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May 31, 2011

California Coastal Commission
North Central Coast District
45 Fremont, Suite 2000
San Francisco, California 94105-2219

Re: CP 10-42 Stinson Beach Cabin, LLC
#6 Francisco Patio, Stinson Beach

To whom it may concern:

The Stinson Beach Village Association has gone on record with the County as opposing the building of the above-captioned property and strongly believes that this project does not support the Community Plan. As you are aware, the Stinson Beach Village Association's mission statement is to act as liaison between the Village and the County, and to support the Stinson Beach Community Plan which went into effect in 1976 (revised in 1985). Stinson Beach has never had an official Local Coastal Plan. However, by long association, the rules and regulations regarding construction in Stinson Beach have been in harmony with the 1985 Community Plan, a plan that has also been considered to be the Village's Local Coastal Plan.

Given that the SBVA's goal is to support the Community Plan and to "preserve the character of the neighborhood", issues of concern are as follows:

1) The SBVA has been opposed to the building of both #4 and #6 Francisco Patio. Several years ago, these properties (which are adjacent to each other and are both substandard lots) were owned by the same individual, a Mr. Allen Santos. In 1984, the Subdivision Map Act was amended, and the County lost the right to "administratively" merge discrete adjacent properties; instead the County could merge properties held under the same legal title only after providing notice and scheduling a hearing. The owner could then register objections to any potential merger. Mr. Santos navigated around this constraint by keeping # 4 Francisco Patio, a 2012 square foot property, and selling the adjacent parcel, #6 Francisco Patio, which measured 2365 square feet, to builder/developer, Mr. Helmberger, prior to filing a development application. The County admits that had the two properties remained under single ownership that they would have required their merger into a single property. The SBVA's understanding is that Mr. Helmberger (who now owns #6 Francisco Patio) approached County Counsel and

received a determination that there was nothing that would prohibit Mr. Santos from selling off the adjacent parcel to him. It seems obvious that County Counsel never communicated with the planning director who should have gotten the BOS to instruct County Counsel to file a Notice of Intent to merge and a *lis pendens* on the respective titles.

2) The SBVA has supported a group of neighbors in the Patios who filed an appeal regarding the plans under “Design Review” for #4 Francisco Patio, making the point that any setback encroachment permitted should be limited to what is necessary to permit the minimum construction footprint for a legal dwelling. Mr. Santos, however, proposed a footprint significantly larger than the minimum building code requirements for a single family dwelling. Title 22.83.040 specifies six necessary findings for “Design Review”. The finding that deserves particular attention is finding F. It required that the Santos proposal minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or juxtaposition. Adverse effects include scale, mass, height area, and materials of structures in addition to diminishing or eliminating sun and light exposure, views, vistas and privacy to adjacent properties. The County Planners ignored both the SBVA and the neighbor’s concerns regarding the Santos project and have now just approved the Helmberger project as well; the result is that two, two-story homes have been approved by the County Planners under “Design Review” in the Patios on adjacent, substandard lots both with a 30% FAR, which create density issues that do not meet Community Plan standards, which change the character of the Patios, which reduce completely the privacy and light for neighbors, and which set a dangerous precedence for building in Stinson Beach.

3) Traffic is of major concern in Stinson Beach, especially in the Calles and Patios. As State Parks are being shut down, more people are coming to Stinson Beach on the weekends, causing the GGNRA’s parking lot to fill up quickly and forcing people to park illegally in and around the Calles and Patios. Recent increases in the parking fines approved by the County have not deterred people from parking illegally. The result is that the county-maintained Calle del Arroyo, as well as the private Patios and Calles and homeowner’s personal driveways, are clogged with vehicles, and both the garbage company and fire department have complained at SBVA meetings that sometimes it is not possible to get into these areas. Building two houses on adjacent substandard lots exacerbates this problem. These properties will impact the traffic problem by adding a minimum of 6 more vehicles to the mix, not including the number of vehicles parked on the roads from their visiting friends. What is the point of trying to fix traffic issues on public roads if you create a building precedence allowing a density of dwellings that increases rather than diminishes the traffic issues in town?

4) In a recent article written by Nels Johnson of the Marin Independent Journal (see attached), Supervisor Steve Kinsey inferred that the reason that both #4 and #6 Francisco Patio building plans were approved by the County was because the Stinson Beach County Water District approved septic systems for these two “postage stamp lots”. New septic system technology and any septic system approvals represent only one part of the process and does not relieve the County of their responsibilities; the County needs to also

take into consideration the Stinson Beach Community Plan, the Local Coastal Plan, density issues, traffic, size of lot, Design Review etc. before issuing a building permit.

The Stinson Beach Village Association believes that there is an inconsistency in the County Planners' thinking in that they are changing rules and regulations to justify their actions, and that the Stinson Beach Community Plan /Local Coastal Plan has been ignored completely. Please review the building plans for #6 Francisco Patio taking into consideration the SBVA's prior negative responses to both #4 and #6 Francisco Patio and make your decision accordingly.

Very truly yours,

Stinson Beach Village Association
Don, Anderson, Lead Coordinator