications and resources at: <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/basmaa-postconstruction-manual.pdf?la=en>. Refer to appendix D, Template for Large Projects.
12. **Encroachment Permit:** Mesa Rd is a County maintained road. An Encroachment Permit from DPW is required for any work within the County's road right-of-way, including, but not limited to, utility trenching, installation of new utility connections, and modifications to the

driveway apron, curb and gutter. The plans shall clearly identify all proposed work in the right of way. If any work is proposed in the right of way, complete and submit an Encroachment Permit Application with your re-submittal.

**-END-**

**INTERDEPARTMENTAL TRANSMITTAL  
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES  
ROOM 236, 415-473-6907**

**DATE:** April 26, 2023  
**TO:** Immanuel Bereket, Senior Planner  
**FROM:** Becky Gondola, Senior REHS  
**RE:** Bolinas Community Land Trust  
  
**AP#:** 193-020-55  
**ADDRESS:** Vacant lot on Mesa Rd., Bolinas,  
CA 94924

TYPE OF DOCUMENT
DESIGN REVIEW
LAND DIVISION
USE PERMIT
VARIANCE
MASTER PLAN
x COASTAL PERMIT
LOT LINE ADJ.
OTHER

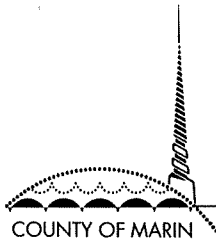
**THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:**

WATER	x	SEWAGE	SOLID WASTE
POOLS		HOUSING	FOOD ESTABLISHMENT

**THIS APPLICATION IS FOUND TO BE:**

- FIND IT COMPLETE.
- FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.
- x FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.
- RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.

1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency's standards.  
**The application is complete.**
  
2. If the application does not contain enough information for you to determine whether the project can readily comply with your agency's standards, please list the information that you will need to make this determination.  
**N/A**
  
3. If the application contains sufficient information for your review, please indicate whether the project is feasible as proposed or needs substantial modifications to comply with your agency's standards.  
**The project is feasible as proposed, however the second mound will have to be constructed, rather than held in reserve.**
  
4. If the project needs to be substantially modified to comply with your agency's standards, please describe the scope of those modifications.  
**N/A**



COMMUNITY DEVELOPMENT AGENCY  
**CODE ENFORCEMENT**

**CERTIFIED MAIL**

October 10, 2022

James Tacherra  
Susan Tacherra  
Post Office Box 523  
Bollinas, CA 94924

Lawrence A. Baskin, Esq.  
Attorney & Mediator at Law  
999 Fifth Ave, Suite 200  
San Rafael, CA 94901

**NOTICE OF VIOLATION**

RE: **VIOLATIONS:** Storage and Habitation of Mobiles Homes and Trailers  
Habitation of Mobile Homes/Trailers without approved Septic Systems  
Habitation of Mobile Homes/Trailers without an approved Water Source  
Construction of Detached Accessory Structures  
Detached Accessory Structures Used for Habitation  
Conversion of Existing Milk Barn to Habitable Space  
Active Construction within Existing Milk Barn  
Main Residence Converted to Two Units  
Substandard Housing Conditions  
Open Sewage Pits  
Construction of Appurtenant Mobile Home/Trailer Structures  
Operation of a Junkyard  
Storage of Cargo Containers  
Operation of a Contractors Business and Storage Yard

**160 Mesa Road, Bollinas**  
Assessor Parcel Number 188-170-11

Dear James and Susan Tacherra and Lawrence Baskin:

On May 31, 2022, Larry Baskin, Receiver, contacted staff requesting an inspection of the property. On July 26, 2022, an inspection was conducted with the following in attendance: Marin County Community Development Agency staff members Cristy Stanley, Supervising Code Compliance Specialist, Gil Sanchez, Senior Code Compliance Specialist, Greg Coates, Building Inspection Supervisor, and Rebecca Gondola, Senior Environmental Health Specialist. Larry Baskin, Receiver, James Tacherra, property owner, and Jesse Tacherra, son of James Tacherra.

I was informed at the time of my arrival that tenant notification did not occur. Based on this information, staff did not request entrance into any of the residences on the property.

This letter is to inform you that the violations stated below were substantiated by physical inspection and verbal communication with James Tacherra on July 26, 2022. The property is zoned C-ARP-10 (Coastal, Agricultural, Residential, Planned), prohibiting the following without Coastal Permit, Use Permit and Building Permit approval.

- The storage and habitation of mobile homes and trailers.
- The habitation of mobile homes and trailers without approved septic systems.
- The habitation of mobile homes and trailers without an approved water source.
- The construction and use of detached accessory structures for habitation.
- The construction of appurtenant mobile home and trailer structures in the form of decks, stairs, carports, and other miscellaneous structures.
- The conversion of the milk barn to habitable space.
- The active construction within the milk barn.
- The conversion of the main residence to two units.
- The operation of a junkyard.
- The storage of cargo containers.
- The operation of a contractor's business and storage yard.

**The property is in violation of the following Marin County Codes:**

**Marin County Code, Section 18.04.030(c) - Prohibited Acts** - States that it shall be unlawful to construct, rebuild, use, occupy, or maintain any residence, place of business, or other building or place where persons reside, congregate, or are employed, which is not provided with means for the disposal of sewage by connection to a public sewer system. Construct or maintain any sewage treatment works, sewer pipes or conduits, or other facilities for the treatment and/or discharge of sewage or impure waters or any other matter or substance offensive, injurious or dangerous to health. Construct, enlarge, alter, repair, improve, or replace a septic tank, seepage pit, cesspool, drainage field, leaching system or any other type of individual sewage disposal system or any part thereof. Install or place a chemical toilet in or upon any property for any purpose other than temporary use in connection with the construction of a building or other structure, during the period of such construction.

Throughout the property there are trailers, mobile homes and detached accessory structures that are being used for residences and have no approved means of sewage disposal. During the inspection of July 26, 2022, staff found four separate areas throughout the property that sewage was surfacing onto the ground as demonstrated by positive nitrate testing. The milk barn has been converted to habitable space and has no approved means of sewage disposal.

**Marin County Code, Section 18.06.040 - Prohibited Acts** - States that it shall be unlawful to construct, use, or maintain any privy, cesspool, septic tank, sewage treatment works, graywater system, chemical toilet, composting toilet, sewer pipes or conduits, or system(s) components in a manner where sewage, graywater, impure water or any other matter or substance will discharge upon the surface of the ground, become injurious or dangerous to health or will empty, flow, seep, or drain into or affect any river, stream, creel, spring, lake, pond, reservoir, swamp, ocean, bay, water supply, water system, groundwater, culvert, or drainage within the County of Marin.

Throughout the property there are trailers, mobile homes and detached accessory structures that are being used for residences and have no approved means of sewage disposal. During the inspection of July 26, 2022, staff found four separate areas throughout the property that sewage was surfacing onto the ground as demonstrated by positive nitrate testing. The milk barn has been converted to habitable space and has no approved means of sewage disposal.



**Marin County Code, Section 19.04.010(2) - Adopting the 2019 edition of the California Residential Code.** Section R105 states that anyone who intends to construct, enlarge, alter, repair, move, demolish, change the occupancy of a structure, or to erect, install, enlarge, alter, repair, remove, convert or replace, any electrical, gas, mechanical or plumbing system, the installation of which is required by code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permits.

Throughout the property detached accessory structures have been constructed without the benefit of building permits. The milk barn has been converted to habitable space without benefit of building permits. The main house has been converted to two units without benefit of building permits. Decks, stairs, carports, and overhangs have been constructed throughout the property without the benefit of building permits.

**Marin County Code, Section 22.62.060(D) - C-ARP:** All of the unpermitted construction and improvements to create dwelling units and accessory dwelling units (ADUs) are considered development, as defined in Article VIII, and, therefore, shall comply with all provisions of the LCP, including Chapters 22.32 as applicable (Standards for Specific Land Uses), Chapter 22.64 (Coastal Zone Development and Resource Management Standards), 22.65 (Coastal Zone Planned District Development Standards), 22.66 (Coastal Zone Community Standards), and 22.68 (Coastal Permit Requirements).

**Marin County Code, Section 22.68.030** - requires Coastal Permit approval for the placement or erection of any solid material or structure not otherwise exempt under section 22.68.050.

**Marin County Code, Section 22.68.060.D** - requires Coastal Permit approval for the conversion of the existing single-family residence to two units, which changes the intensity of use of the structure.

**Marin County Code, Section 22.68.060.G** - requires Coastal Permit approval for the installation of a new septic system.

Should you not correct these violations within thirty (30) calendar days of the date of this letter the Community Development Agency may pursue legal action against you, including, but not limited to a nuisance abatement lawsuit in Marin County Superior Court to compel you to correct the violations. Correcting the violations can be accomplished by removing all mobile homes, trailers, detached accessory structures, junk, cargo containers, and ceasing the operation of the contractor's business and storage yard. Demolition Permits must be submitted to remove the illegal conversion of the milk barn to habitable space, the illegal conversion of the main residence into two units, the removal of all illegal detached accessory structures including those used for storage and for habitation, and for all appurtenant structures related to the mobile home and trailers in the form of decks, stairs, carports, and other miscellaneous structures. The active construction taking place in the milk barn must cease immediately.

The violations could also be corrected by applying and securing approval of land use and construction permits that legalize existing structures and uses. I would strongly encourage you to apply for a General Consultation or a Pre-Application so that you can better understand the permitting process and requirements.

## **Substandard and Unsafe Housing Conditions**

This letter is to also inform you that the July 26, 2022, inspection revealed gross deficiencies, and substandard housing conditions throughout the property. Mobile homes, trailers, as well as the illegally converted milk barn are provided drinking water through garden hoses and no sanitation facilities are provided to tenants, other than porta potties throughout the property. During the July 26, 2022, inspection open sewage pits and pooled liquid was visible adjacent to several of the mobile homes and trailers. Rebecca Gondola, Senior Environmental Health Specialist tested the pooled liquid for nitrates, and indicator of the presence of sewage. The liquid tested positive for nitrates and therefore is considered sewage unless otherwise confirmed by dye test.

**The property is in violation of Marin County Code, 19.04.027 - Substandard and unsafe buildings: All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare by reason of inadequate maintenance of the building, plumbing, mechanical or electrical systems, or by dilapidation, obsolescence, fire hazard, disaster damage or abandonment, as specified in the codes adopted by [Section 19.04.010](#), or Section 17920.3 of the California Health and Safety Code, are for the purpose of this section substandard and/or unsafe buildings. All such substandard and/or unsafe buildings are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal.**

***California Health and Safety Codes, Section 17920.3*** states that any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a **substandard building**:

(a) Inadequate sanitation shall include, but not be limited to, the following:

- (1) Lack of, or improper water closet, laboratory, or bathtub or shower in a dwelling unit.
- (2) Lack of improper kitchen sink.
- (3) Lack of hot and cold running water.
- (4) Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
- (5) Lack of adequate heating.
- (6) Lack of improper operation of required ventilating equipment.
- (7) Lack of minimum amounts of natural light and ventilation required by this code.
- (8) Lack of required electrical lighting.
- (9) Dampness of habitable rooms.
- (10) Lack of connection to required sewage disposal system.
- (11) All wiring, plumbing and mechanical equipment, except that which conformed with all applicable laws in effect at the time of installation and has been maintain in good condition.
- (12) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(13) Those premises on which an accumulation of weeds, vegetation, junk, dead organic materials, and similar materials or conditions constitute fire, health, or safety hazards.

(14) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupancy load, alteration or addition, or any change in occupancy.

(15) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

(16) General dilapidation or improper maintenance.

(17) Deteriorated or inadequate foundations.

(18) Defective or deteriorated flooring or floor supports.

**The above substandard and unsafe conditions apply to all structures on the property.**

**IMMEDIATE ACTION NECESSARY FOR THE HEALTH AND SAFETY OF TENANTS AND PROPERTY OWNERS LIVING ON THE PROPERTY, IN ADDITION TO ANYONE VISTING THE SITE:**

The requirements below are temporary actions and in no way resolve the violations or meet compliance requirements:

1. Food-grade hoses shall replace garden hoses for delivering of potable water to units.
2. Every unit with a toilet piped to open fields are to have the pipes capped.
3. Any unit that does not have a dedicated portable toilet, must be provided with one. All portable toilets must have sink and hand washing stations attached. Property owner is required to provide receipts on a weekly basis showing evidence of pumping for all portable toilets. The company providing this service must be permitted through Environmental Health Services.
4. Kitchen wastewater (black water) is currently being routed onto the land. To pump black water out, the property owner is required to install a small pump station for each unit with a main collection tank that will need to be pumped and hauled. All graywater from units is required to be included in this installation. An alarm system shall be installed on each sump, and at the main collection tanks. The property owner is required to provide receipts showing evidence of pumping from the main collection tank. The company providing this service must be permitted through Environmental Health Services.
5. A temporary electrical pole shall be requested through the submission of a building permit to service said pumps.

**These temporary actions must be completed within 15 calendar days of the date of this letter. An inspection to verify compliance will be necessary to ensure the temporary health and safety of tenants and property owners living on the property, in addition to anyone visiting the site.** Should you not correct these violations within fifteen (15) calendar days of the date of this letter, or by October 31, 2022, the Community Development Agency may pursue action through Superior Court to compel you to correct the violations.

Accordingly, this office is keeping a record of the time and costs of abating these violations. All costs incurred by Code Enforcement staff in bringing your property into compliance, are now calculated on an hourly basis. If you would like to request an extension to any of the deadlines above, please put your request in writing first acknowledging the violations and providing evidence of what progress has been made to date.

**Retaliation prohibited.** Civil Code section 1942.5 prohibits a lessor of rental property from retaliating against a lessee because of the exercise by the lessee of his or her rights under Civil Code section 1940 et seq. or making a complaint to an enforcement agency as to the tenability of a dwelling. (Health & Safety Code § 17980.6.)

**Relocation assistance may be required.** Pursuant to Health and Safety Code section 17975, an owner must pay relocation benefits to any tenant who is displaced or subject to displacement from a residential unit as a result of an order to vacate or an order requiring the vacation of a residential unit by a local enforcement agency as a result of a violation so extensive and of such a nature that the immediate health and safety of the residents is endangered. The local enforcement agency shall determine the eligibility of tenants for benefits and the amount of the benefit. (Health & Safety Code § 17975.)

**Tax liability.** Pursuant to Revenue & Taxation Code section 17274 and section 24436.5, interest, taxes, depreciation, or amortization paid or incurred in the taxable year with respect to substandard housing as defined by those statutes may not be deducted if the residential unit has not been brought into a condition of compliance within six months from the date of this notice. If the substandard housing conditions are not corrected within this time, a notification of non-compliance may be sent to the Franchise Tax Board and recorded with the county recorder. (Health & Safety Code § 17980(d).)

**Permitting**

Separate from, and in addition to the immediate actions required for health and safety, you may also submit permits to legalize the work. Please contact our Permit Center at (415) 473-6269 or submit a preapplication. Attached is a pre-application form.

You may contact me at [cstanley@marincounty.org](mailto:cstanley@marincounty.org) or (415) 473-7875.

Sincerely,

*Cristy Stanley*

Cristy Stanley  
Supervising Code Compliance Specialist

Attached: Resolution 94-16 – Marin County Board of Supervisor Order to Abate Violations  
Pre-Application Form

CC:

James Tacherra  
Susan Tacherra  
Post Office Box 523  
Bollinas, CA 94924 (Proof of Service)

Lawrence A. Baskin, Esq.  
Attorney & Mediator at Law  
999 5<sup>th</sup> Avenue, #200  
San Rafael, CA 94901 (Via US Mail and Email)

Tom Lai, CDA Director (Via Email)  
Sarah Jones, CDA Assistant Director (Via Email)  
Jeremy Tejirian, Deputy Director of Planning Services (Via Email)  
Greg Pirie, Deputy Director of Environmental Health Services (Via Email)  
Rebecca Gondola, Senior Environmental Health Specialist (Via Email)  
Gwen Baert, Supervising Environmental Health Specialist (Via Email)  
Greg Coates, Building Inspection Supervisor (Via Email)  
Leelee Thomas, Deputy Director of Housing and Federal Grants (Via Email)

## Bereket, Immanuel

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**From:** cece barnes <barnescece7@gmail.com>  
**Sent:** Friday, May 5, 2023 12:20 PM  
**To:** Bereket, Immanuel  
**Subject:** Fwd: proposed RV park on Mesa in Bolinas

You don't often get email from barnescece7@gmail.com. [Learn why this is important](#)

Subject: proposed RV park on Mesa in Bolinas

To: <[erin.tobin@coastal.ca.gov](mailto:erin.tobin@coastal.ca.gov)>

Dear Mr. Bereket,

Many Bolinas residents  
have concern about  
the RV application  
to put 23 trailers that  
sleep 6 to 10 each  
people on wetlands  
on Mesa Road in Bolinas.

This is a historic open pasture predominantly covered  
in sensitive wetland habitat.

This project has NOT been reported to our  
community.

Please pause the project to get community input due to  
its threat to our wetlands.

Cece Barnes  
Bolinas

## Bereket, Immanuel

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**From:** Pam Frantz <pfrantz2003@gmail.com>  
**Sent:** Wednesday, May 3, 2023 1:44 PM  
**To:** Bereket, Immanuel  
**Subject:** BCLT Emergency Application to place RV's on the Wetlands just off of Mesa Road in Bolinas

You don't often get email from pfrantz2003@gmail.com. [Learn why this is important](#)

Permit P4047, APN: 193-020-38

As a resident of Bolinas, I respectfully request that the county deny the application to put 23 RV's on the pasture/wetlands next to Mesa Road. 1) There is no way that such an installation would not eventually harm the wetlands. 2) BCLT has NOT been transparent about their plans and has not even mentioned this particular application to the residents of Bolinas! The last reference to this piece of land they are planning to use for RV's was in the April 28th Bolinas Hearsay News, where the BCLT Board President, Karen Diblee, said that development there had been put on hold once they discovered that the land was primarily sensitive wetlands. Clearly, they are not representing themselves accurately.

Thank you,  
Pamela Frantz  
95 Brighton Ave., Bolinas, ca

## Bereket, Immanuel

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**From:** Remick Hart <hartremick@gmail.com>  
**Sent:** Thursday, May 4, 2023 1:40 PM  
**To:** Bereket, Immanuel  
**Subject:** Initial review 193-020-55 New Single Family Residence Permit #P4047

[You don't often get email from hartremick@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Mr. Immanuel Bereket:

The above application requests an emergency Coastal Permit approval Initial Review of “ new single-family residence”. In fact, the review is for a new private RV trailer campground on C-RA-B2 (Coastal,Residential Agricultural District) land. This request also does not comply with the Bolinas Community Plan, the BCPUD long established strictly enforced water moratorium and Marin County Zoning. The County of Marin is required to adhere to the Countywide Plan Designation C-SF5 (Coastal,Single-Family, 1-2 units per acre.

Marin County has had, for decades, knowledge of the illegal living conditions and open air dumping grounds on the property next to the subject parcel. The above Emergency Request needs to be mitigated by the stated alternative, not building extensive permanent sewage treatment facilities on the subject property and a road THROUGH Wetlands.

From a financial perspective the cost of temporarily moving these folks out of the current illegal substandard conditions on the adjacent property to other County housing closer to county services would seem the most humane treatment. The residents, transient and not, have known their residency was temporary. Then the County could remediate the long known hazards of illegal substandard building, sewage treatment and well known illegal dumping. Once remediated, legally zoned right sized housing conforming to County, Coastal and BCPUD regulations could be rebuilt.

Respectfully,

Dean Hart

Bolinas

Sent from my iPad



## Bereket, Immanuel

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**From:** ChouChou Mora-Lopez <choubedo@gmail.com>  
**Sent:** Wednesday, May 3, 2023 1:12 PM  
**To:** Bereket, Immanuel; erin.tobin@coastal.ca.gov; DRondini@marincounty.org  
**Subject:** Bolinas

[You don't often get email from choubedo@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Hello

I'm writing in SUPPORT of the BCLTs emergency permit for a trailer park.

I am married to a Mexican man. We have many friends (there are over 50 Latinos at Tacherras ranch) who have been living in squalor for many years, paying high rents, living in unsanitary conditions and scared to voice any concerns for fear of losing the crappy housing they have, as there's no rentals in Bolinas.

My husband is a liaison between the BCLT (all white ppl) and the renters at Tacherras. He's been concerned for years, as there's

Been sick Children, moms with cancer, living in large numbers in a rundown trailer-it's inexcusable.

Thank god something is finally being done.

The opposers don't wanna see trailers on open land in Bolinas. This is NIMBYism at its finest This must be approved asap

Siobhan Mora-Lopez

Sent from my iPhone

## Bereket, Immanuel

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**From:** DJ O'Neil <dj@hubsanfrancisco.com>  
**Sent:** Saturday, May 6, 2023 10:50 AM  
**To:** Rodoni, Dennis  
**Cc:** Bereket, Immanuel; Renee O'Neil; DJ O'Neil  
**Subject:** No way

[You don't often get email from dj@hubsanfrancisco.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Supervisor Rodoni,

This letter is in reaction to a posting in the May 3rd Bolinas Hearsay news regarding a pending application for a permit on the Tacherra ranch. If what I have read is false, please disregard this email. But if it is true, please continue reading.

I am a long time Bolinas resident and I want to let you know my wife and I are vehemently opposed to the approval of the permit application that would allow for RV's and trailers on the undeveloped parcel of land next to the Tacherra ranch.

I will be blunt: nearly every resident of Bolinas I have spoken to a) also vehemently oppose this idea and b) has serious concerns about the lack of transparency at best, and outright intentional deception displayed by the BCLT. The fact that this permit is even being applied for without input from the entire town is indeed against the spirit of how Bolinas does things.

Many residents are fearful about speaking out against this sort of action for fear of being branded as unsympathetic to the plight of the un housed. But that does not change the fact that in my opinion, the will of the vast majority of Bolinas residents is not being realized as this action is considered.

My wife and I implore you to not approve what will essentially be an RV park built on a very beautiful wet land without understanding how the residents of Bolinas feel about this. Not having a full picture of the will of the vast majority of your voters in this town, I believe, would not be in keeping with the democratic spirit of the post you hold.

Thank you,

DJ (Hugh) O'Neil

Sint frem my iPhon

## Bereket, Immanuel

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**From:** Cheryl Ruggiero <ruggierolawcorp@gmail.com>  
**Sent:** Wednesday, May 3, 2023 4:57 PM  
**To:** Bereket, Immanuel; Rodoni, Dennis; skennings@marincounty.org  
**Cc:** erin.tobin@coastal.ca.gov; Stephanie.Rexing@coastal.ca.gov  
**Subject:** Objection to BCLT Coastal Permit (P4047)

Some people who received this message don't often get email from ruggierolawcorp@gmail.com. [Learn why this is important](#)

Dear Marin County Administrative Leaders:

As a resident of Bolinas, I am very concerned about, and I am objecting to, the proposed project adjacent to the Tacherra Family Ranch along Mesa Road in Bolinas. The APN of the site is 193-020-38 (incorrectly stated to be 193-020-55 on the Planning website).

Although no one wants to see the current tenants at the Tacherra Ranch displaced, the proposed (and erroneously categorized) "emergency" development for 23 trailers and a commercial sized septic system by the Bolinas Community Land Trust (BCLT) is situated on land protected by the Williamson Act; more importantly (because I understand there is a procedure to cancel the Williamson Act contract), the trailer site overlaps and is surrounded by Corp Wetland and CCC Wetland areas. This deeply disturbs me and many other community members who are hesitant to speak out due to the justifiable fear of recrimination in this small town.

The situation for the tenants, some of whom I know and care about, is intensely unfortunate and problematic, but developing open coastal space protected by the Williamson Act and natural wetlands is not the solution. And claiming an "emergency" is specious, at best. Does the definition of "emergency" in Marin County include the displacement of tenants on private land, most of whom are not agricultural workers? My research reveals this would not be considered an "emergency" by any other governmental agency, including CEQA. (See "NOTE" below.)

***Clearly, the BCLT is trying to do something by "emergency" that it could not do in the regular course of business***, and that the Williamson Act land, replete with wetland areas, will be densely developed without allowing for public comment and appropriate debate. Once those 23 RV trailers are delivered onto the wetlands, and the massive septic system installed, there will be no going back, which is likely the goal. It is my understanding that Marin County previously made it clear to the BCLT that the 20-acre open coastal area it owns cannot and/or should not be developed. That is the reason the BCLT started negotiating with the Tacherra Family for the adjacent 46-acre lot; this was publicly stated to the community (in writing) by the BCLT. Perhaps those negotiations with the Tacherra Family failed; suddenly, we are confronted with an "emergency" that requires a speedy permit process -- most likely, with exemptions that will harm environmentally sensitive habitat, as well as drainageways and waterways, on the Gridded Mesa. This is unacceptable. To approve this project based on a false "emergency" would set a dangerous precedent.

Will a Biological Site Assessment and/or other environmental studies be accomplished before a permit decision is made? Will time be carved out for public comment and input by other environmental agencies? These and many other questions need to be answered before summarily approving this project.

**NOTE:**

CEQA Emergency Project Defined § 21060.3.

**EMERGENCY**

“Emergency” means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. “Emergency” includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage. CEQA Emergency Project Exemptions 15269.

**EMERGENCY PROJECTS**

The following emergency projects are exempt from the requirements of CEQA. (a) Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code. This includes projects that will remove, destroy, or significantly alter an historical resource when that resource represents an imminent threat to the public of bodily harm or of damage to adjacent property or when the project has received a determination by the State Office of Historic Preservation pursuant to Section 5028(b) of Public Resources Code. For example, if a residential bridge was deteriorating for a period of time, lacking needed maintenance and falls out during a storm, it is not considered an ‘emergency’ because the collapse could have been prevented.

Regards,

Cheryl Ruggiero  
KONELL RUGGIERO LLP  
Ruggiero Law Corporation  
PO Box 1107  
Bollinas, CA 94924-1107  
[ruggierolawcorp@gmail.com](mailto:ruggierolawcorp@gmail.com)  
415-971-2862

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