

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

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Filed:	November 18, 1996
90th Day:	February 16, 1997
Staff:	Bill Van Beckum
Staff Report:	January 24, 1997
Meeting of:	February 5, 1997
Commission Action:	

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: Peter M. Douglas, Executive Director  
Robert Merrill, North Coast District Manager  
Bill Van Beckum, Coastal Planner

SUBJECT: **COUNTY OF MARIN LCP AMENDMENT NO. 1-96 (UNIT II - TOMALES)** (For public hearing and Commission action at the February 5, 1997 meeting in San Diego)

## SYNOPSIS

AMENDMENT DESCRIPTION

The proposed amendment to the Marin County Unit II (North Marin) LCP, effectively certified in April, 1982, seeks to amend certified LCP provisions (Unit II Plan, Zoning, and Zoning Map) affecting the town of Tomales by: (1) rezoning all residential area lands surrounding the commercial core (all or portions of 58 parcels) from Suburban agriculture/residential (C-R-A:B-1) to planned residential (C-RSP-7.26); (2) rezoning 2 former high school parcels from C-R-A:B-4 (min. 1 acre lot) to C-RSP-1.6 (1.6 units/acre); (3) rezoning 2 other former high school parcels from C-VCR:B-3/5 (Coastal, Village Commercial-Residential, min. 30,000 sq.ft. lot) to C-VCR:B-4 (min. 1-acre lot); (4) rezoning a portion of an agricultural parcel from C-ARP-10 (Coastal Agriculture/Residential, Planned) to C-APZ-60 (Coastal, Agricultural Production Zone, 60-acre minimum lot), (5) rezoning a portion of another agricultural parcel from C-ARP-2 to C-APZ-60, (6) revising the zoning map community expansion boundary to exclude agricultural properties and incorporate 3.96-acre sewage treatment plant parcel and (7) updating various sections of LUP text.

The request to amend the LCP is an outgrowth of a recent County update of the Tomales Community Plan. A Community Plan for the Town of Tomales, a town in northwest Marin County with a present population of approximately 225 persons, was first prepared in 1977. A primary purpose of the Community Plan, as described in the 1977 document's Introduction, "is to provide a long range basis for planning decisions relating to zoning, design review, the provision

# COUNTY OF MARIN LCP AMENDMENT NO. 1-96 (UNIT II - TOMALES)

Page 2

of public services and similar environmental and developmental concerns." As also noted in the Introduction, "while the Tomales Community Plan is directly concerned only with the existing village area and the immediate area of planned future expansion, certain public policies relating to nearby agricultural and coastal lands also are discussed." Although the Community Plan does give attention to coastal issues, the focus of the document is on a broader range of issues, including educational, cultural, social and recreation services; circulation, utilities and protective services; and design review and architectural preservation.

Therefore, while certain Community Plan provisions, i.e., those relating to land uses and development densities in and adjacent to Tomales, were included in the County's LCP that was subsequently prepared, the 1977 Community Plan stands as a document that is separate from the County's LCP for the north County coastal zone (Unit II), which the Commission effectively certified in April 1982.

In early 1995 the County initiated an update of the Plan, "to reflect current information and regulations and to provide a 'user-friendly' document format," at the request of the Tomales Design Review Board and other Tomales residents. Although that update has been completed, and approved by the Board of Supervisors on October 1, 1996, its formal adoption by the Board is not being scheduled until the proposed LCP amendments, all of which reflect the coastal-related updates to the Community Plan, are approved by the Commission.

This staff report and recommendation concerns only the proposed LCP amendments and not the updated Tomales Community Plan, which will remain separate from the LCP. Nonetheless, since the report includes references to the Community Plan, copies of the 1996 update are being provided to the Commission. Additional copies are available for review by interested parties at the Commission's North Coast Area Office.

## SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, upon completion of the public hearing, approve the amendment request as submitted.

## ANALYSIS CRITERIA

To approve the amendments to the Land Use Plan (LUP), the Commission must find the LUP, as amended, will remain consistent with the policies of Chapter 3 of the Coastal Act. To approve the amendments to the zoning ordinance, the Commission must find that the Implementation Plan (IP), as amended, will conform with and adequately carry out the policies of the LUP, as amended.

## ADDITIONAL INFORMATION

For additional information about the proposed Amendment, please contact Bill Van Beckum at the North Coast Area office at the above address (415) 904-5260. Please mail correspondence to the Commission to the same address.

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**COUNTY OF MARIN LCP AMENDMENT  
NO. 1-96 (UNIT II - TOMALES)**

Page 3

STAFF RECOMMENDATION

I. MOTIONS AND RESOLUTIONS

A. Approval of the LUP Amendment Portion of Amendment No. 1-96 (UNIT II - TOMALES).

Motion 1:

"I move that the Commission certify Amendment No. 1-96 (Unit II - Tomales) to the County of Marin Land Use Plan as submitted by the County."

Staff recommends a YES vote. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

RESOLUTION I:

The Commission hereby certifies Amendment No. 1-96 (Unit II - Tomales) to the Land Use Plan of the County of Marin Local Coastal Program for the specific reasons discussed in the following findings on the grounds that, as submitted, this amendment and the LUP as thereby amended meet the requirements and are consistent with the policies of Chapter 3 of the Coastal Act. This amendment is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant environmental effects within the meaning of the California Environmental Quality Act.

B. Approval of the Implementation Plan Amendment Portion of Amendment No. 1-96 (UNIT II - TOMALES).

Motion 2:

"I move that the Commission reject Amendment No. 1-96 (Unit II - Tomales) to the County of Marin Implementation Plan as submitted by the County."

Staff recommends a NO vote which would result in approval of this amendment as submitted. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present can result in rejection of the amendment.

RESOLUTION II:

The Commission hereby approves the certification of Amendment No. 1-96 (Unit II - Tomales) to the Implementation Plan of the County of Marin Local Coastal Program on the grounds that the amendment to the Zoning Ordinance conforms with, and is adequate to carry out, the provisions of the Land Use Plan as certified, and will not have any adverse impacts on the environment.

# COUNTY OF MARIN LCP AMENDMENT NO. 1-96 (UNIT II - TOMALES)

Page 4

## II. RECOMMENDED FINDINGS

The Commission finds and declares the following for Amendment No. 1-96 (Unit II - Tomales) to the County of Marin Local Coastal Program:

### A. Amendment Description:

The proposed amendment to the LCP would redesignate and rezone several parcels in Tomales, an unincorporated town in northwest Marin County (Exhibits 1 and 2). The redesignations and rezonings would be accomplished as changes in the County's Unit II LCP document, Zoning Ordinance, and Zoning Map. The Unit II LCP document, which designates Unit II as "the coastal area from Olema north to the Sonoma-Marín County border," is described in its introduction as "a land use plan for Marin's coast." The Unit II LCP is similar to other LCPs throughout the coastal zone in most respects (as a coastal issues and policy document), but is different from most LCPs in that there is no specific land use plan map. Instead, the LCP's text includes specific language in its New Development and Land Use policies section that addresses land uses in specific areas of the town and on specific parcels by recommending specific zoning designations. Therefore, the County's coastal zoning map serves the purpose of a traditional land use plan map, as the Unit II zoning map graphically depicts the "kinds, location, and intensity of land uses" (Coastal Act Section 30108.5) provided for by Unit II policies.

The proposed amendments to the Unit II LCP document are shown in Exhibit 3, as strike-outs and additions. As noted above, several of the proposed changes are essentially updates, e.g., revisions of population figures and numbers of current dwelling units and revisions to associated text, as on LCP page 204 (p. 2-23 of Exhibit 3). The LCP also includes, however, references to Community Plan policies affecting zoning designations and the community expansion boundary. Any reference to the Community Plan in Exhibit 3 is a reference to the Community Plan as amended in 1996. The proposed LCP text amendments, summarized in the list below, represent the situations where the Community Plan update has resulted in land use/zoning designations and community expansion limits different than referenced in the 1982-certified LCP.

### Proposed Amendments to Unit II LCP Provisions:

(1) Rezone all residential area lands surrounding the commercial core (all or portions of 58 parcels) from Suburban agriculture/residential (C-R-A:B-1) to planned residential (C-RSP-7.26) with no change in allowable (7.26 units/acre) density (Exhibit 3 pages 2-23, 2-27);

(2) rezone 2 former high school parcels from C-R-A:B-4 (min. 1 acre lot) to C-RSP-1.6 (1.6 units/acre) (Exhibit 3 pages 2-25, 2-27);

(3) rezone 2 other former high school parcels from C-VCR:B-3/5 (Coastal, Village Commercial-Residential, min. 30,000 sq.ft. lot) to C-VCR:B-4 (min. 1-acre lot) (Exhibit 3 pages 2-25, 2-27);

**COUNTY OF MARIN LCP AMENDMENT  
NO. 1-96 (UNIT II - TOMALES)**

Page 5

(4) rezone a portion of an agricultural parcel from C-ARP-10 (Coastal Agriculture/Residential, Planned) to C-APZ-60 (Coastal, Agricultural Production Zone, 60-acre minimum lot) (Exhibit 3 pages 2-25, 2-29);

(5) rezone a portion of another agricultural parcel from C-ARP-2 to C-APZ-60 (Exhibit 3 pages 2-25, 2-29); and

(6) revise the zoning map community expansion boundary to delete agricultural properties and incorporate 3.96-acre sewage treatment plant parcel (Exhibit 3 page 2-27 reference to the community expansion boundary "as defined in the community plan of 1996").

The areas affected by these proposed amendments (items 1.-6. above) are shown on the Tomales Community Plan Rezoning Map, which is attached to the County's Board of Supervisor's November 12, 1996 Resolution declaring the Board's intent to approve the rezoning amendments (Exhibit 4) "subject to the review and approval of the California Coastal Commission." A tabular summary of the proposed rezonings (items 1.-5. above) by Assessor's parcel numbers is also attached to the Exhibit 4 Resolution. Exhibit 5 is a copy of the Board's October 1, 1996 Resolution declaring the Board's intent to approve amendments to the Unit II LCP "as shown in Attachment 3 (Exhibit 3 of this staff report), subject to final review and approval by the California Coastal Commission.

B. Consistency with Coastal Act:

1. Locating and Planning New Development

Section 30250(a) of the Coastal Act states that new development shall be located within or near existing developed areas able to accommodate it or in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The intent of this policy is to channel development toward more urbanized areas where services are provided and potential impacts to resources are minimized.

Although the proposed amendments include (several) changes to LCP provisions that affect the allowable densities within and adjacent to Tomales, the affects of these changes on the development potential in this area of the Marin County coastal zone are small. The only designation change that would result in a higher density is the proposed redesignation of two former high school parcels from C-R-A:B-4 (Coastal, Suburban Agriculture, min. 1 acre lot) to C-RSP-1.6 (Coastal, Planned Single-Family Residential, 1.6 units/acre). These two parcels, part of the property on the west side of Highway One where the high school was located before new facilities were built on the east side of the highway, are indicated by "2." on the Exhibit 4 map. The total acreage of these two parcels is 3.1 acres. Under the existing designation the maximum number of residential units allowable over the 3.1 acres would be 3.1 units. Under the proposed designation the maximum number of residential units allowable would be 4.96 units. The proposed change to the "C-RSP" designation

## COUNTY OF MARIN LCP AMENDMENT NO. 1-96 (UNIT II - TOMALES)

Page 6

would not change allowable uses on these properties, but would require, unlike now, design review for all future development, consistent with Community Plan policy to ensure the opportunity for design review of all proposed residential development near the commercial core of Tomales.

Adjacent to these two parcels are two other former high school parcels (indicated by "3." on the Exhibit 4 map) proposed to be redesignated from C-VCR:B-3/5 (Coastal, Village Commercial-Residential, min. 30,000 sq.ft. lot) to C-VCR:B-4 (min. 1-acre lot). The Village Commercial-Residential designation is the mixed use designation that is applied to parcels in the Tomales commercial core. The total acreage of these two former high school parcels is 2.75 acres. Under the existing designation the maximum number of residential units allowable over the 2.75 acres would be 3.99 units. Under the proposed designation the maximum number of residential units allowable would be 2.75 units. The overall permitted residential development for these two parcels and for the adjacent two former high school parcels also proposed for redesignation as described above would be 7.71 units spread over their combined total 5.85 acres, resulting in an overall density of 1.31 units/acre. This density is an insignificant increase from the present designation's allowable overall density for the same four parcels which is 1.21 units/acre.

Not all proposed redesignations, however, would affect the certified LCP's density provisions. The rezoning that would affect the largest number of lots is the redesignation of all residential lands surrounding the commercial core (all or portions of 58 parcels) from Coastal, Suburban Agriculture (C-R-A:B-1, 6,000-sq.ft. minimum lot size) to Coastal, Planned Single-Family Residential (C-RSP-7.26). The areas affected by this redesignation are indicated by "1." on the Exhibit 4 map. Under the current "C-R-A" designation, there is no requirement for design review on these residential properties. The proposed change to the "C-RSP" designation would not change allowable densities (the "7.26" suffix denotes the maximum number of units per acre allowed and is the same number proscribed by 6,000-sq.ft. minimum lot sizes) nor allowable uses on these properties, but would require design review for all future development.

The proposed redesignations described above all apply to specific parcels within the limits of the "community expansion boundary" delineated on the certified LCP zoning map for the town of Tomales. As noted in the LCP, "The expansion boundary ... clearly divides urban and rural-residential from agricultural areas. The parcel and zoning pattern creates a low-density buffer between the village center and surrounding agricultural lands." The area within the Tomales "community expansion boundary" limits, as defined by the certified LCP, totals approximately 255 acres.

The current amendment request proposes to revise the community expansion boundary to better define current land uses by excluding two agricultural properties from its limits and to incorporate within its limits an adjacent 3.96-acre parcel that contains the community's sewage treatment facilities.

## COUNTY OF MARIN LCP AMENDMENT NO. 1-96 (UNIT II - TOMALES)

Page 7

One of the affected agricultural properties is a 12.45-acre portion of a 61.38-acre agricultural parcel that straddles the expansion boundary at the town's northeast corner, and is indicated by "4." on the Exhibit 4 map. The expansion boundary line currently is contiguous with the 12.45-acre parcel's north and east boundaries. The proposed adjustment to the expansion boundary would place it along the property's west and south borders, as depicted on the Exhibit 4 map. (The proposed amendment also includes a corresponding shift of the Tomales "historic area boundary" along the same property lines, as shown in the Exhibit 6 excerpt from the Unit II LCP's Appendix E.) At the same time, the amendment proposes to lower the allowable density for the 12.45 acres by redesignating the acreage from C-ARP-10 (Coastal Agriculture/Residential, Planned, 10-acre minimum lot size) to C-APZ-60 (Coastal, Agricultural Production Zone, 60-acre minimum lot) to match the current designation of the 48.93-acre remainder portion of the 61.38-acre property, i.e., the portion of the property already outside the expansion boundary.

The amendment similarly proposes to exclude an approximately 1-acre portion of a 54.10-acre agricultural property, at the southwest edge of town, and indicated by "5." on the Exhibit 4 map, from within the community expansion boundary limits, and to lower the allowable density for the 1-acre portion by redesignating it from C-ARP-2 (Coastal Agriculture/Residential, Planned, 2-acre minimum lot size) to C-APZ-60 (Coastal, Agricultural Production Zone, 60-acre minimum lot) to match the current designation of the 53.10-acre remainder portion of the 54.10-acre property, i.e., the portion of the property already outside the expansion boundary as shown in the 1977 Community Plan. While the proposed redesignation is an appropriate element of the LCP amendment request, as an LCP update to reflect redesignations associated with the County's recent Tomales Community Plan revisions, the shift in the community expansion boundary at this location is not needed since the LCP zoning map certified by the Commission in 1982 and on file at the Commission's office already shows the expansion boundary as it affects the 1-acre property at the new location proposed in the Community Plan revisions.

The third community expansion boundary adjustment proposed by the LCP amendment is to include within the boundary's limits an adjacent 3.96-acre parcel that contains the community's sewage treatment facilities, constructed in 1977. This parcel, owned by the North Marin Water District (NMWD) and indicated by "6." on the Exhibit 4 map, is just south of the community's middle school campus. As proposed by the amendment request, the expansion boundary, which now separates the school site from the NMWD site, would be shifted south to contain the NMWD site, which would retain its current designation (C-ARP-20, Coastal Agriculture/Residential, Planned), the same designation that is applied to the school site.

The NMWD "sewer service area" is depicted in Exhibit 7. The service area includes more than half the land within the community expansion boundary and none of the lands outside the expansion boundary. The village core thus receives sewer service from the NMWD, while the less dense outlying

**COUNTY OF MARIN LCP AMENDMENT  
NO. 1-96 (UNIT II - TOMALES)**

Page 8

residential and agricultural areas rely upon onsite (septic system) sewage disposal. The following discussion is excerpted from the updated Unit II LCP text that has been submitted as part of the proposed amendment. The discussion describes the NMWD sewer system's capacity in relation to projected buildout at the levels permitted by the revised Community Plan, which are the same levels which would be permitted by the LCP amendments.

The sewer system is designed to handle wastewater from existing residences, commercial establishments, and school facilities. Based on 1993 data, NMWD reports that there were a total of 88 service connections to the sewer system generating an average daily wastewater flow of 19,842 gallons per day. Requirements for operation of the system established by the California Regional Water Quality Control Board limit the system capacity to 38,000 gallons per day. When consideration is given to the additional wastewater generated by the connected commercial enterprises and school facilities, 88 connections translate into approximately 149 "equivalent" residential units that generate approximately 121 gallons of wastewater per unit per day. Based on the remaining capacity of the system, NMWD estimates that the system can serve an additional 152 equivalent units for a total of 301 equivalent units at buildout. In other words, the system is currently operating at about one-half its capacity....

Smaller lot residential and/or commercial areas in the village all lie either within the existing sewer service area or immediately adjacent to it.... Based on policies of the Community Plan, it is estimated that the total number of residential units within the ... sewer service area could approximately double to 172 at buildout, which is an extremely high estimate that assumes an adequate supply of potable water would be available. Including future non-residential sewer connections, 172 units translate into approximately 290 to 300 equivalent units at buildout. Therefore, with a buildout sewer service system capacity of 301 equivalent units estimated by NMWD, it appears that the sewer system may have adequate capacity to accommodate buildout sewage flows.

Peripheral areas zoned for low-density residential and agricultural development would continue to utilize private septic systems for onsite wastewater disposal. The peripheral areas outside the sewer service area are presently developed with 8 residential units. Based on policies of the Community Plan, it is estimated that the total number of residential units in the peripheral areas could increase to 21 at buildout, assuming that an adequate supply of potable water and onsite sewage disposal capacity would be available.

The town of Tomales and adjacent agricultural lands rely on private, individual water wells for potable water. Although no groundwater supply study has been conducted to determine whether the yield of the groundwater basin can support proposed buildout levels, the updated Unit II LCP text that has been submitted as part of the proposed amendment concludes that:



# COUNTY OF MARIN LCP AMENDMENT NO. 1-96 (UNIT II - TOMALES)

Page 9

... buildout of the community does not appear large enough to exhaust groundwater supplies or cause overdraft of the groundwater basin. Since water availability may be uncertain in some locations, however, onsite well test to demonstrate adequate flow must continue to be required prior to development.

Elsewhere the updated LCP notes:

Prior to 1977, Tomales had a problem of polluted groundwater resulting from the leaching of sewage into groundwater sources. The pollution problem slowed or halted residential development in the community. However, the opening of the sewer collection and treatment system in 1977 by the NMWD appears to have significantly reduced this pollution problem.

Since 1977, therefore, the date of the initial Community Plan which provided the basis for the 1982-certified LCP, there has been less reliance on individual septic systems and a corresponding (although not measured) groundwater quality increase in some areas in and around Tomales. With regards to groundwater quantity, although there is somewhat less groundwater recharge due to fewer septic systems, it is likely that any such decreases have been more than offset due to natural recharges associated with the heavy rainfall levels in the past few years. Furthermore, as assurance for containing the level of new development within the constraints of groundwater resources, as noted in the LCP actual development proposals must include a demonstration of available and adequate water prior to development. Similarly the County requires evidence of adequate onsite sewage disposal capacity prior to new or expanded development.

The Commission therefore finds that the proposed amendment, as it affects the potential for new development, is consistent with Section 30250(a) of the Coastal Act because the areas affected by the amendment are located within or near existing developed areas able to accommodate it and will not result in any adverse effects, either individually or cumulatively, on coastal resources.

## 2. Agricultural Resource Protection

The Coastal Act, in Sections 30241 and 30242, places strict limits on the conversion to non-agricultural uses of lands that are either used for agriculture or that are suitable for agriculture. Two sites currently in agricultural production, indicated by "4." (12.45 acres) and "5." (1 acre) on the Exhibit 4 map, are affected by the proposed amendment. As described above, the amendment proposes to redesignate these sites, both portions of much larger agricultural properties, to C-APZ-60 (Coastal, Agricultural Production Zone). This designation limits principal permitted uses to agricultural production, development that is "accessory, incidental, or in support of agricultural uses," and one single-family dwelling per parcel. This proposed designation is more protective of agricultural lands than the two sites' current "Coastal, Agriculture/Residential, Planned" designations,

**COUNTY OF MARIN LCP AMENDMENT  
NO. 1-96 (UNIT II - TOMALES)**

Page 10

which allow, on even smaller parcels, additional principal permitted uses such as fish hatcheries and public or private hunting. The Commission therefore finds that the proposed redesignation of the sites is consistent with the agricultural protection requirements of Coastal Act Sections 30241 and 30242.

**C. CEQA:**

Pursuant to Section 21080.5 of the California Environmental Quality Act (CEQA), the Resources Agency has certified the Commission's regulatory program as being functionally equivalent to the standard CEQA review process. Pursuant to SB 1873, which amended the California Environmental Quality Act, the Coastal Commission is the lead agency in terms of meeting CEQA requirements for local coastal programs. In addition to making a finding that the amendment is in full compliance with CEQA, the Commission must make a finding consistent with Section 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(i) requires that the Commission not approve or adopt an LCP:

... if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

Consistent with Public Resources Code Section 21080.5(d)(2)(i), the Commission finds, for the reasons discussed in this report, that the proposed Marin County LCP amendment request is consistent with the California Coastal Act, will not result in significant adverse environmental effects within the meaning of the California Environmental Quality Act, and therefore requires no mitigation measures to reduce any adverse environmental impacts.

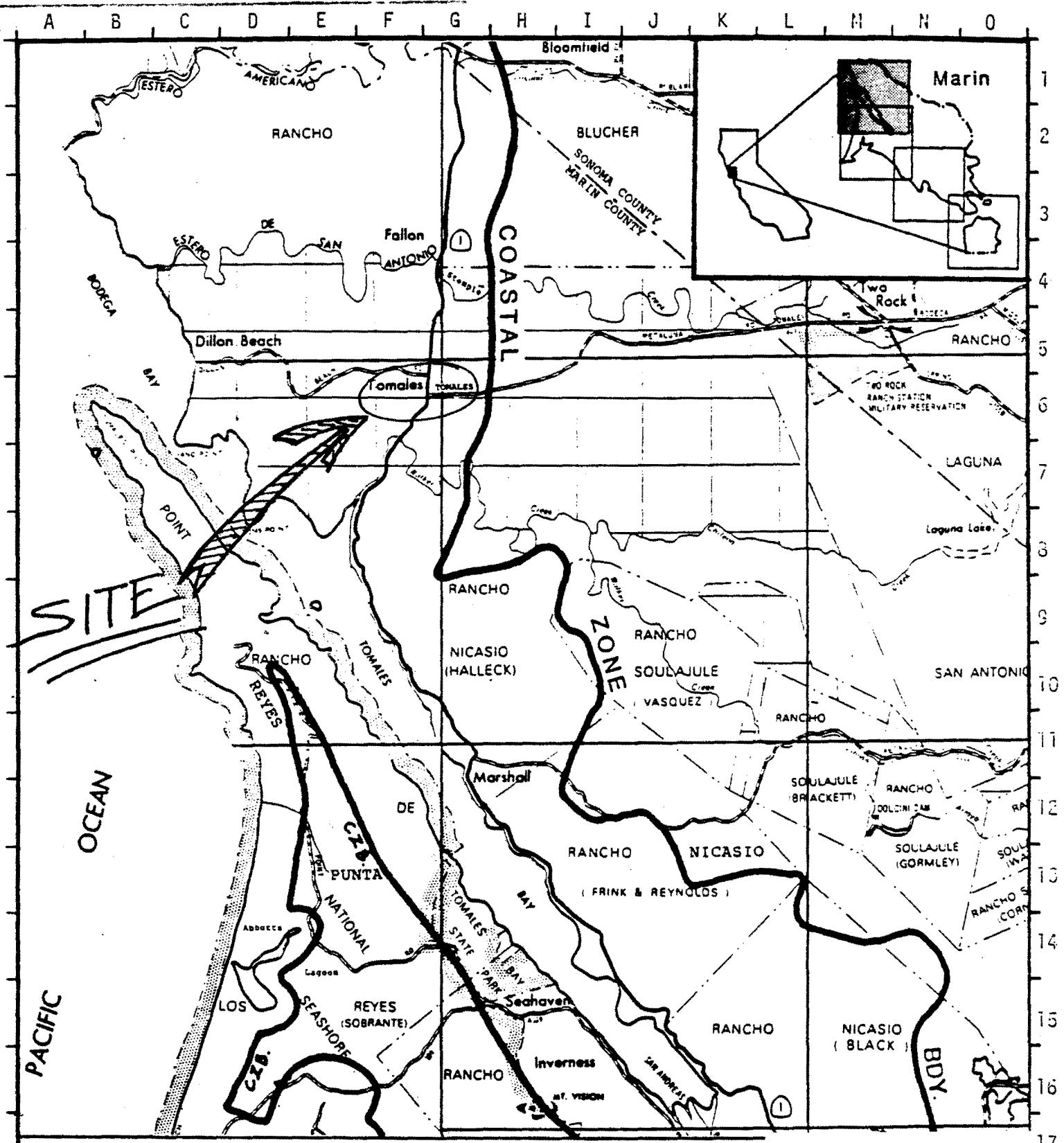
**D. Adequacy of Implementation Plan Changes:**

The zoning ordinance and zoning maps that implement the Marin County LCP combine both land use and zoning designations. The proposed rezonings allow the same uses, and at no greater density, as allowed by the amended LUP. Therefore, the Commission finds that the proposed Implementation Plan amendments, summarized in Exhibit 4's map and current/proposed zoning table, are consistent with and adequate to carry out the amended Land Use Plan portion of the certified LCP.

**Exhibits:**

1. Marin County/Tomales Location Map
2. Tomales Location Map
3. Unit II LCP Document Amendments
4. Zoning Amendments Resolution
5. LCP Document Amendments Resolution
6. Historic Area Boundary Revision
7. NMWD Sewer Service Area Map

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 California Coastal Commission

# LOCATION MAP



County of Marin

EXHIBIT NO.	1
APPLICATION NO.	Marin Co. LCP
	Amendment No. 1-96
Regional Location	

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FIGURE 1, LOCATION MAP

MAP OF MARIN COUNTY

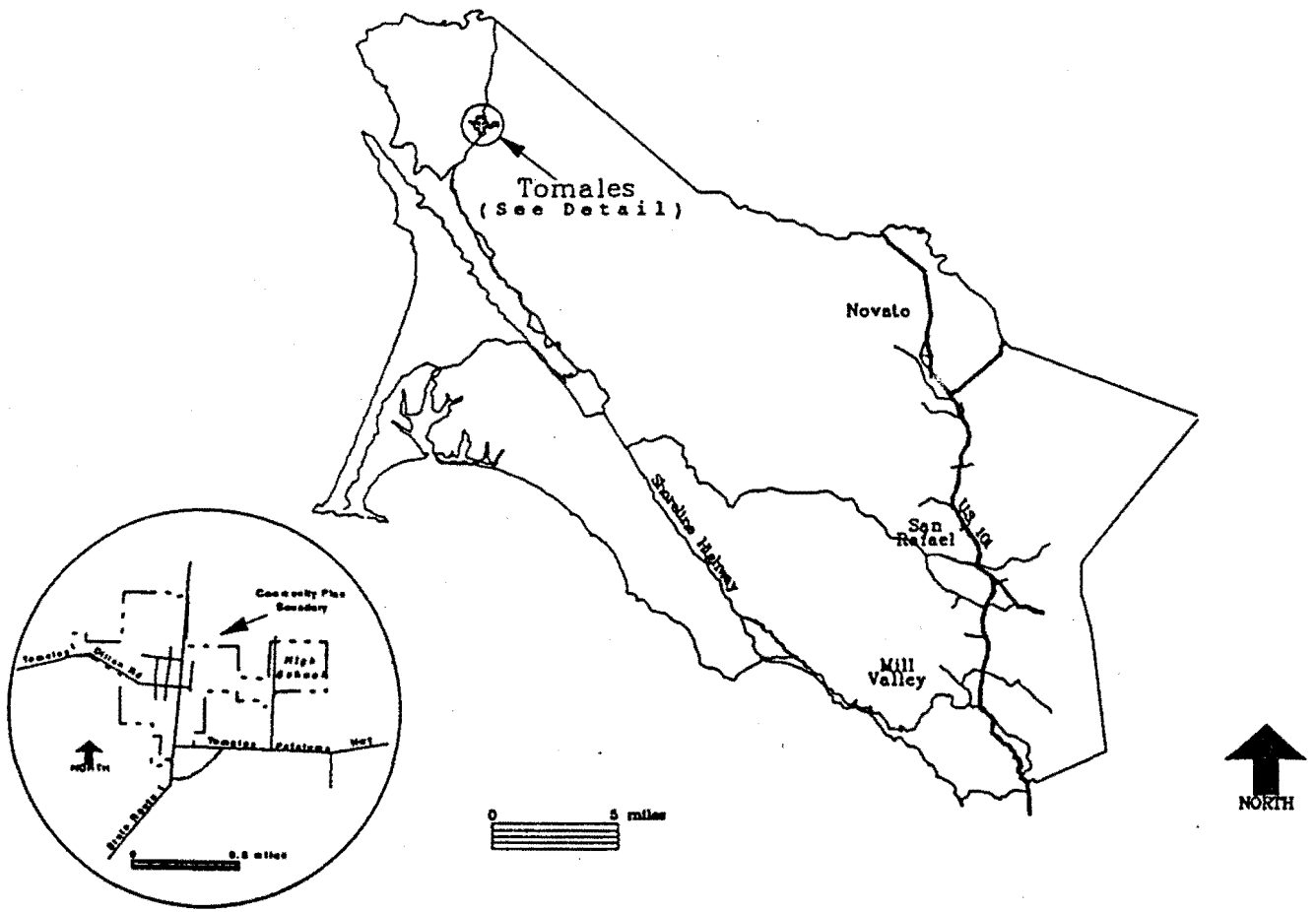


EXHIBIT NO.	2
APPLICATION NO.	Marin Co. LCP
	Amendment No. 1-96
	Location Map

~~According to the Tomales Community Plan, the main criterion used in drawing that community's expansion boundary was "to avoid intrusion into agricultural lands zoned or used for agricultural purposes" (Tomales Community Plan, p. 8). The boundary was also drawn to include "1) those parcels that are too small for large scale agricultural use, and 2) those parcels that have been zoned for commercial use" (p. 13). The expansion area for Tomales thus encompasses a core of lots zoned VCR for 6000 square foot sizes, surrounded by a buffer of parcels 2-15 acres in size zoned for 1, 2, 5, and 10 acre lots. It also includes several public school sites. Except for these, no parcels larger than 15 acres lie within the expansion boundary. Outside the boundary, all lands are zoned either A-20 or A-60.~~

The expansion boundary for Tomales clearly divides urban and rural-residential from agricultural areas. The parcel and zoning pattern creates a low-density buffer between the village center and surrounding agricultural lands. Provision for reasonable growth in the future has been made. In addition, the community expansion boundary as adopted in the Tomales Community Plan has been endorsed by the Regional Coastal Commission. For these reasons, the boundary appears to meet the intent of Section 30241 of the Coastal Act and thus can be adopted for the purposes of the LCP.

In the case of Point Reyes Station, the community plan cites seven criteria on which the expansion boundary is based: the location of public parklands, lands zoned for agriculture or under Williamson Act contracts, utility service areas, natural and man-made barriers, flood plain and seismic hazards, and current development patterns. The expansion area includes a village center zoned VCR, an area zoned for 10,000 square foot residential lots, and several planned residential districts. These more dense development areas are buffered from nearby agricultural lands, zoned A-60, by low density large-lot zones to the north and various natural features to the east, south, and west.

The Regional Coastal Commission has adopted its own community expansion boundary for Point Reyes Station which differs somewhat from that of the County. The major difference is that the County has included a 248-acre undeveloped parcel at the northern end of town within the expansion area while the Coastal Commission has not. The parcel, Martinelli Farms, is presently used for agriculture but is zoned RSP 0.33, i.e. 1 unit per 3 acres. The community plan anticipates that the parcel may eventually be used for a much needed waste treatment facility for the town.

Excluding Martinelli Farms from the expansion area of Point Reyes Station would preserve agricultural use on the property, as intended by Section 30241 of the Coastal Act, and still provide adequate room for future community growth. The parcel would also continue to serve as a buffer between the community and the nearby Tomales Bay Ecological Reserve. However, excluding the parcel would eliminate a possible site for the waste treatment facility, making it more difficult to adequately service the town, as required by Section 30250(a) of the Coastal Act. In light of these conflicting needs, it is evident that the exact determination of an expansion boundary for Point Reyes Station must await an analysis of the community's public services and land use, to be undertaken in that section of the LCP on new development.

LCP page 92: replace crossed-out paragraph with the following:

According to the Tomales Community Plan, the main criterion used in drawing that community's expansion boundary was "to avoid development intrusion into surrounding lands zoned and used for agricultural purposes located within the Marin County Agricultural Preserve" (Tomales Community Plan, p. 1-2). The expansion boundary was also drawn to include those parcels that are too small for large-scale agricultural use and those parcels that are zoned for commercial use. The expansion boundary for Tomales thus encompasses a core of lots zoned VCR and C-RSP for higher residential densities at one unit per 6,000 square feet, surrounded by a buffer of parcels two to 15 acres in size zoned for lower residential densities that range from one unit per two acres to one unit per 20 acres. Except for two public school sites, no parcel larger than 15 acres lies within the expansion boundary. Outside the boundary, all lands are zoned either C-ARP-20 or C-APZ-60.

EXHIBIT NO.	3
APPLICATION NO.	Marin Co. ICP
Amendment No.	1-96
LCP Document	
Amendments	

from septic effluent is high. Concerning fire protection, water supplies must be imported by truck, or, if the tide is in, can be drawn directly from Tomales Bay. On-site storage tanks may be required by the County Fire Chief for new construction.

## TOMALES

~~The town of Tomales relies upon individual on-site wells for water supply, as it has since it was first established in the mid 1800's. At one time, the population of the town was approximately 300 people. Presently, there are 72 dwelling units and an estimated population of 300. Under existing zoning, the number of dwelling units at buildout would total 160, or 88 more than now exist, an increase of 108%. Population would grow to 450 people. Most residential and commercial development in Tomales is concentrated in a well-defined 12 block area in the center of town, where existing zoning permits 6000 square foot lots.~~

~~Until recently, the major water supply problem facing Tomales was groundwater contamination from the leaching of sewage effluent. With installation of the town's sewer system in 1977, that problem has been corrected. The remaining questions concerning water supply are whether adequate groundwater resources are available to serve buildout and if buildout would cause overdraft of those resources.~~

~~No area-wide estimates of groundwater availability have been made for the area. Existing wells produce a marginal to good quantity of water for the current population; however, the EIR on the Tomales wastewater system by NMCWD concluded that it is doubtful that a large population could be adequately served with this supply. Planning for the town has been based on the historical precedent that there was enough water for a larger earlier population even during periods of drought, but this information is insufficient to ensure that there will continue to be adequate quantities in the future. Some concern has been expressed also that the operation of the sewer system, which disposes of a portion of the treated effluent in a different watershed, may decrease water availability over the long term because groundwater supplies are no longer being recharged through on-site sewage disposal. The Community Plan for Tomales discusses three potential new sources of water for the town: new wells and springs, Walker Creek, and Stemple Creek. However, no new wells and springs are located within a reasonable distance and importing water from distant sources would be economically unfeasible for a community as small as Tomales.~~

~~A rough estimate of current and future water use yields the following: 72 units with an assumed average daily consumption of 200 gpd per unit (a relatively high estimate in comparison to most other communities in Unit II), currently use 14,400 gpd or 5.3 million gallons per year (16 AFY). At full buildout of 160 units, consumption would increase to 32,000 gpd or 11.7 million gallons per year (36 AFY). Ideally, a groundwater study should be done to determine whether the net safe yield of the groundwater basin can support this level of withdrawal. Such a study, however, would be an expensive and time-consuming undertaking.~~

LCP pages 166-167: replace crossed-out language with the following:

Potable water for Tomales is provided by private, individual wells tapped into local groundwater sources. As discussed in the sewage disposal section for Tomales, past pollution problems related to the leaching of sewage into groundwater sources appears to have been significantly reduced with the opening of the sewer collection and treatment system in 1977 by the North Marin Water District.

There are no area-wide estimates of groundwater availability. At the present time, on-site water sources are required to be proved before new development can take place, but there is little knowledge of the area's groundwater characteristics or the long-range capacity for population growth depending on local water sources. Ideally, a groundwater supply study could be conducted to determine whether the yield of the groundwater basin can support buildout of the community. Such a study, however, would be an expensive and time-consuming undertaking. Regardless, buildout of the community does not appear large enough to exhaust groundwater supplies or cause overdraft of the groundwater basin. Since water availability may be uncertain in some locations, however, on-site well test to demonstrate adequate flow must continue to be required prior to development.

There are three potential other sources of water: (1) deep wells and springs, (2) Walker Creek, and (3) Stemple Creek. Walker Creek is approximately one mile south of Tomales, while Stemple Creek is approximately one mile north. Importing water from these two distant sources would be economically infeasible for a community as small as Tomales. General estimates of water potential from these sources would require a study of moderate scale, while a comprehensive study would be a larger undertaking. In the absence of such information, long-range plans for development in Tomales are based on the historical precedent that there was apparently sufficient local water available to serve larger populations in the past (about 300 people in the late 1800's), but it should be noted that this is not really an adequate information base because per capita water use may be higher today and historical data is not very specific.

Tomales is served by the Marin County Fire Department. The existing fire station on Dillon Beach Road has a crew of two to five firefighters, depending on the season, and three fire engines, including a 1,250-gallon per minute pumper, a 500-gallon per minute pumper, and a 1,500-gallon water tender with a 500-gallon per minute pumper. In addition, there is an active volunteer force in Tomales of eight or nine individuals. Therefore, the most important issue is not one of response time from the station, equipment, and firefighters, but rather of available water supply.

EXCERPTS FROM THE LOCAL COASTAL PROGRAM -- UNIT II

~~In conclusion, considering the excessive cost of developing imported water sources for Tomales, the current and historic success with ground-water use, and the small number of additional units that could be built in the town (88), it seems reasonable to permit additional development to tap groundwater resources. According to staff at NMCWD, adequate water can probably be found to supply this limited number of units and the small amount of commercial development that can be expected to accompany them. The scale of development at buildout (160 units) does not appear large enough to exhaust groundwater supplies or cause overdraft of the groundwater basin. Since water availability may be uncertain in some locations, however, on-site well tests to demonstrate adequate flow must continue to be required prior to development.~~

~~The fire protection facilities are somewhat more centralized in Tomales than they are in other coastal communities served by private wells. NMCWD has attempted, thus far unsuccessfully, to obtain a federal grant to use reclaimed wastewater for fire protection. In the meantime, the community relies upon two storage tanks with a total capacity of 35,000 gallons. The County Fire Chief is in the process of installing two more storage tanks in town with an additional capacity of 18,000 gallons. Once these tanks are installed, the Fire Chief feels that storage capacity will be adequate to handle a fire for most structures in town. The Fire Chief also routinely adds conditions to building permits which require the installation of storage tanks and, in some instances, fire hydrants.~~

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

Emergency water supplies are available and accessible at various locations around the village, including two storage tanks with a total capacity of 13,000 gallons, a 60,000-gallon tank at the high school, and numerous private tanks ranging in size from 3,000 to 7,000 gallons. The Marin County Fire Department is currently implementing plans for another storage tank in Tomales with a capacity of 67,000 gallons. When this new tank and its related water distribution facilities (water lines, fire hydrants, etc.) are constructed, emergency water supply storage capacity and distribution should be adequate to handle a fire for most structures in Tomales.

## Tomales.

~~BACKGROUND~~

~~The town of Tomales utilizes two forms of sewage disposal: the densely developed village core receives sewer service from the North Marin County Water District (NMCWD), while the outlying low density residential areas rely upon on-site sewage disposal. Until installation of the community sewer in 1977, discharge of raw domestic wastes into Tomales Creek was the disposal method practiced by 40% of the town. The remainder of the town was served by septic systems, many of which were failing. A serious water pollution problem resulted from the leaching of sewage effluent into groundwater sources because the community also relied upon on-site wells for water supply. Small lot sizes, slopes to 15%, and dependence on wells made the sewer necessary.~~

~~Approximately 45% of the town's total area of 255 acres is included in the sewer service area. The service area includes lands zoned for 6000 sq. ft. residential lots, lands zoned VCR (Village Commercial Residential) permitting 7500 sq. ft. lots, a small highway commercial area, and two schools. Virtually all lots within the service area are unable to support an adequate septic tank system. Outside of the service area, VCR lands are zoned for 1-acre lots, while residential lands are zoned from two to ten acre minimum lot sizes. Extension of sewer lines to these peripheral lands was not made due to the high cost, the growth inducing impacts of such extension, and the ability of these areas to support on-site sewage disposal.~~

~~EXISTING SEWER SYSTEM: FACILITIES AND CAPACITY~~

~~The Tomales sewer system consists of four main components: sewage collection lines, and interceptor, treatment, and disposal facilities. The 7,700 feet of collection lines have a relatively large diameter of 8" in order to permit easy cleaning and maintenance. 95% of all connections are served by gravity while the few below the level of the gravity sewer utilize individual home sewer pumps. The interceptor system, consisting of a pumping station and force main, conveys the sewage from the low point in the collection system to the treatment ponds. Sewage is stored in these aerated ponds (pond capacity is 3 Acre Feet) for 30 days to permit oxidation of the effluent. Filtration and disinfection are also a part of treatment. The treatment plant, located to the southeast of town, has a filtration capacity of 300 gpm. After treatment, sewage effluent is used for irrigation of the two school campuses in town, with the surplus sprayed onto a fenced land disposal area of 25 acres. This irrigation disposal method can only be used in the summer and fall. In the winter, all sewage flows must be stored in a storage and evaporation pond (pond capacity is 42.5 Acre Feet) and held for spray disposal during the dry season.~~

~~The sewer system was designed to handle a maximum of 30,000 gpd of sewage flow on the average over a period of one year. Design flows are 76,000 gpd for a peak month, 133,000 gpd for a peak day, and 180,000 for a peak hour. Overall system capacity is limited by treatment pond capacity available during the peak winter month. Capacity may be expanded by adding equipment which would shorten the residence time of effluent in the pond.~~

LCP pages 176-179: replace crossed-out language with the following:

The town of Tomales utilizes two forms of sewage disposal: the densely developed village core receives sewer service from the North Marin Water District ("NMWD"), while the outlying low density residential areas rely upon on-site sewage disposal. Prior to 1977, Tomales had a problem of polluted groundwater resulting from the leaching of sewage into groundwater sources. This pollution problem slowed or halted residential and commercial development in the community. However, the opening of the sewer collection and treatment system in 1977 by the NMWD appears to have significantly reduced this pollution problem.

The sewer system is designed to handle wastewater from existing residences, commercial establishments, and school facilities. Based on 1993 data, NMWD reports that there were a total of 88 service connections to the sewer system generating an average daily wastewater flow of 19,842 gallons per day. Requirements for operation of the system established by the California Regional Water Quality Control Board limit the system capacity to 38,000 gallons per day. When consideration is given to the additional wastewater generated by the connected commercial enterprises and school facilities, 88 connections translate into approximately 149 "equivalent" residential units that generate approximately 121 gallons of wastewater per unit per day. Based on the remaining capacity of the system, NMWD estimates that the system can serve an additional 152 equivalent units for a total of 301 equivalent units at buildout. In other words, the system is currently operating at about one-half its capacity.

The design of the collection system, although far in excess of the existing treatment plant capacity, employs minimum diameter sewer lines as needed for cleaning and maintenance equipment. The treatment plant is located northwest of the intersection of Tomales-Petaluma Road and Irvin Road. The treated wastewater is piped from the treatment plant and reused for irrigation of landscaping and playing fields on the adjacent school campuses, with the surplus carried to ponds located south of the hills on the south side of Tomales-Petaluma Road. Surplus pond water is used to irrigate adjacent pasture lands.

Smaller lot residential and/or commercial areas in the village all lie either within the existing sewer service area or immediately adjacent to it. The sewer service area is presently developed with 83 residential units. Based on policies of the Community Plan, it is estimated that the total number of residential units within the ultimate sewer service area could approximately double to 172 at buildout, which is an extremely high estimate that assumes an adequate supply of potable water would be available. Including future non-residential sewer connections, 172 units translate into approximately 290 to 300 equivalent units at buildout. Therefore, with a buildout sewer system capacity of 301 equivalent units estimated by NMWD, it appears that the sewer system may have adequate capacity to accommodate buildout sewage flows.



EXCERPTS FROM THE LOCAL COASTAL PROGRAM -- UNIT II

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

~~by enlarging the existing pond, or by building a new one. Treatment capacity was sized to handle 10 years growth in the system, with growth rates liberally estimated by NMCD at 1 unit per year. Ten years was the maximum time period for which federal funding could be obtained. A larger plant would have required local financing. Collection lines have been sized to handle 20 years growth in the system, as similarly determined by restrictions on funding. Because of the small size of the service area, collection lines are not anticipated to ever become limiting.~~

Peripheral areas zoned for low-density residential and agricultural development would continue to utilize private septic systems for on-site wastewater disposal. The peripheral areas outside the sewer service area are presently developed with 8 residential units. Based on policies of the Community Plan, it is estimated that the total number of residential units in the peripheral areas could increase to 21 at buildout, assuming that an adequate supply of potable water and on-site sewage disposal capacity would be available.

~~SEWAGE DISPOSAL LOAD: CURRENT AND FUTURE~~

~~The sewer service area is presently developed with approximately 60 residential units. Existing zoning in this area as established by the Community Plan would permit 70 additional units, for a total at buildout of 130, an increase of 116%. In the outlying low-density areas, the existing 12 units could increase by 150% to 30 units. Total buildout for the entire town would thus be approximately 160 units, as shown in the table below. Population for the town as a whole is expected to grow from the present 200 people to an estimated 450 at buildout.~~

The NMWD has expressed the desirability of extending sewer service to these low-density peripheral areas for protection against groundwater pollution. Such extension, however, would also increase pressure for higher residential density zoning, with related problems of water supply and alteration of the existing village environment. Further, it anticipated that buildout of septic systems in the peripheral areas can proceed without cumulative groundwater impact problems if wells and septic systems are installed to conform with current domestic water supply and septic code regulations.

Table 23. ~~EXISTING AND POTENTIAL RESIDENTIAL UNITS PERMITTED BY THE TOMALES COMMUNITY PLAN.~~

<del>Location</del>	<del>Existing units</del>	<del>Potential additional units</del>	<del>Total buildout (existing zoning)</del>
<del>Sewer service area<sup>1</sup></del>	<del>60</del>	<del>70</del>	<del>130</del>
<del>Peripheral lands<sup>2</sup></del>	<del>12</del>	<del>18</del>	<del>30</del>
<del>TOTAL</del>	<del>72</del>	<del>88</del>	<del>160</del>

<sup>1</sup>~~Located in village core lands zoned for 6000 and 7500 sq. ft. lots.~~

<sup>2</sup>~~Lands zoned for 1 to 10 acre minimum lot sizes~~

~~Active sewer connections presently total 75, including 60 single-family dwellings, 1 duplex, 1 rooming house, 7 commercial uses, 2 schools, and 2 churches. The sewage flows generated by these varied uses are estimated to be "equivalent" to 125 single-family dwellings, an equivalency conversion that is used for planning purposes. In 1978, the 75 connections (or their 125-unit equivalent) generated 5.3 million gallons of sewage, for an average daily flow of 14,500 gpd. During a peak wet week, flows reached 25,000 gpd. (These are rough estimates since accurate meter readings for the system are not available.) Based on these total flows, waste flows per single-family unit average approximately 116 gpd, and in wet weather, increase to 300 gpd. Current average daily flows at 14,500 gpd are 18% of the system's average daily capacity of 28,000 gpd, while peak week flows at 25,000 gpd are 33% of the system's peak month capacity.~~

~~Current waste flows are considerably less than those which were anticipated when the system was designed. Without any information on actual waste~~

2-15

## EXCERPTS FROM THE LOCAL COASTAL PROGRAM -- UNIT II

loads, average daily flows were estimated at 30,000 gpd, while maximum wet weather flows were estimated at 60,000 gpd monthly, 105,000 gpd daily, and 150,000 gpd hourly. Average daily sewage flow per single-family dwelling was estimated at 230 gpd. Based on these design loadings, surplus capacity available in the sewer system is equivalent to 32 dwelling units and was projected to become limiting about 1986.

Actual flows generated, as well as infiltration and inflow during storms, are substantially less than anticipated. More surplus capacity is therefore available. The 75 connections generate 14,500 gpd or 38% of capacity (38,000), leaving a 23,500 gpd surplus. Considering that each single-family dwelling generates approximately 115 gpd on an average basis, the 23,500 gpd surplus amounts to approximately 200 single-family dwelling units or their equivalent. Since buildout in the service area would add a maximum of 70 residential units and some commercial uses, there is clearly adequate capacity to serve all future potential development at current waste flow levels. The situation would be unlikely to change unless imported water were brought to the community and water consumption levels increased.

### ON-SITE SEWAGE DISPOSAL

Areas outside the village core of Tomales are zoned for low-density residential development and are served by on-site septic systems. Currently, there are approximately 12 units in this area with the potential for an additional 18 under current zoning, which allows two to ten acre lots. The Tomales Community Plan opposes expansion of the sewer system to serve these areas because of the pressure for increased densities which such expansion would cause, and related problems of water supply and alteration of the existing small scale of the village.

According to the community plan, there may eventually be a problem of polluted water in the peripheral village areas as there formerly was in the core area prior to installation of the sewer system. Pollution could occur if shallow wells, which can be polluted by on-site sewage disposal systems even on large lots of two acres or more, are used. This situation can be avoided, the plan notes, by drilling deep wells and strictly applying septic system codes.

Although shallow wells could cause problems, the possibility of ground-water contamination as a result of cumulative impacts seems very slim given the few number of additional units which could be built in the outlying areas: under existing zoning, only 18 additional units could be built for a total of 30, on an area of some 100 acres. The overall density of development at buildout would thus be approximately 1 unit per 3.3 acres. At this density, it seems doubtful that cumulative impact problems will develop. Groundwater contamination can be avoided if adequate setbacks are maintained between wells and septic systems, and if both types of developments meet County code and the standards of the Regional Water Quality Control Board.

### SUMMARY AND CONCLUSIONS

The town of Tomales is served by a community sewer system in the downtown village core and by on-site sewage disposal systems in the outlying areas.

## AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II IN ACCORDANCE WITH RECOMMENDATIONS OF THE TOMALES COMMUNITY PLAN

2-17

EXCERPTS FROM THE LOCAL COASTAL PROGRAM -- UNIT II

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

~~It is anticipated that buildout on septic systems in the outlying areas of the town can proceed without cumulative impact problems, if County codes on wells and septic systems and the standards of the Regional Water Quality Control Board are met. The overall density of development in these areas at buildout would be approximately 1 unit per 1.1 acres.~~

~~As far as the community sewer system is concerned, analysis shows that capacity is adequate to handle sewage flows at buildout for both residential and commercial uses. The sewer system has a treatment capacity of 38,000 gpd on an average basis. Presently, the 75 connections generate 14,500 gpd of average daily flow, or 38% of capacity. The addition of 70 residential units in the service area as permitted under existing zoning would increase the total wastewater flow to 33,620 gpd, leaving 11,380 gpd of surplus capacity, the equivalent of 98 single-family residences. Remaining capacity would be adequate to serve whatever commercial and visitor-serving uses might be built in the service area, as well as other priority uses under the Coastal Act. According to the staff of NWCMD, the construction of even large-scale visitor facilities would not significantly impact the peak winter month capacity since this would normally be a slow time for tourist visitation. Serving visitor facilities during the summer months would not be a problem since sewage can be readily disposed of through spray irrigation.~~

Dillon Beach/Oceana Marin/Lawson's Landing.

BACKGROUND

Two methods of sewage disposal are used in the Dillon Beach area: the Oceana Marin subdivision receives sewer service from the North Marin County Water District, while the community of old Dillon Beach, Portola Beach, and Lawson's Landing utilize on-site sewage disposal, including septic systems, holding tanks, and seepage pits. The sewer system serving Oceana Marin is relatively new, having been installed in the early 1970's when the subdivision was developed. In the Dillon Beach area, on-site sewage disposal has been used for over 50 years.

EXISTING SEWER SYSTEM: FACILITIES AND CAPACITY

The sewer system serving Oceana Marin consists of 22,784 feet of 6", 8", and 10" collection lines, 1 lift station with two pumps of 100 gpm combined capacity (144,000 gpd), and 2 treatment and storage ponds with 18 Acre Feet of total capacity (6 million gallons). Raw sewage is collected and flows by gravity to the lift station where it is aerated and pumped 383 feet through a force main to treatment and storage ponds located on a relatively flat ridge above the development. Because of the small number of units presently served, the ponds are large enough to serve as evaporation ponds and no other facilities are necessary. However, as buildout proceeds in the future and the volume of sewage comes to exceed the capacity of the ponds to handle disposal through evaporation, additional facilities for storage, chlorination, and spray disposal will be necessary.

EXCERPTS FROM THE LOCAL COASTAL PROGRAM -- UNIT II

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

TABLE 24. RESIDENTIAL BUILDOUT FIGURES FOR THE UNIT II COASTAL ZONE UNDER EXISTING COUNTY AND COMMUNITY PLAN ZONING, AND THE LCP

	Existing units	Vacant lots	Potential additional units		Full buildout	LCP zoning (estimate)
			Additional lots by subdivision	Total additional		
Olema	27			103	130	60
Point Reyes Station	186			615	801	600
Inverness Ridge						
Inverness Park/						
Silver Hills	115	65	18	83	198	188
PRE	85	109	3	112	197	197
IPUD	460(1)	105	46	151	611	611
Well areas	70	40	32	72	142	142
Hamilton	10	1	1	2	12	12
Mutual						
TOTAL	<u>740</u>	<u>320</u>	<u>100</u>	<u>420</u>	<u>1160</u>	<u>1150</u>
Marshall/east Tomales Bay	70	56	4	60	130	128
Tomales	<del>72</del>			<del>88</del>	<del>160</del>	<del>160</del>
Dillon Beach/Oceana Marin						
Old Dillon Beach	134	15	0	15	149	149
Portola Beach	14	4	0	4	18	18
Oceana Marin	93	173	241	414	507	372
TOTAL	<u>241</u>	<u>192</u>	<u>241</u>	<u>433</u>	<u>674</u>	<u>539</u>
TOTALS	<del>1336</del>			<del>1719</del>	<del>3055</del>	<del>3637</del>

(1) Includes some units on wells

LCP page 200, Table 24: replace crossed-out numbers with the following:

(Tomales)	91	102	193	193
(TOTALS*)	1,411	1,535	2,946	2,663

\*Please note that the Dillon Beach numbers shown in this table were changed by Marin County Board of Supervisors Resoulution No. 88-333. The numbers above reflect those changes adopted in 1988.

EXCERPTS FROM THE LOCAL COASTAL PROGRAM -- UNIT II

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

ment, the federal government has approved legislation authorizing purchase of undeveloped lots on both sides of the Bay for inclusion in the Point Reyes National Seashore or the Golden Gate National Recreation Area. This purchase includes undeveloped lots on the west side of the Bay between Whitehouse Pool and Chicken Ranch Beach, and on the east side, undeveloped lots between the Tomales Bay Ecological Reserve and Miller Park, excluding the town of Marshall. The town of Marshall has since been defined to include the area from the Post Office Building on the north down to and including the Marshall Boat Works to the south. (see Federal Parklands, p.59).

The County's ability to limit development on these sensitive shoreline lots through standard zoning techniques is limited by the fact that the lots have already been subdivided and most are owned by different individuals. Thus, reduced zoning densities have little effect on development potential. In order to address this difficulty to the extent possible, the LCP recommends that shoreline residential parcels, both developed and undeveloped, be rezoned to planned residential (RSP) zones. The RSP zone requires design review of all permits and allows the construction of single-family detached units without the confines of specific yard requirements. In a situation such as exists on the shoreline of Tomales Bay, the RSP zone permits flexibility in siting and design so that maximum protection of sensitive sites can be achieved. Proposed developments are also subject to height limitations and other standards. In addition to the RSP change, other rezonings proposed for the shoreline of Tomales Bay include limited expansion of commercial zones to allow development of visitor-serving and marina facilities, changes in public parkland designations to O-A (open area), and some agricultural rezonings.

~~Tomales. The town of Tomales has 72 developed residential units with the potential for an additional 88 units. The community expansion boundary for the town was drawn in the 1977 community plan primarily to avoid intrusion into surrounding agricultural lands. It includes a core of small VCR zoned lots surrounded by small agricultural parcels. Sewage disposal in the downtown area is provided by a community sewer system while in the outlying areas, septic systems are used. Water supply is derived from on-site domestic wells. Existing zoning provides ample room for expanded commercial development. No rezonings are recommended in the LCP other than a change in small agricultural parcels from A-2, A-5, A-10, and A-20 zoning to planned agricultural/residential (ARP) zones. These planned districts will allow for the preservation of the maximum amount of agricultural land, protect views within the community, and allow greater flexibility in design. The limited area of C-1-U zoning has been changed to a planned commercial zone to allow master plan review.~~

Dillon Beach/Oceana Marin. The Dillon Beach area, including the Oceana Marin subdivision, has approximately 240 existing units, with the potential for an increase of 280 to 674. This counts the development of 245 multiple units in Oceana Marin, in addition to the 262 subdivided single-family lots which already exist there. A community expansion boundary for the area has never been defined and extensive unsubdivided lands zoned A-2 are located to the north, south, and east of the presently developed area. Public services in the community, including water supply and sewer service, are limited to serve only a portion of potential buildout. Very limited commercial development and zoning exists, located immediately south of old Dillon Beach.

LCP page 204: replace crossed-out paragraph with the following:

As of 1995, there were 91 dwelling units in Tomales. Based on 1990 U.S. Census Bureau data, Tomales has a population of approximately 225 persons. Historically, the rate of residential development within Tomales has been slow with an average of only about one unit per year over the last 20 years. Several factors contribute to the slow rate of residential development, including the remote location of Tomales, water and sewer availability, and real estate market considerations. At buildout, the number of dwelling units in Tomales could increase to 193 units and the population could increase to approximately 440 persons. However, these projections are extremely hypothetical maximums which assume that the maximum residential densities under the various zoning designations would occur and that an adequate supply of water and either public sewer capacity or private on-site sewage disposal capacity would be available. Most future residential development would occur in the village core area where properties are zoned for higher residential densities at one unit per 6,000 square feet and are located either within or immediately adjacent to the sewer system service area.

The LCP supports the community plan policy to rezone all land within Tomales that is zoned C-R-A:B-1 to C-RSP-7.26. The community supports this rezoning for the following three reasons: (1) to ensure design review of new development in these areas, so that development will be subjected to the design criteria and standards of C-RSP zoning districts; (2) to allow greater flexibility and discretionary authority and encourage creative design solutions as opposed to implementation of strict development standards; and (3) to maintain a general consistency of permitted and conditional uses in these areas. As recommended, the overall permitted residential density for these areas would not change.

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

With exception to the old high school site, no changes in commercial land use and zoning are recommended. The LCP supports policies of the community plan to rezone the old high school site. Though the community plan recommends the commercial core of the village to remain zoned C-VCR, a minor change is recommended that would lower the maximum permitted residential density on a 2.75-acre portion of the old high school site west of Shoreline Highway. The subject, 2.75-acres, which are identified currently as APN 102-080-05 and -07, are zoned C-VCR with a maximum density of one unit per 30,000 square feet (C-VCR:B-3.5); however, the County is presently in the process of phasing out the "B-3.5" density suffix from the zoning code due to its limited use in the County. Accordingly, it is recommended to rezone these 2.75 acres from C-VCR:B-3.5 to C-VCR:B-4 to slightly lower the maximum permitted residential density from one unit per 30,000 square feet to one unit per acre. The decrease in density on this 2.75-acre portion of the old high school site would be off-set by an increase in density recommended in the community plan on the remaining portion of the old high school site (approximately 3.10 acres identified currently as APN 102-080-04 and -05) from one unit per acre to 1.6 units per acre. Therefore, the overall permitted residential density for this site would not change.

The LCP supports the community plan policy to rezone two large agricultural properties adjacent to the community expansion boundary in their entirety to C-APZ-60. The subject properties are currently identified as APN 102-100-06 (Cerini) and APN 100-090-17 and -18 (Etemad). Both properties have minor portions that are zoned C-ARP; however, since these portions are located within the Agricultural Preserve which defines the community expansion boundary, are undeveloped, and are used for agriculture, the community plan recommends rezoning these portions to C-APZ-60.

All land within the Tomales community expansion boundary that is zoned C-ARP should remain zoned as such at current maximum densities (one unit per 2, 5, 10 and 20 acres).

EXCERPTS FROM THE LOCAL COASTAL PROGRAM -- UNIT II

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

The small upland lots between the Marshall-Petaluma Road and Marconi Cove Marina which abut Highway 1 and which are currently zoned A-2 shall be rezoned to ARP-2.

- (5) All remaining lots bayward of Highway 1, not otherwise mentioned above, both developed and undeveloped, south of Nick's Cove up to the Marshall Boat Works, shall be rezoned RSP-0.5. Lots south of Marshall Boat Works to the state parklands on Tomasini Point, not previously mentioned above, shall be rezoned to RSP-0.33.

f. Standards for development in all zoning districts on the shoreline of Tomales Bay.

- (1) Existing dwellings shall be permitted to be rebuilt if damaged or destroyed by natural disaster, provided that the floor area, height and bulk of the new structure shall not exceed that of the destroyed structure by more than 10%. Any proposed improvement to an existing house which results in an increase of internal floor area of more than 10% shall require a coastal permit in order to ensure that such improvement is sited and designed to minimize impacts on Tomales Bay.
- (2) New residential construction shall be limited in height to 15 feet, as measured from natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom. Exceptions to this height limit may be permitted where the topography, vegetation, or character of existing development is such that a higher structure would not create additional interference with coastal views either to, along, or from the water.
- (3) A finding shall be made that all new development shall meet all other LCP policies, including those on Public Access, Natural Resources and wetland protection, Shoreline Structures, Diking/Filling/Dredging, Public Services, Hazards, Visual Resources, and New Development, prior to issuance of a coastal permit.

g. Tomales.

- ~~(1) The community expansion boundary for Tomales shall be as defined in the community plan of 1977.~~
- ~~(2) Changes in commercial land use and zoning as specified in Policy 3(f) on Recreation and Visitor-Serving Facilities, page 51, shall be adopted.~~
- ~~(3) In order to promote the concentration of development and encourage greater flexibility in the design of future land divisions in the community, lands now designated for A-2, A-5, A-10, and A-20 zoning shall be rezoned to ARP districts at the same density.~~

h. Dillon Beach/Oceana Marin.

- (1) The community expansion boundary for this area shall be drawn at the existing boundary of the Oceana Marin subdivision to the north and east and at the southerly end of the Pacific Marine Station to the south.
- (2) Changes in commercial land use and zoning shall be adopted as specified in Policy 3(g) on Recreation and Visitor-Serving Facilities, page 51.

LCP page 216: replace crossed-out language with the following:

- (1) The community expansion boundary for Tomales shall be as defined in the community plan of 1996.
- (2) With exception to the old high school site, no changes in commercial land use and zoning are recommended. The LCP supports policies of the community plan to rezone the old high school site, as follows:

A.P. Number	Zoning	
	Existing	Proposed
102-080-04, -06	C-VCR:B-4	C-RSP-1.6
102-080-05, -07	C-VCR:B-3.5	C-VCR:B-4

- (3) The LCP supports policies of the community plan to rezone all land within Tomales that is zoned C-R-A:B-1 to C RSP-7.26.

2-27

AMENDMENTS TO THE LOCAL COASTAL PROGRAM -- UNIT II  
IN ACCORDANCE WITH RECOMMENDATIONS OF THE  
TOMALES COMMUNITY PLAN

- (4) The LCP supports policies of the community plan to rezone two large agricultural properties adjacent to the community expansion boundary, as follows:

A. P. Number	Zoning	
	Existing	Proposed
102-100-06	C-APZ-60/C-ARP-2	C-APZ-60
100-090-17, -18	C-APZ-60/C-ARP-10	C-APZ-60

- (5) In order to promote the concentration of development and encourage greater flexibility in the design of future development in the community, no changes to C-ARP zoning within the community expansion boundary are recommended.



EXHIBIT NO.	4
APPLICATION NO.	Marin Co. LCP
	Amendment No. 1-96
	Zoning Resolution
	(page 1 of 3)

MARIN COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 96-159

A RESOLUTION OF THE BOARD OF SUPERVISORS DECLARING ITS INTENT TO APPROVE AMENDMENTS TO TITLE 22 (ZONING) TO REZONE CERTAIN PARCELS WITH AND ADJACENT TO THE TOMALES COMMUNITY PLAN IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TOMALES COMMUNITY PLAN

\*\*\*\*\*

**SECTION I: FINDINGS**

- I. WHEREAS the Marin County Board of Supervisors approved a motion of intent to adopt the Tomales Community Plan on October 1, 1996, subject to review and approval by the Coastal Commission; and
- II. WHEREAS the Marin County Board of Supervisors certified an Environmental Impact Report for the original Tomales Community Plan which did not identify any adverse impacts as a result of implementing the Community Plan; and
- III. WHEREAS the Marin County Board of Supervisors finds that the rezonings are exempt from the requirements of the California Environmental Quality Act pursuant to Sections 15162 since they involve implementation of the policies and programs of the Community Plan; and
- IV. WHEREAS the Tomales Community Plan recommends changes in zoning designations to implement the goals and policies of the Plan; and
- V. WHEREAS the Marin County Code, Title 22 (Zoning) describes the following zoning districts as:
  - C-ARP Coastal, Agriculture / Residential, Planned
  - C-APZ-60 Coastal, Agriculture Preservation Zone, 60 acre minimum lot size
  - C-R-A:B-1 Coastal, Suburban Agriculture, minimum lot area 6,000 square feet
  - C-R-A:B-4 Coastal, Suburban Agriculture, minimum lot area one acre
  - C-RSP Coastal, Planned Single Family Residential
  - C-VCR:B-3.5 Coastal, Village Commercial / Residential, minimum lot area 30,000 square feet
  - C-VCR:B-4 Coastal, Village Commercial / Residential, minimum lot area one acre
- VI. WHEREAS the Marin County Planning Commission held a duly noticed public hearing on November 4, 1996, to consider the proposed rezonings and adopted a resolution recommending the Board approve the rezonings; and
- VII. WHEREAS the Marin County Board of Supervisors conducted a duly noticed public hearing on the proposed amendments on November 12, 1996; and
- VIII. WHEREAS the Marin County Board of Supervisors finds that the amendments are necessary to preserve and maintain the coastal village character of the community and ensure safe and environmentally-sound development; and
- IX. WHEREAS the Marin County Board of Supervisors finds that the proposed rezonings are consistent with the Tomales Community Plan and specific recommendations contained therein; and

*ccc rec'd 11/18/96*

# TOMALES COMMUNITY PLAN REZONING MAP

EXHIBIT 1

COUNTY OF MARIN  
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS  
SCALE: 1" = 800'      OCTOBER 18, 1996  
FILES: TOM-ZONE.DWG, .PCP, .PLT



← Agricultural Parcels

EXHIBIT NO.	4
APPLICATION NO.	Marin Co. LCP
	Amendment No. 1-96
	Zoning Resolution
	(page 3 of 3)

Residential Area  
from C-R-A:B-1  
to C-RSP-7.26

Old High School  
Site

*48.93 acres*

*12.45 acres*

*6.*  
↓  
NMWD  
\*

\* NO ZONING CHANGE

Agricultural  
Parcels →

*Location  
#5 (1)-(6)  
added by  
BUB, 1/23/97*

## LEGEND:

— PROPOSED COMMUNITY PLAN BOUNDARY

## PROPOSED ZONING DESIGNATIONS:





-  C-RSP-7.26 (COASTAL, RESIDENTIAL, SINGLE-FAMILY PLANNED/7.26 UNITS PER ACRE)
-  C-RSP-1.6 (COASTAL, RESIDENTIAL, SINGLE-FAMILY PLANNED/1.6 UNITS PER ACRE)
-  C-VCR : B-4 (COASTAL, VILLAGE, COMMERCIAL-RESIDENTIAL/MIN. LOT AREA 1 ACRE)
-  C-APZ-60 (COASTAL, AGRICULTURAL PRODUCTION ZONE/MIN. LOT AREA 60 ACRES)

EXHIBIT NO.	5
APPLICATION NO.	Marin Co. LCP
	Amendment No. 1-96
LCP Document	Resolution

MARIN COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 96-140

A RESOLUTION OF THE BOARD OF SUPERVISORS DECLARING ITS INTENT TO APPROVE  
AMENDMENTS TO THE TOMALES COMMUNITY PLAN AND LOCAL COASTAL PROGRAM -- UNIT II IN  
ACCORDANCE WITH THE RECOMMENDATIONS OF THE TOMALES COMMUNITY PLAN

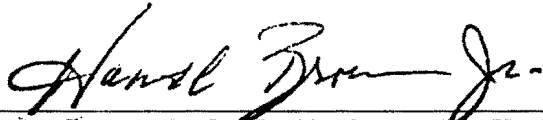
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- I. WHEREAS the Marin County Planning Commission held a duly noticed public hearing on August 19, 1996, to consider the Tomales Community Plan (Plan) and amendments to the Local Coastal Program -- Unit II(LCP); and
- II. WHEREAS the Marin County Board of Supervisors finds that the proposed amendments are Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15162 of CEQA; and
- III. WHEREAS the Board of Supervisors conducted a duly noticed public hearing on the Community Plan and Local Coastal Program amendments on October 1, 1996; and
- IV. WHEREAS the Board of Supervisors finds that the proposed amendments to the Plan and LCP are the result of extensive participation and input by the residents of the Tomales community; and
- V. WHEREAS the Board of Supervisors finds that the amendments to the Plan and LCP are necessary to preserve and maintain the coastal village character of the community, ensure safe and environmentally-sound development, and update the LCP; and
- VI. WHEREAS the Board of Supervisors finds that the amendments to the Plan and LCP to protect the existing environmental quality of Tomales and the surrounding area while accommodating a moderate amount of development in keeping with the coastal village character of the community are appropriate given the existing development patterns, the policies of the Marin Countywide Plan, Local Coastal Program, Unit II, environmental characteristics of the area, and desires of the community; and
- VII. WHEREAS the County of Marin will issue Coastal Development Permits consistent with the Local Coastal Program, Unit II, in a manner fully consistent with the California Coastal Act.

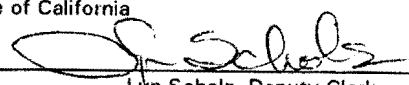
NOW, THEREFORE BE IT RESOLVED that the Marin County Board of Supervisors hereby declares its intent to adopt amendments to the Tomales Community Plan, as shown in attachment 2, and to the Local Coastal Program, Unit II, as shown in Attachment 3, subject to final review and approval by the California Coastal Commission.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, on the first day of October, 1996, by the following vote to wit:

AYES: SUPERVISORS Harry J. Moore, Gary Giacomini, Annette Rose, John B. Kress, Harold C. Brown, Jr.  
NOES: None  
ABSENT: None

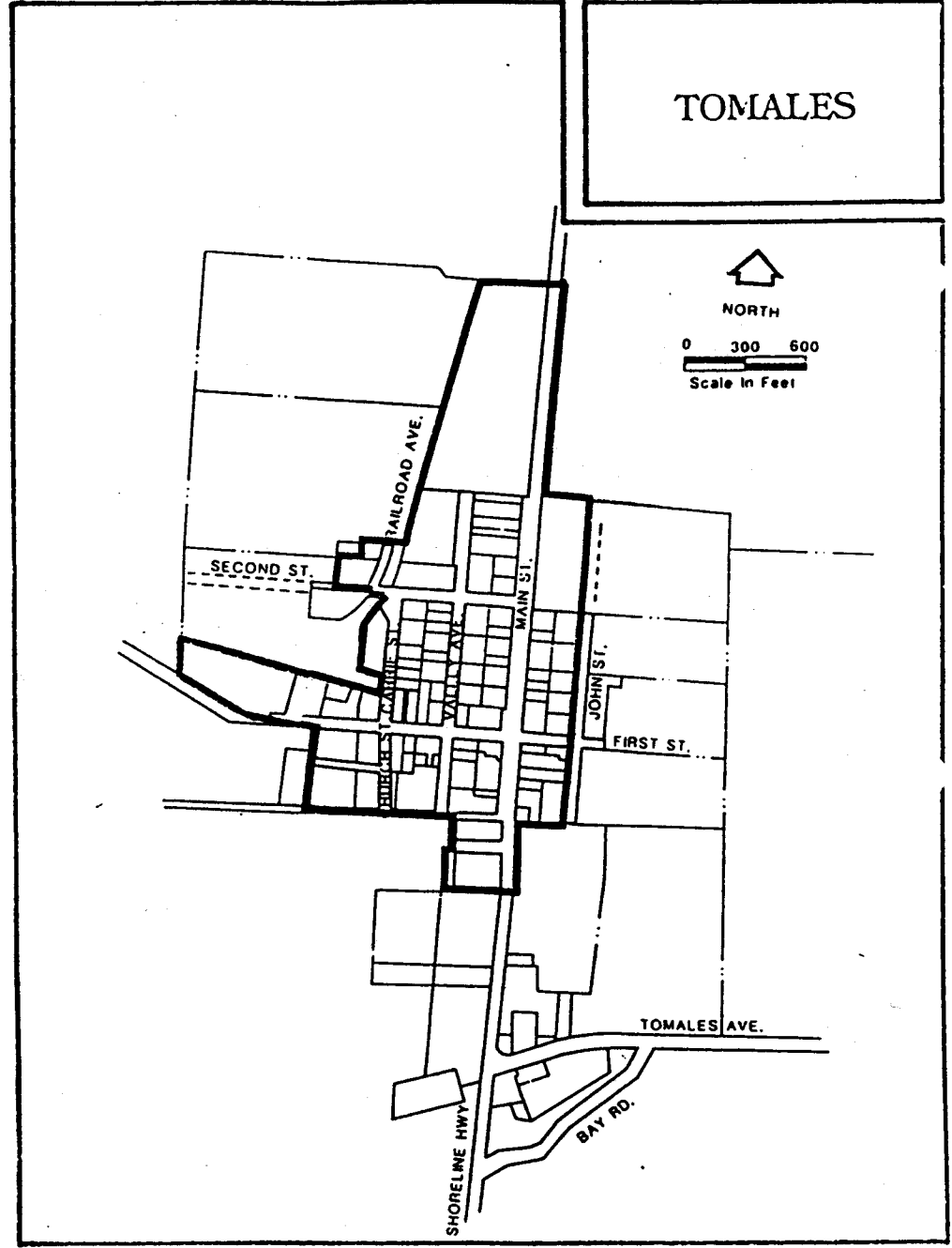
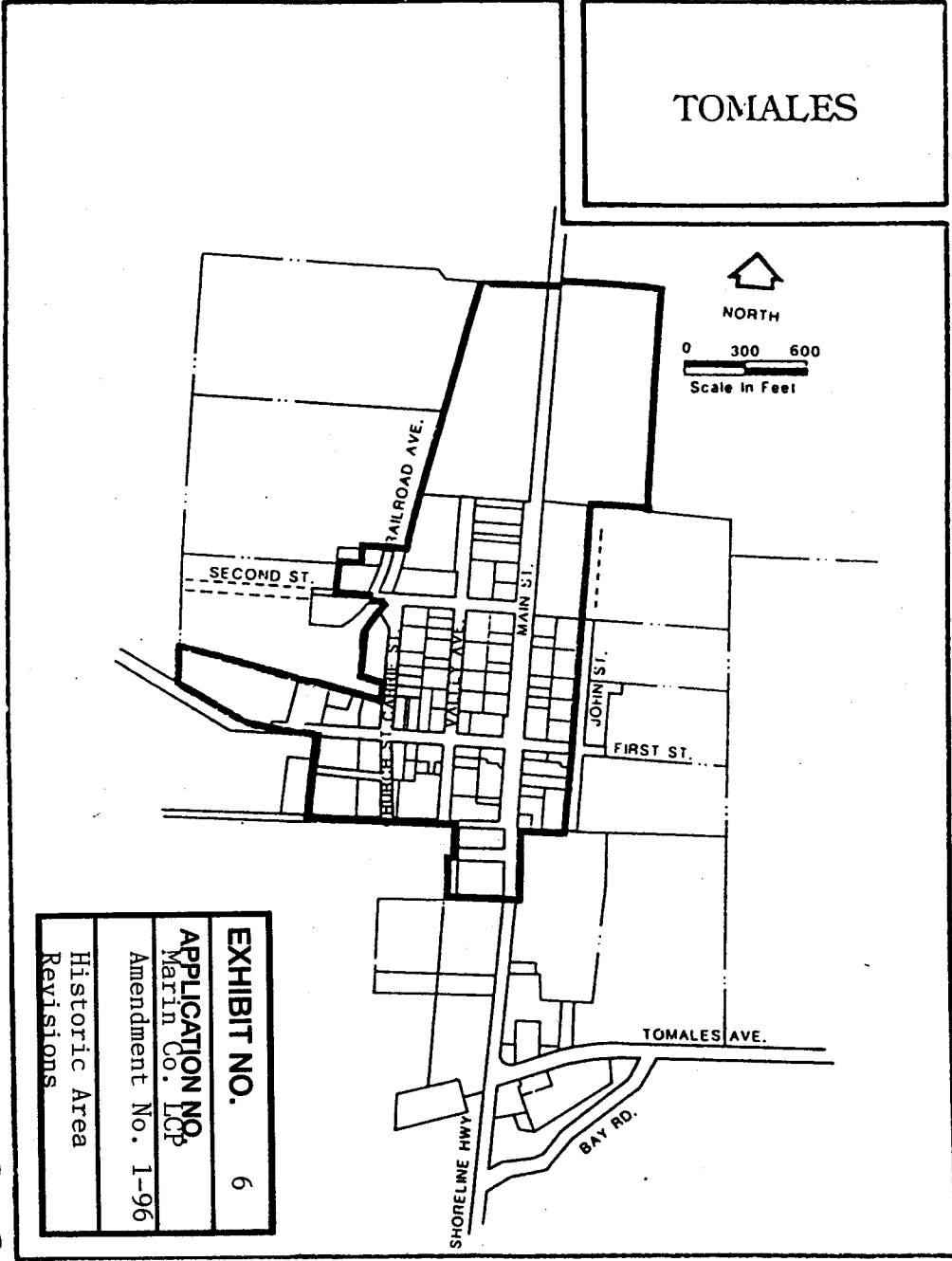
  
HAROLD BROWN, JR., CHAIRMAN  
MARIN COUNTY BOARD OF SUPERVISORS

Attest:  
  
Martin J. Nichols,  
Clerk of the Board of Supervisors

The foregoing instrument is a correct copy of the original on record in this office.  
MARTIN J. NICHOLS  
Clerk of the Board of Supervisors of the County of Marin  
State of California  
By   
Lyn Scholz, Deputy Clerk

ccc  
10/19/96

LCP Appendix page E-2: revise the historic area boundary for Tomales as follows:



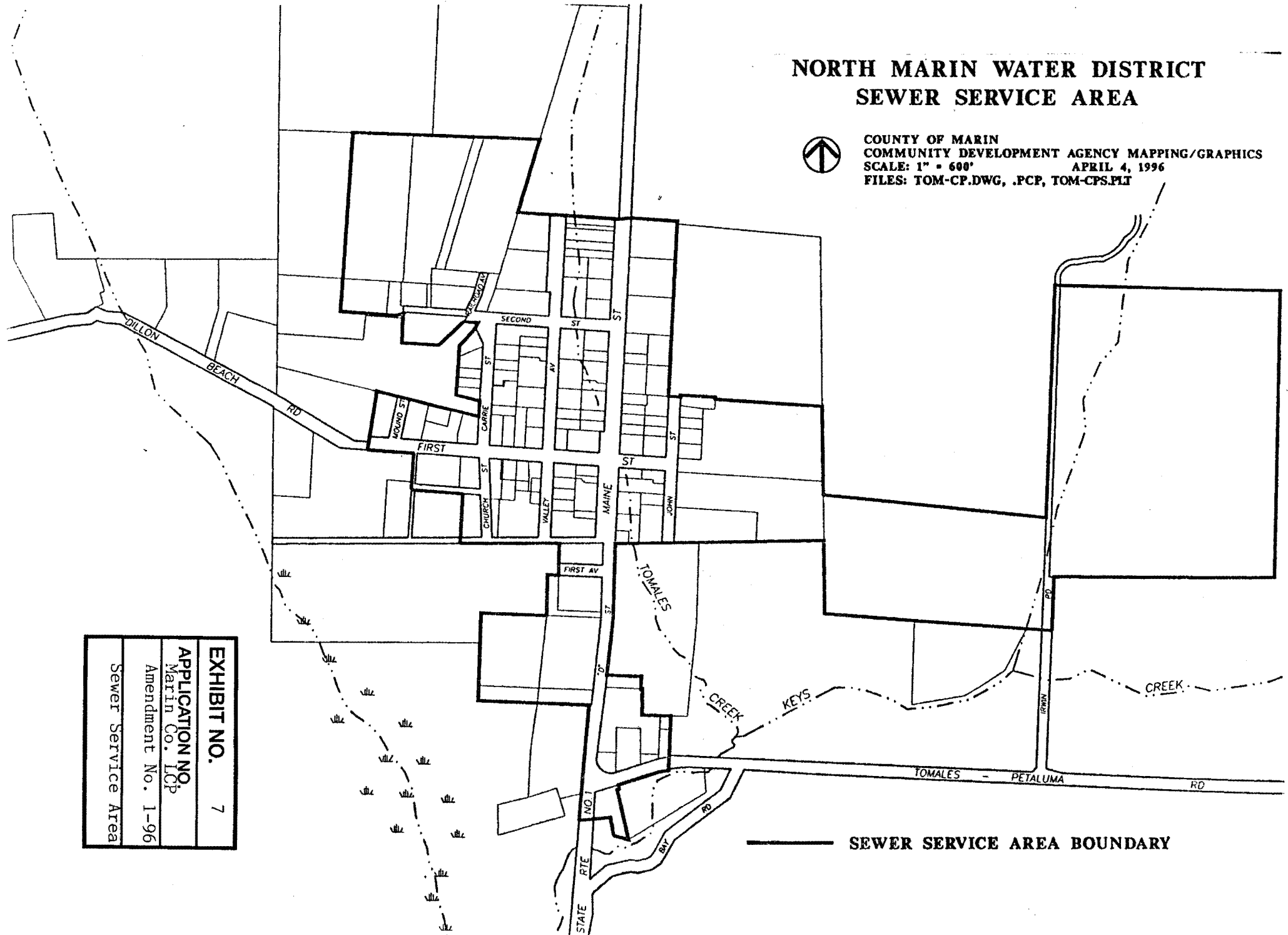
7-21

# NORTH MARIN WATER DISTRICT SEWER SERVICE AREA

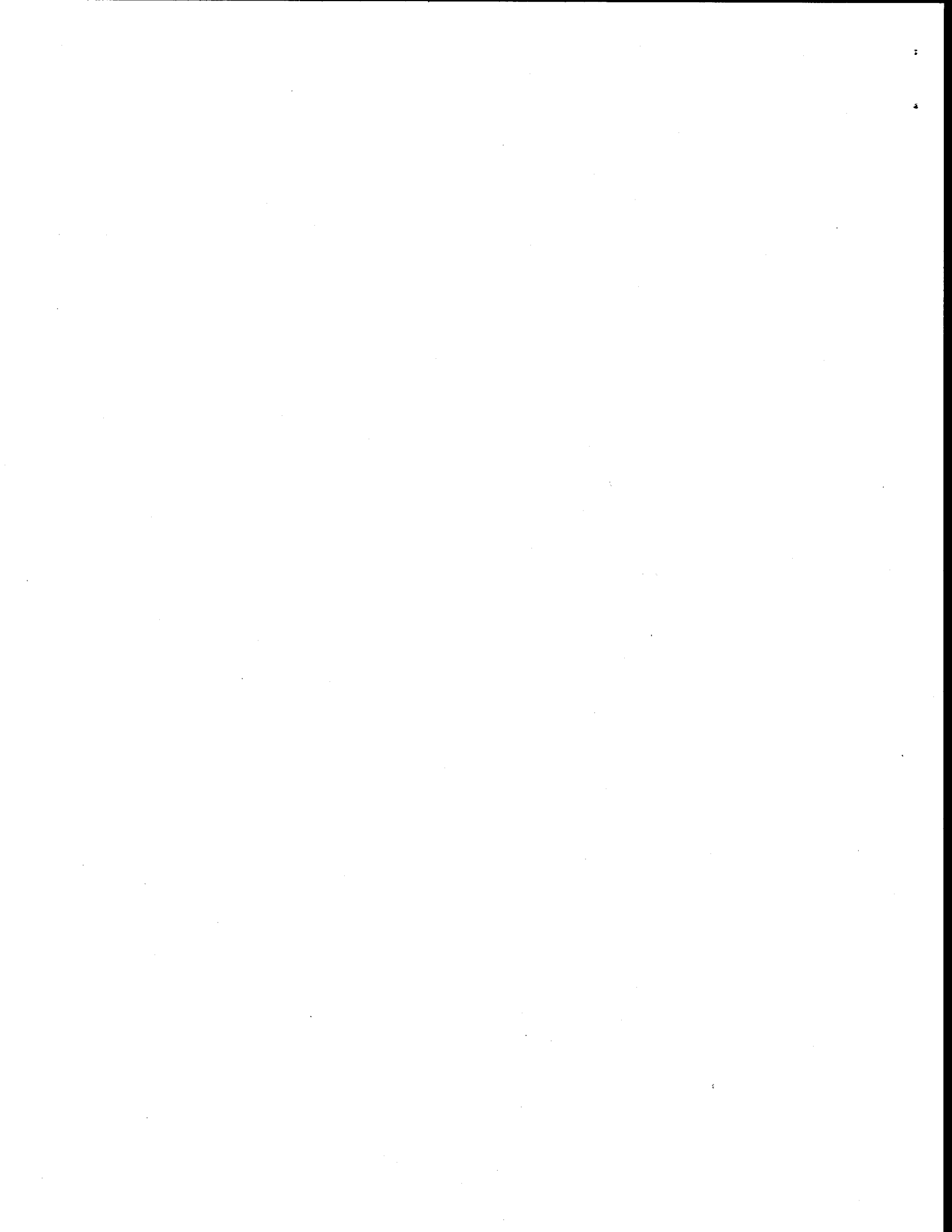


COUNTY OF MARIN  
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS  
SCALE: 1" = 600'  
APRIL 4, 1996  
FILES: TOM-CP.DWG, .PCP, TOM-CPS.PLT

<b>EXHIBIT NO.</b>	7
<b>APPLICATION NO.</b>	Marin Co. ICP
Amendment No. 1-96	
Sewer Service Area	



———— SEWER SERVICE AREA BOUNDARY



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# TOMALES COMMUNITY PLAN

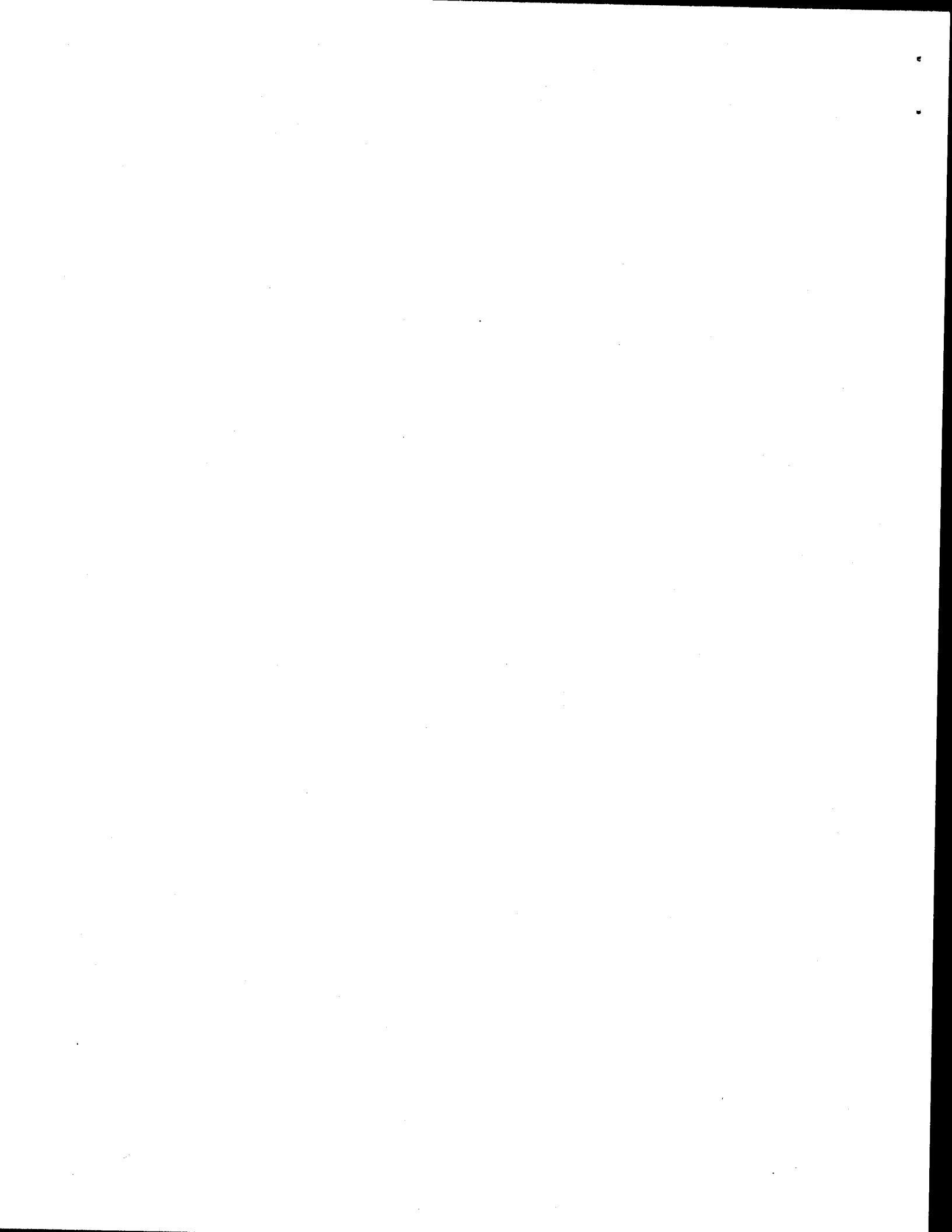
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Prepared by:

The Marin County Community Development Agency – Planning Division

June 1996





## TABLE OF CONTENTS

### I. INTRODUCTION

A. LEGAL BASIS AND PURPOSE OF THE COMMUNITY PLAN .....	I-1
B. RELATION TO THE MARIN COUNTY LOCAL COASTAL PROGRAM.....	I-1
C. DEFINITIONS FOR GOAL, OBJECTIVE AND POLICY .....	I-2
D. COMMUNITY GOALS .....	I-2

### II. A CAPSULE HISTORY OF TOMALES..... II-1

### III. SUMMARY OF MAJOR COMMUNITY PLAN ISSUES AND POLICIES

A. COMMUNITY DEVELOPMENT AND LAND USE .....	III-1
B. TRANSPORTATION .....	III-2
C. PUBLIC FACILITIES AND SERVICES .....	III-2
D. RECREATIONAL, EDUCATIONAL AND CULTURAL FACILITIES .....	III-3

### IV. MAJOR COMMUNITY PLAN ISSUES AND POLICIES

A. COMMUNITY DEVELOPMENT AND LAND USE .....	IV-1
1. General .....	IV-1
a. General Community Development and Land Use Objective and Policies....	IV-2
2. Commercial Land Use .....	IV-4
a. Commercial Land Use Objective and Policies.....	IV-5
3. Residential Land Use .....	IV-8
a. Residential Land Use Objective and Policies .....	IV-11
4. Historic Resource Preservation .....	IV-12
a. Historic Resource Preservation Objective and Policies.....	IV-13
B. TRANSPORTATION .....	IV-15
1. Transportation Objective and Policies .....	IV-15
C. PUBLIC FACILITIES AND SERVICES .....	IV-16
1. Sewer Service and On-site Wastewater Disposal .....	IV-16
a. Sewer Service and On-site Wastewater Disposal Objective and Policies...	IV-17
2. Potable Water Supply.....	IV-18
a. Potable Water Supply Objective and Policies .....	IV-18
3. Emergency Services.....	IV-19
a. Emergency Services Objective and Policies .....	IV-20
4. School Facilities .....	IV-21
a. School Facilities Objective and Policy .....	IV-21
D. RECREATIONAL, EDUCATIONAL, AND CULTURAL FACILITIES .....	IV-21
1. Recreational, Educational, and Cultural Facilities Objective and Policies .....	IV-22

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## LIST OF FIGURES

<u>Number</u>	<u>Title</u>	<u>Page</u>
1	Tomales Location Map	I-5
2	Tomales Community Plan Planning Area Boundary	I-7

## LIST OF TABLES

<u>Number</u>	<u>Title</u>	<u>Page</u>
1	Distribution of Existing Land Uses within the Tomales Planning Area	III-1
2	Residential Unit Distribution	IV-10

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## APPENDICES

<u>Letter</u>	<u>Title</u>
A	Bibliography and List of Individuals Consulted
B	Zoning and Land Use Map
C	Historic Resource Area Boundary Map
D	Design Guidelines for Construction in Historic Areas for Pre-1930's Structures, Historic Review Checklist, and Photographic Examples of Tomales Architecture
E	Marin Countywide Plan Trails Element Map D-3
F	North Marin Water District Sewer Service Area Map
G	Recommended Steps for a Feasibility Study for Potential Regional Uses of the Former High School Site
H	Recommended Tomales Plant List
I	Countywide Second Unit Ordinance (Marin County Code, Chapter 22.98)

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## I. INTRODUCTION

### A. LEGAL BASIS AND PURPOSE OF THE COMMUNITY PLAN

The California Government Code requires each local agency, such as the County of Marin, to adopt a comprehensive, long-term general plan for the physical development of the area over which it has jurisdiction. Furthermore, the local agency has the authority to prepare community plans, based on local public participation, for areas within the general plan boundaries. Community plans provide the Marin County Planning Commission and Board of Supervisors with a framework for making land use decisions in specific unincorporated communities.

*The Marin Countywide Plan* (hereinafter, "Countywide Plan") meets the content requirements for a State-mandated general plan and establishes a process for local participation in the formation of community plans. The Countywide Plan, together with the local community plans, provide policies to guide the administration of County laws, particularly the zoning and subdivision ordinances. When adopted by the Planning Commission and the Board of Supervisors, a community plan becomes a statement of policy for making future decisions relative to specific land uses and development within community planning area boundaries.

*The Tomales Community Plan* ("Community Plan") supports and reinforces the general elements of the Countywide Plan. The Community Plan is a document that states community goals, objectives and policies relative to the current and foreseeable future planning and land use issues facing the community of Tomales. The Community Plan should be periodically reviewed in light of changing conditions, needs and desires in order to keep it as a contemporary and useful guide. Amendments to the Community Plan should be made judiciously and not abrogate the fundamental objectives of the plan.

### B. RELATION TO THE MARIN COUNTY LOCAL COASTAL PROGRAM

The California Coastal Act of 1976 requires coastal cities and counties in the state to prepare coastal plans that meet the requirements of, and implement the provisions and policies of the Coastal Act. The main goals of the Coastal Act are to protect and conserve coastal resources of the state and to maximize public use and enjoyment of them.

As mandated, the *Marin County Local Coastal Program Unit 2* ("Local Coastal Program") was approved in 1981. The Local Coastal Program, like the Countywide Plan, contains a set of goals, objectives and policies to guide development, specifically for land within a defined "Coastal Zone." Tomales and its environs are located entirely within the Coastal Zone. Accordingly, development projects in the community may be subject to Coastal Permit approval.

Under the Local Coastal Program, all development projects in the Coastal Zone are divided into four categories: (1) projects exempt from Coastal Permit approval, (2) projects categorically excluded from Coastal Permit approval, (3) projects requiring Coastal Permit approval from the California Coastal Commission, and (4) projects requiring Coastal Permit approval from the County of Marin.

The category of projects requiring Coastal Permit approval from the County of Marin is further divided into two categories: (1) public hearing Coastal Permits, and (2) non-hearing or administrative Coastal Permits.

It is the responsibility of the County of Marin to determine whether Coastal Permit approval is required for a project and, if so, the type of Coastal Permit approval required.

### **C. DEFINITIONS FOR GOAL, OBJECTIVE AND POLICY**

The following concepts are used regularly throughout the Community Plan:

**Goal.** A goal is a general expression of community values and is abstract in nature. It is not quantifiable or time-dependent.

**Objective.** An objective is a statement of a desired achievement which is to be carried out through the policies.

**Policy.** A policy is a specific statement to guide decision-making. It indicates a commitment to action. The strength of commitment is expressed through the use of the words "shall" or "should." "Shall" indicates a strong commitment to action and an unequivocal directive. "Should" expresses a less rigid directive. The use of the word "should" may indicate a need to balance the policy with other complementary or countervailing policies or may indicate a situation that requires cooperative action on the part of several governmental or private agencies where the County is not fully in control of the outcome.

### **D. COMMUNITY GOALS**

The location of the village of Tomales (see Figure 1, the Location Map, page I-5) within a natural resource of regional and national significance, the Coastal Zone, has helped to determine the primary goals of the Community Plan. The primary goals of the Community Plan include:

1. Retain the existing small and intimate scale of Tomales village. Limit village expansion and maintain low residential densities and non-residential building intensities to ensure preservation of surrounding Coastal Zone open spaces.
2. Preserve and enhance the village's visual and historical character for the enjoyment of the village's permanent population and for visitors to the area.
3. Plan land uses, facilities and services within the village that will be conducive to economic, social and environmental viability for the permanent community and for visitors.

The existing village is small and well-defined, a settlement that stands in clear contrast to the openness of the surrounding coastal, agricultural countryside. It is a planning policy of the Countywide Plan and Local Coastal Program to maintain this distinctive quality.

The village planning boundary encompasses approximately 260 acres which is referred to as the "Planning Area" herein (see Figure 2, the Planning Area Boundary, page I-7). The Planning Area boundary was drawn to avoid development intrusion into surrounding lands zoned and used for

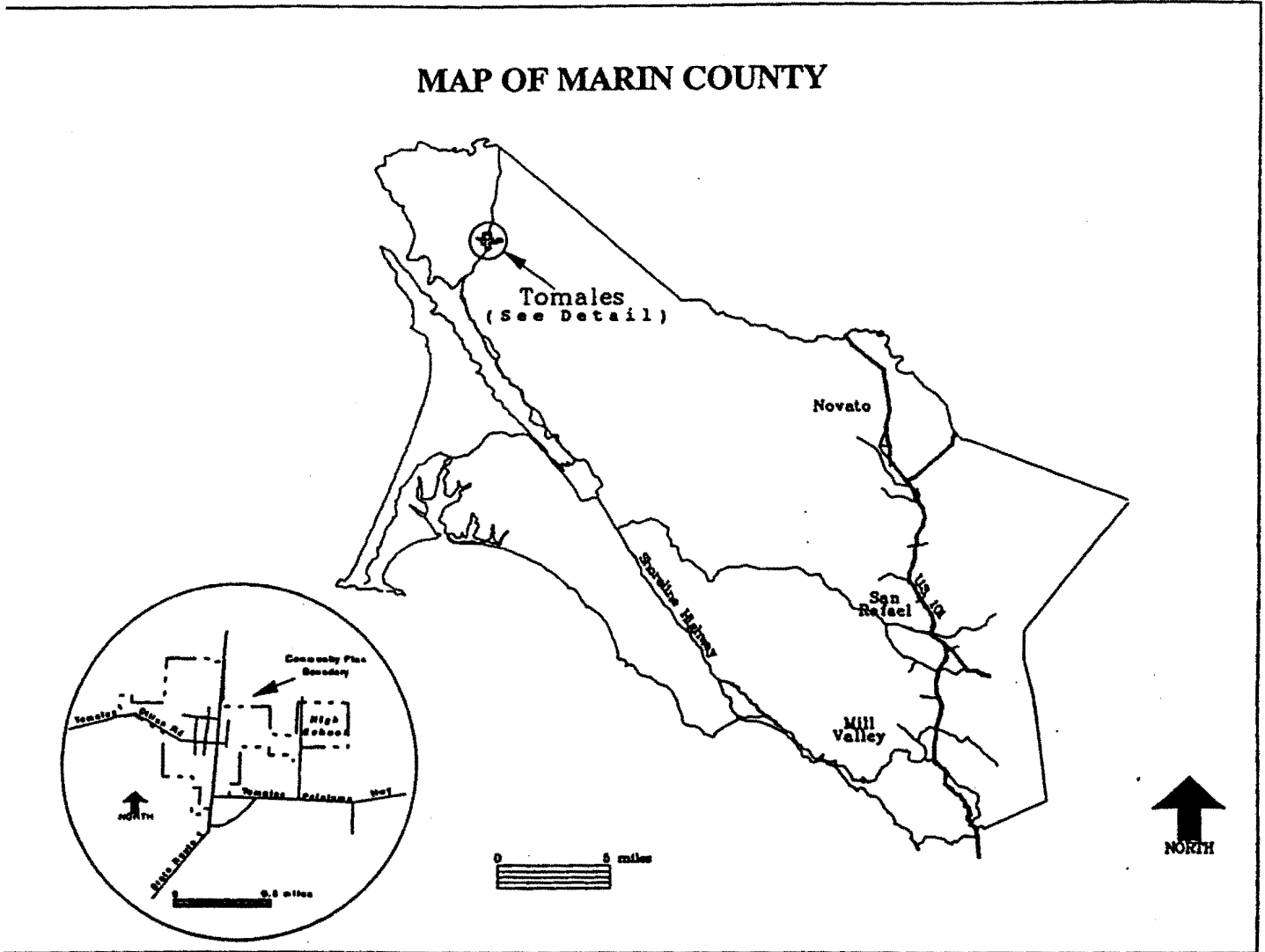


agricultural purposes located within the Marin County Agricultural Preserve. Three minor revisions are proposed to the existing Planning Area boundary to protect the Agricultural Preserve by more accurately reflecting the actual delineation between Tomales and surrounding agricultural lands within the Agricultural Preserve.

While the Community Plan is directly concerned only with the existing village and the immediate area of planned future expansion, public policies related to the surrounding coastal, agricultural lands are discussed. As a small environmental, economic and social entity, the future of Tomales is inseparable from the future of the surrounding coastal, agricultural lands.

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FIGURE 1, LOCATION MAP

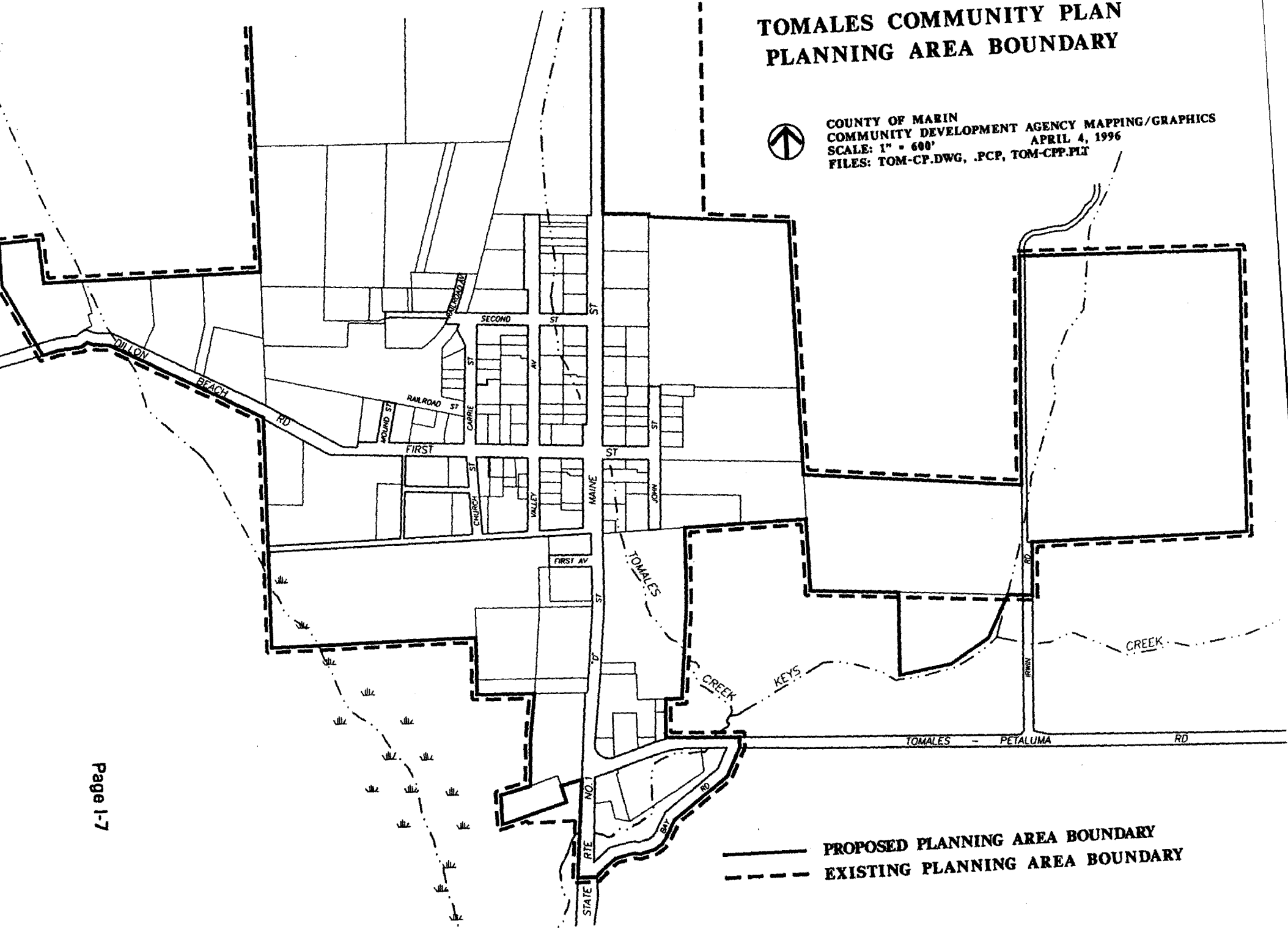


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**FIGURE 2**  
**TOMALES COMMUNITY PLAN**  
**PLANNING AREA BOUNDARY**



COUNTY OF MAJIN  
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS  
SCALE: 1" = 600'  
APRIL 4, 1996  
FILES: TOM-CP.DWG, .PCP, TOM-CPP.PLT



———— PROPOSED PLANNING AREA BOUNDARY  
----- EXISTING PLANNING AREA BOUNDARY

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## II. A CAPSULE HISTORY OF TOMALES

Before the arrival of Europeans, the Tomales area was occupied by Coast Miwok Indians, whose economy was based on fishing, hunting and gathering. After the Europeans came to this area, Miwok society and culture began to collapse with the loss of the traditional natural resources and the necessity to work as cheap labor in the new economy. An identifiable Miwok population still lived on the Marconi Ranch until World War II when the government ordered the eradication of Native American houses along the western shore of Tomales Bay.

The first European expedition, headed by Sebastian Vizcaino, entered what is now called Bodega Bay in 1603 and mistook Tomales Bay for a "great river." Another Spanish expedition, headed by Juan Francisco Bodega y Cuadra, entered Tomales Bay in 1775. The area that now includes the community of Tomales was within the Bolsa de Tomales land grant issued by the Mexican governor, Pio Pico, to Juan Padilla in 1846.

By the middle of the nineteenth century, new settlers from the eastern part of the United States and northern Europe poured into California. In 1850, John Keys sailed up the Arroyo San Antonio, now known as Keys Creek, to the site of the present community of Tomales and built the town's first house. The creek, which was once part of a navigable waterway, is now a narrow drainage ditch.

California became a state in 1850, and in the early 1860's, the United States Supreme Court decided a land title suit in favor of the new settlers who thought they had settled on government land. Because this decision was against persons still holding title under the Bolsa de Tomales land grant, the Spanish-Mexican era, like the earlier Native American era, became past history.

During the 1860's and 70's, Tomales and its environs grew as an important agricultural, commercial and social center.

The first settlers were Irish farmers that produced potatoes, grains and dairy products. John Keys and Warren Dutton each had a shipping business to carry these products to San Francisco. The Chinese provided labor for building the railroad and for farming the land. At the end of the nineteenth century, the Swiss and Italians, and a little later the Portuguese and Yugoslavs, came into the area. The latter group were mainly fishermen, while the others worked on dairy ranches until they could afford to buy their own.

The North Pacific Coast Railroad completed its line to Tomales in 1875. The first train from Sausalito arrived in Tomales on January 7, 1875. The main motivation for building the rail line was the fact that Walker Creek was silting in and the schooners were experiencing increasing difficulty in getting farm products to San Francisco. Added to that was the available redwood lumber in the Russian River area which would find a great market for building houses in San Francisco. The line also carried passengers to various destinations between Sausalito and Monte Rio and Cazadero.

In the late 1800's, there were about 300 to 500 people living within the town of Tomales, but its function as a center for the region meant that there was a much broader range of facilities and services than would normally be expected. There were two doctors, five hotels (the Plank House, United States Hotel, Grutelli Hotel, American Hotel, and William Tell House), the Bank of Tomales, a number of retail stores and service establishments, and several public facilities that still remain today, including

the Church of Our Lady of the Assumption (1860), the Presbyterian Church (1868), and the Town Hall (1874).

The railroad had brought a boon to the area but, after a major fire in 1920, the town began to undergo an economic decline for a number of reasons. Potato farming suffered in competition with larger-scale agriculture developing in the Central Valley. The navigable waterways were already silted. In 1930, the railroad line was abandoned north of Point Reyes Station. In more recent years, dairying and cattle grazing have had to compete with growing agribusiness and rising land prices and taxes.

Tomales has undergone a series of physical disasters. There was a major fire in 1877, another in the mid-1890's, and the largest in 1920. In the 1920 fire, two blocks of buildings fronting Main Street and south of First Street were destroyed, including the Plank House, the United States Hotel, the William Tell House, stores, the Tomales Bank, the Grutelli Hotel, two livery stables, and several houses. The majority of these buildings were not rebuilt.

Tomales, located in close proximity to the San Andreas Fault, also suffered heavily from the 1906 earthquake. A number of houses and stores were damaged, and a large Catholic Church collapsed. The church, built of massive stone and dedicated only five years before the 1906 earthquake, was constructed to replace the wooden-frame Church of Our Lady of the Assumption, which still stands today and which is, along with the Presbyterian Church, Diekman's store and a number of residential structures, an architectural asset of Tomales.

In recent years, the community has had some new settlers who are not involved in the agricultural economy of the area but who are attracted by the benefits of small town life and its unspoiled environment. This trend is at a smaller scale, however, than similar trends in coastal towns further south.

Previously, a major barrier to community growth was the problem of polluted groundwater. The opening of a new sewer collection and treatment system in 1977 corrected this problem. However, questions regarding water quality and supply still remain as important planning issues.

A major event affecting the future of the community and the surrounding area was the creation of the Coastal Zone, subject to policies of the Local Coastal Program. The inclusion of Tomales within the Coastal Zone has helped to define and give urgency to a number of environmental and planning issues and has changed the working framework of the planning process for the community.



### III. SUMMARY OF MAJOR COMMUNITY PLAN ISSUES AND POLICIES

#### A. COMMUNITY DEVELOPMENT AND LAND USE

##### 1. General

The Tomales Planning Area encompasses approximately 260 acres. The Planning Area boundary for the Community Plan was drawn to avoid development intrusion into the surrounding lands zoned and used for agricultural purposes located within the Marin County Agricultural Preserve. In order to maintain agricultural viability and preserve these open expanses of agricultural land, the Community Plan supports maintaining the very low density agricultural zoning for these lands and encourages implementation of available programs that support agriculture, such as reduced property taxation and the purchase of development rights and easements.

Within the 260-acre Planning Area, it is the expressed desire of the community to retain the existing small and intimate scale of Tomales and to generally maintain the existing distribution of land uses, as shown on Table 1 below:

**Table 1 – Distribution of Existing Land Uses within the Tomales Planning Area**

Type of Land Use	Acreage
6,000 square foot residential lots	20 acres
1-acre residential lots	3 acres
2-acre agricultural-residential lots	33 acres
5-acre agricultural-residential lots	52 acres
10-acre agricultural-residential lots	42 acres
20-acre agricultural-residential lots	54 acres
Village, commercial-residential lots	31 acres
Planned commercial	1 acre
Streets and Highway 1	24 acres
<b>Total Acreage</b>	<b>260 acres</b>

Source: Marin County Community Development Agency, April 1996

##### 2. Commercial Land Use

Recommended policies for commercial land uses will maintain the existing, approximately 31 acres of mixed commercial and residential zoning and approximately 1 acre of planned commercial zoning. New commercial development should be in scale with the traditional, small village character of Tomales. Specific design criteria, aimed at preserving the village's visual and historical character, are recommended.

##### 3. Residential Land Use

Presently, there are 91 dwelling units in the Planning Area. Based on 1990 U.S. Census Bureau data, the Planning Area has a population of approximately 225 persons. Historically, the rate of residential development within the Planning Area has been slow with an average of only about one unit per year over the last 20 years. Several factors contribute to the slow rate of residential development, including

the remote location of Tomales, water and sewer availability, and real estate market considerations. At buildout, the number of dwelling units in the Planning Area could increase to 193 units and the population could increase to approximately 440 persons. However, these projections are extremely hypothetical maximums which assume that the maximum residential densities under the various zoning designations would occur and that an adequate supply of water and either public sewer capacity or private on-site sewage disposal capacity would be available. Most future residential development would occur in the village core area where properties are zoned for higher residential densities at one unit per 6,000 square feet and are located either within or immediately adjacent to the sewer system service area.

The Community Plan includes a policy to rezone all land within the Planning Area that is zoned "C-R-A" -- Coastal, Residential, Agricultural -- to "C-RSP" -- Coastal, Residential, Single-family Planned. The Tomales Design Review Board supports this rezoning for the following three reasons: (1) to ensure Design Review of new development in these areas, so that development will be subjected to the design criteria and standards of C-RSP zoning districts; (2) to allow greater flexibility and discretionary authority and encourage creative design solutions as opposed to implementation of strict development standards; and (3) to maintain a general consistency of permitted and conditional uses in these areas. As recommended, the overall permitted residential density for these areas would not change.

The Community Plan also includes policies regarding cluster development and second units. Cluster development policies provide more varied solutions to development of peripheral village lands, including some that would be visually less intrusive, while second unit policies would permit a limited number of smaller units, allowing for the addition of moderately priced rental units in the community.

#### **4. Historic Resource Preservation**

Tomales has one of the last surviving ensembles of historically and architecturally significant buildings on the California coast. The Community Plan recommends conserving and protecting this unique, visual asset through preservation of existing structures and implementation of specific design criteria for alterations, additions, and new construction.

### **B. TRANSPORTATION**

The Community Plan recommends that all roadways in the Planning Area, including State Highway 1, retain their rural character and that roadways not be widened or otherwise improved to create development pressure on the area. It is also recommended that improved bicycle and pedestrian access be provided.

### **C. PUBLIC FACILITIES AND SERVICES**

The provision of an adequate quality and quantity of potable groundwater is an important planning issue in Tomales. Potable water for Tomales is provided by private, individual wells tapped into local groundwater sources. A sewer system constructed in 1977 by the North Marin Water District improved the quality of groundwater in the village core area; however, development in peripheral areas is not served by the sewer system. In these peripheral areas, sewage disposal is provided by private, on-site septic systems that could create a potential groundwater pollution problem. Extending sewer service to the peripheral lands would eliminate the potential for groundwater pollution but it would increase pressure for higher residential densities. The sewer service area should only be expanded to

include logical extensions of the village core that are zoned for higher residential densities. Another alternative is to assume that a system could be built to import potable water to the Planning Area, but this is unlikely because it is economically infeasible to build such a system for a small population. The recommended solution of the Community Plan is to: (1) maintain the existing, low density zoning of the peripheral lands; (2) utilize deep water wells, if necessary, that would minimize potential groundwater pollution from septic systems; and (3) review septic system permits against the most stringent State and/or County design criteria available. The Community Plan also recommends that a study be carried out to determine the extent of potable groundwater sources in the Planning Area.

Minor steps are recommended also for ensuring the provision of adequate emergency services, including developing a long-range water supply plan for emergency fire situations and maintaining contracts and/or mutual aid agreements with emergency service providers that serve Northwest Marin.

The Shoreline Unified School District has adequate capacity for any increase in student enrollment, and it is recommended that Tomales students continue to be provided a quality public education within their own community.

#### **D. RECREATIONAL, EDUCATIONAL AND CULTURAL FACILITIES**

The old Tomales High School campus was abandoned in the late 1960's when the new high school was built. The new school provides potential, recreational opportunities for the community, while the old school, if renovated, provides an opportunity to develop a center for regional cultural, educational and recreational uses. The Community Plan recommends that community recreational opportunities are enhanced at the new school facilities and that the feasibility of developing the former high school site as a center for regional recreational, educational and cultural uses be explored.

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## IV. MAJOR COMMUNITY PLAN ISSUES AND POLICIES

### A. COMMUNITY DEVELOPMENT AND LAND USE

#### 1. General

There are several complementary goals and policies that provide direction for the future development of Tomales. First, it is the express desire of the community to retain the existing small and intimate scale of the village. Second, policies of the Local Coastal Program and the Countywide Plan are aimed at preserving the physical integrity of the coastal villages, keeping them from expanding into the agricultural lands and other open spaces designated for preservation. These Plans also emphasize "in-filling" of existing village areas as a basis for development. In the case of Tomales, these goals and policies can be met by limiting village expansion to the boundaries of the Tomales Planning Area.

The Planning Area totals approximately 260 acres. Of this total amount, approximately 62 acres are used for the purpose of public schools and related services, including the old high school site, approximately 24 acres are occupied by the community's public and private streets, and approximately 6 acres are occupied by churches and cemeteries. This leaves approximately 168 acres of land for existing and future commercial development and for small- and large-lot residential development.

The Planning Area boundary was drawn to mirror the Marin County Agricultural Preserve boundary. Therefore, the Planning Area includes: (1) those properties that are too small for large-scale agricultural use, having been zoned for small-scale agricultural or residential uses since the 1930's; and (2) those properties that have been zoned for commercial uses. The Planning Area boundary does not intrude into any parcels currently zoned for large-scale agricultural uses.

The future of Tomales would be determined as much, if not more, by what happens in the agricultural and other open spaces surrounding the community. The village is a small and somewhat fragile entity that would quickly lose its historical character and its potential as part of the coastal zone environment if suburbanization or other developments were to occur in the adjacent, open agricultural lands. For this reason, the future of the community and the local environment depends as much on County and State policies applied to the region as a whole as it does on policies applied specifically to the village area.

Regarding agriculture, it appears that there are a number of sources affecting its viability: small-scale farming is facing increasing competition from large-scale agribusiness, both in terms of production and distribution; an older population committed to working the land is being replaced by a new generation with other alternatives; agricultural land is becoming an attractive commodity for investors looking for speculative opportunities and for tax write-offs; development of agricultural lands into commuting suburbs or second home communities is becoming an attractive course of action for hard pressed ranchers and landowners.

The viability of agriculture around Tomales relies upon the continuation of the very low density agricultural zoning "C-APZ-60" -- Coastal, Agricultural Production Zone, one unit per 60 acres

maximum density -- that surrounds the community. In addition, agricultural viability is supported by government programs and laws, such as the Williamson Act, that allow for reduced property taxation for agricultural lands within the Agricultural Preserve. Private measures are also available to help preserve agriculture, such as programs to purchase development rights and agricultural easements sponsored by the Marin Agricultural Land Trust. The Community Plan supports these agricultural zoning and preservation measures in order to maintain viability of agriculture and to preserve open space lands that surround Tomales.

In a related matter, two rezonings are recommended on lands adjacent to the Planning Area. The recommended rezonings involve portions of two large agricultural properties. The subject properties are currently identified as Assessor's Parcel Number 102-100-06 (Cerini) and Assessor's Parcel Numbers 100-090-17 and -18 (Etemad). Both properties have minor portions that are zoned "C-ARP" -- Coastal, Agricultural, Residential Planned; however, since these portions are located within the Agricultural Preserve which defines the boundary of the Planning Area, are undeveloped, and are used for agriculture, the Community Plan recommends rezoning these portions to C-APZ-60.

Other community development and land use issues discussed in detail in the following sections of the Community Plan include, but are not limited to: commercial and residential land uses, site planning and design criteria, and historic preservation. General and specific community development policies are recommended for these issues to guide future development in Tomales so that the small and intimate scale of the village is retained and natural resources are preserved.

a. General Community Development and Land Use Objective and Policies

**OBJECTIVE CD-1.0. TO PRESERVE THE PHYSICAL INTEGRITY OF TOMALES AS A COASTAL VILLAGE, RETAINING ITS SMALL AND INTIMATE SCALE, BY KEEPING IT FROM EXPANDING INTO SURROUNDING AGRICULTURAL LANDS AND OTHER OPEN SPACES DESIGNATED FOR PRESERVATION.**

**Policy CD-1.1 Limit Village Expansion.** The express desire of the community is to retain the existing small and intimate scale of Tomales village. Village expansion shall be limited to "in-fill" areas within the Planning Area boundary of Tomales, as mapped on Figure 2 of the Community Plan. The Planning Area boundary shall not expand into adjacent agricultural lands within the Marin County Agricultural Preserve. Future development and population growth within the Planning Area should take place in accordance with the policies of the Community Plan.

**Policy CD-1.2 Maintain Agricultural Viability and Open Spaces Surrounding Tomales.** The large, open expanses of agricultural land surrounding Tomales should be preserved for agricultural uses. Lands outside of the Planning Area should remain zoned C-APZ-60. Programs and measures that support agriculture, such as reduced property taxation for agricultural lands within the Marin County Agricultural Preserve and the purchase of development rights and agricultural easements, should be implemented where possible.

- Policy CD-1.3**      **Recommended Rezonings of Lands Adjacent to the Planning Area.** Two large agricultural properties adjacent to the Tomales Planning Area, currently identified as Assessor's Parcel Number 102-100-06 (Cerini) and Assessor's Parcel Numbers 100-090-17 and -18 (Etemad), shall be rezoned in their entirety to C-APZ-60.
- Policy CD-1.4**      **Tomales Character and Significant Views.** The height, size, scale, and design of new development shall be compatible with the character of the surrounding natural or built environment. Structures shall be designed to follow natural contours of the landscape and clustered in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Structures will be sited so as not to obstruct significant views or occupy ridgelines.
- Policy CD-1.5**      **Landscaping.** Development shall be screened with appropriate landscaping; however, such landscaping shall not, when mature, interfere with public views to and along the coast. The Recommended Tomales Plant List (Appendix H) should be used as a guideline for plant selection. The use of native vegetation is encouraged, and a maximum requirement of one-gallon container sizes at time of planting is recommended to ensure greater survival rates.
- Policy CD-1.6**      **Undergrounding Utilities.** Overhead utility lines shall be placed underground in new development to protect scenic resources, except where the cost of undergrounding would be so high that it would deny service.
- Policy CD-1.7**      **Setbacks from Creeks.** The creek running through the village, a tributary to Keys Creek referred to herein as "Tomales Creek," has been built over or otherwise altered on some properties. In the future, construction and other improvements should be required to be set back from this creek and others in developed areas, so that the creeks can be retained in their generally existing condition for flood control and visual reasons. In undeveloped areas, improvements should be set back at least 100 feet, if possible, to conform with Countywide Plan Stream Conservation Area policies for reasons of flood control, water quality, and protection of wildlife habitat.
- Policy CD-1.8**      **Tomales Design Review Board.** All discretionary permit applications within the Planning Area should be referred to the Tomales Design Review Board for comment. The purpose of the Design Review Board is to advise the County on all land use planning issues within the Planning Area.

## 2. Commercial Land Use

In the late 19th century and early 20th century, Tomales was an important regional center with an array of hotels, stores and professional services. These commercial enterprises served an area-wide population in the pre-automobile era.

Today, there are only a limited number of businesses in the community. It must be assumed that the limited number of businesses is a reflection of: (1) the smaller local population served than earlier periods, and (2) the ability of people to travel by automobile to Petaluma and other regional centers having a wide selection of shops, services and goods.

Since the 1930's, commercial zoning in Tomales has had little relation to either existing commercial uses or the indicated need for new commercial uses. Historically, properties on both sides of State Highway 1 were zoned for commercial use throughout the length of the community, totaling approximately 46 acres, or enough for serving the purposes of a population many times the size of that projected for Tomales. This zoning was apparently carried out on the erroneous assumption that all property fronting a highway is good only for commercial uses. In addition, the type of zoning previously used -- "C-1-H" (Retail Business District) -- permitted no new housing on the ground level and permitted already existing housing only as a legal, non-conforming use.

Although a State highway, Highway 1 through Tomales maintains an Average Daily Traffic count of approximately 2,500 vehicles, making it an amenable location for housing as well as businesses. There is very little traffic at night, except on Friday evenings when weekend travelers pass through Tomales on their way to Dillon Beach. State policies of limiting improvements to Highway 1 and local policies limiting further development in the coastal, agricultural areas means that there will probably not be any dramatic increases in traffic in the foreseeable future. Also, there is potential for overnight visitor accommodations and services on properties that front Highway 1. Such facilities should be developed only in a manner that will enhance the village environment which is an asset both to the permanent population and to visitors. Therefore, the commercial core of the village should continue to remain zoned "C-VCR" -- Coastal, Village, Commercial-Residential -- which permits flexibility of using the area for housing and/or businesses. In addition, that portion of the Planning Area immediately southeast of the intersection of Highway 1 and Tomales-Petaluma Road should continue to remain zoned "C-CP" -- Coastal, Planned Commercial -- which permits all commercial and institutional uses approved by Master Plan and continuation of existing residential uses.

Though the Community Plan recommends the commercial core of the village to remain zoned C-VCR, a minor change is recommended that would lower the maximum permitted residential density on a 2.75-acre portion of the old high school site west of Shoreline Highway. The subject, 2.75-acres, which are identified currently as Assessor's Parcel Numbers 102-080-05 and -07, are zoned C-VCR with a maximum density of one unit per 30,000 square feet (C-VCR:B-3.5); however, the County is presently in the process of phasing out the "B-3.5" density suffix from the zoning code due to its limited use in the County. Accordingly, it is recommended to rezone these 2.75 acres from C-VCR:B-3.5 to C-VCR:B-4 to slightly lower the maximum permitted residential density from one unit per 30,000 square feet to one unit per acre. The recommended density of one unit per acre is compatible with the densities permitted on adjacent properties and with policies of this Community Plan. The decrease in density on this 2.75-acre



portion of the old high school site would be off-set by an increase in density recommended elsewhere in this Community Plan on the remaining portion of the old high school site (approximately 3.10 acres identified currently as Assessor's Parcel Numbers 102-080-04 and -05) from one unit per acre to 1.6 units per acre. Therefore, the overall permitted residential density for this site would not change.

New commercial development should be in scale with the small village character of Tomales. The Local Coastal Program reiterates that development out of scale, size or social character should not be allowed in designated special communities, such as Tomales. New development should also be located within the village rather than being strung out along adjacent highways in a strip pattern that would destroy the visual quality of the highways and encourage further strip commercial development.

The houses and businesses located along Highway 1 (i.e., Main Street) north and south of the Dillon Beach Road-First Street intersection form the architectural core of the community. Policies for the development of visitor facilities or other commercial enterprises should be designed to protect these structures. Further, commercial development should be located where they would have the least negative impact on views and where they would require no substantial alteration of the topography. Accordingly, commercial development should be reviewed in accordance with specific, recommended commercial design standards.

a. Commercial Land Use Objective and Policies

**OBJECTIVE CD-2.0. TO MAINTAIN THE EXISTING COMMERCIAL CORE OF THE VILLAGE, CONSISTING OF APPROXIMATELY 31 ACRES OF MIXED COMMERCIAL AND RESIDENTIAL ZONING AND 1 ACRE OF PLANNED COMMERCIAL ZONING, AND TO ENCOURAGE THE PROVISION OF COMMERCIAL AND VISITOR-SERVING USES THAT ARE IN KEEPING WITH THE SCALE AND VISUAL AND HISTORICAL CHARACTER OF THE VILLAGE SO THAT THE TRADITIONAL COASTAL VILLAGE ENVIRONMENT IS PRESERVED.**

**Policy CD-2.1 Maintain Existing C-VCR Zoning.** Land within the commercial core of the village that is zoned C-VCR, as shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B), should remain zoned C-VCR. The C-VCR zoning district permits either commercial and/or residential development and uses.

**Policy CD-2.2 Maintain Existing, C-VCR Residential Densities and Commercial Building Intensities.** Land zoned as C-VCR should maintain minimum lot sizes for residential purposes as specified by attached "B-district" density suffixes that are shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B). Residential density on C-VCR zoned properties in the commercial core of the village is one unit per 6,000 square feet, as in adjacent, residentially zoned land. C-VCR zoned land in presently undeveloped areas is limited to one residential unit per acre in order to protect and conserve agriculture, views, ridgelines, and slopes and open spaces. Accordingly, a 2.75-acre portion of the old high school site (currently identified as Assessor's

Parcel Numbers 102-080-05 and -07) shall be rezoned from C-VCR:B-3.5 to C-VCR:B-4 to lower the maximum permitted residential density from one unit per 30,000 square feet to one unit per acre. Policies of the Countywide Plan limit commercial building intensity to a maximum floor area to lot area ratio range ("FAR") of 0.3 to 0.5. The maximum FAR for residential development should not exceed 0.30.

**Policy CD-2.3**      **Maintain Existing C-CP Zoning and Commercial Building Intensities.** That portion of the Planning Area immediately southeast of the intersection of Highway 1 and Tomales-Petaluma Road which is zoned C-CP, as shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B), should remain zoned C-CP. The C-CP zoning district permits all commercial and institutional uses approved by Master Plan and continuation of existing residential uses. Policies of the Countywide Plan limit commercial building intensity to a maximum floor area to lot area ratio range ("FAR") of 0.1 to 0.25.

**Policy CD-2.4**      **General Criteria for Commercial Development.** Commercial uses and buildings which are out of scale with surrounding land uses, being attractions in and of themselves, and which create unreasonable demands for services and overburden existing facilities (emergency service providers, water, sewer, roads, etc.) shall not be permitted. Commercial development proposals shall be evaluated against the following general criteria:

- a. Commercial uses and buildings should not be destinations in their own right, thereby creating their own demand.
- b. Commercial development should not disrupt immediate neighbors and the community at large. Off-site impacts related to parking, noise, light, odor, smoke, etc., shall be minimized in conformance with all applicable Countywide Plan policies and County Code regulations.
- c. Commercial development should be centered within the village core rather than being strung out along adjacent highways in a strip pattern that would destroy the visual quality of the highways and encourage further strip commercial development.
- d. Adequate wastewater disposal and water services and capacity must be available.
- e. Adequate traffic access and parking must be available without unreasonable disturbance to residential traffic patterns.
- f. The degree of environmental impact of the development on all natural systems shall be evaluated.

- g. Larger overnight visitor accommodations (4 or more guest rooms) and restaurants (serving 40 or more patrons), permitted in C-VCR zoning districts by Use Permit approval, should be restricted to the commercially zoned properties south of Dillon Beach Road-First Street intersection, where new commercial structures would not involve the destruction of any part of the ensemble of architecturally significant buildings on Main Street north of the Dillon Beach Road-First Street intersection.
- h. Where a proposed use requires Design Review and/or Use Permit approval, Coastal Permit approval may be required also pursuant to Chapters 22.56 and 22.57 of Marin County Code.

**Policy CD-2.5**

**Specific Design Criteria for Commercial Development.** Commercial development proposals shall be evaluated against the following specific design criteria:

- a. Architectural design, including materials, color, scale and siting of buildings, signs, parking areas and landscaping should harmonize with the existing small village character of Tomales. This should not be misconstrued as meaning a specific formula of style but rather as continuing the simple, rural architectural quality of the historic buildings within the village. Development out of scale, size or social character should not be allowed.
- b. Larger hotel/motel facilities, bed and breakfast facilities (4 or more guest rooms) or restaurants (serving 40 or more patrons) should be permitted only when they are designed, in terms of scale, to be compatible with the existing residential scale of village structures. To accomplish this, hotels/motels would probably have to be designed as a series of smaller structures, each containing a few units, and larger bed and breakfast facilities or restaurants should be designed with varying exterior walls and roof lines, although it may be possible for designers to achieve the same results through sensitive siting, fenestration, and the use of natural materials, etc.
- c. Garish colors, simulated materials and other visual elements out of keeping with the older structures in the community should be prohibited.
- d. Signs should only be large enough and visible enough to act as directional information for drivers and pedestrians in the immediate vicinity. They should not be designed to be visible from a distance or to otherwise intrude on the fragile visual environment of the village.
- e. Parking areas should be designed to avoid extensive areas of asphalt by breaking up parking areas into small clusters of three to

five cars each, with extensive use of landscaping to screen the cars from roadways, from buildings on adjacent properties and from buildings served by the parking. Where walls or fences are used for screening purposes in relation to neighboring residential uses, the design and materials used in the walls or fences should avoid any of the sterile, monotonous qualities associated with such walls in urban areas.

- f. On-site traffic circulation patterns should assure that neighboring properties would be protected from the nuisance of traffic movement and parking and that any traffic generated would not create circulation problems at access points to the property.
- g. Landscaping should meet an approved schedule of tree and shrub types (see Appendix H), and a maximum requirement of one-gallon container sizes at time of planting is recommended to ensure greater survival rates. Major existing trees should be preserved and protected from development, and new landscaping should be designed to be compatible with native vegetation or with trees and shrubs already characteristic of the area and should require minimum water for maintenance.
- h. Maintenance of buildings and grounds and the quality and schedule of operations should be stipulated in Use Permits, where required. Operation of bars, restaurants and similar facilities should not be permitted that would create visual, noise or other nuisances or dangers to persons living on adjoining properties or to other residents of the village.

**Policy CD-2.6**

**Encourage Overnight Visitor Accommodations and Services.** The County and community encourage the development of overnight visitor accommodations and services that enhance the traditional coastal village environment. These accommodations and facilities are recognized as an asset both to the community and to visitors as long as the development is in accordance with all applicable policies of this Community Plan.

**3. Residential Land Use**

Presently, there are a total of 91 dwelling units in the Planning Area. The great majority of these homes – approximately 79 units – are located in the village core. In this discussion, the “village core” includes those areas zoned for higher residential densities with densities ranging from one unit per 6,000 square feet to one unit per acre, while the “peripheral areas” include those areas zoned for lower residential densities with densities ranging from one unit per two acres to one unit per 20 acres.

It is difficult to measure the real density of residential development in the Planning Area because the development is so spatially varied. In the village core, the existing average density in the

most developed blocks is about four units per acre. Along the most dense portions of Highway 1, the existing average density may approach seven units per acre. In the peripheral areas, existing average density is about one unit per 15 acres.

Community sentiment expressed during planning meetings for the original Community Plan indicated that there was not strong opposition to additional development in and near the village core, so long as the total village population would not grow to a size that would eliminate the intimate social scale that now exists. This sentiment, along with the creation of the sewer district, the desire to provide some opportunity for new housing at the lowest possible market costs, and the existence of historic, 6,000 square foot lots in the village core area, provided the direction for planning policies for residential land uses.

Based on 1990 U.S. Census Bureau data, the Planning Area has a population of approximately 225 persons. At buildout, the number of dwelling units in the Planning Area could increase from 91 to 193 units and the population could increase to approximately 440 persons. However, these projections are extremely hypothetical maximums which assume that the maximum residential densities under the various zoning designations would occur and that an adequate supply of water and either public sewer capacity or private on-site sewage disposal capacity would be available. Historically, the rate of residential development within the Planning Area has been slow with an average of only about one unit per year over the last 20 years primarily due to several factors, including not only water and sewer availability considerations, but the remote location of Tomales and real estate market considerations. Most future residential development will occur in the village core area where properties are zoned for higher residential densities at one unit per 6,000 square feet and are located either within or immediately adjacent to the sewer system service area. Table 2 below summarizes the distribution of existing and potential residential units within the Planning Area.

**Table 2 -- Residential Unit Distribution**

Area	Existing Units	Potential Units	Totals
Village Core	79	88	167
Peripheral Areas	12	14	26
<b>Totals</b>	<b>91</b>	<b>102</b>	<b>193</b>

Source: Marin County Community Development Agency, April 1996

As Table 2 demonstrates, most residential development would occur in the village core area where properties are zoned for higher residential densities at one unit per 6,000 square feet and are located either within or adjacent to the sewer system service area. A policy of the Community Plan recommends that no major boundary expansion of the North Marin Water District's sewer service area be permitted because an expansion of the service area into peripheral, low-density lands would increase the development potential of those lands and would increase future pressure for changes in land use policies.

Three important zoning issues for the Planning Area were discussed during the Community Plan update meetings that involved Design Review, cluster development and second units in single-family residential zones. These issues are summarized, as follows:

**Design Review.** Portions of the Planning Area are zoned currently "C-R-A" – Coastal, Residential, Agricultural. The areas zoned C-R-A include approximately 20 acres of land immediately surrounding the commercial core of the village and a 3.10-acre portion of the old high school site west of Shoreline Highway that is identified currently as Assessor's Parcel Numbers 102-080-04 and -06. New development on properties zoned C-R-A does not require Design Review approval. The Tomales Design Review Board recommends rezoning these C-R-A-zoned properties to "C-RSP" – Coastal, Residential, Single-family Planned – for the following three reasons: (1) to ensure Design Review of new development in these areas, so that development will be subjected to the design criteria and standards of C-RSP zoning districts; (2) to allow greater flexibility and discretionary authority and encourage creative design solutions as opposed to implementation of strict development standards; and (3) to maintain a general consistency of permitted and conditional uses on these lands. The lists of permitted and conditional uses in C-R-A and C-RSP zoning districts are nearly identical, except that public equestrian facilities, dog kennels and livestock grazing are possible in C-R-A zoning districts. As recommended, the existing residential densities within the village core will remain at one unit per 6,000 square feet, while the density on the rear portion of the old high school site will increase from one unit per acre to 1.6 units per acre. The purpose of this increase in density on the old high school site is intended to off-set a decrease in density recommended elsewhere in this Community Plan on the front portion of the old high school site (approximately 2.75 acres currently identified as Assessor's Parcel Numbers 102-080-05 and -07) from one unit per 30,000 square feet to one unit per acre. Therefore, the overall permitted residential density for these areas would not change.

**Cluster Development.** Design standards for planned zoning districts require development to be clustered in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Planned zoning districts within the Planning Area include C-ARP, C-CP and the recommended C-RSP. Clustering development in planned zoning districts would not increase the ceilings on density or the total number of potential units but would permit alternative design solutions, especially on steeper properties, visually prominent properties, or where on-site solutions to sewage disposal may be difficult, as in properties adjacent to creeks and other drainage areas which must be protected from pollution. Clustering development in the least visually prominent portion or portions of a site is especially important on open grassy hillsides such as those surrounding the village.

**Second Units.** It is a primary goal of the Countywide Plan to achieve a balanced community with housing available for households of all sizes and income levels. Accordingly, the County adopted a Countywide Second Unit Ordinance that permits second units in certain single-family zoning districts. Subject to Second Unit Use Permit approval, second units are permitted in the Planning Area on all land recommended to be zoned C-RSP or on land zoned C-ARP where the maximum permitted residential density is either one unit per two acres or one unit per five acres. Advantages of second units include: (1) small scale and individualized increments to the housing stock are created; (2) moderate rents can be maintained on such units; and (3) permission for second units is evaluated against specific Countywide findings for approval, such as planned capacities of the sewer and water systems, and may be evaluated against specific community policies, as recommended by the Community Plan.

a. Residential Land Use Objective and Policies

**OBJECTIVE CD-3.0.** TO MAINTAIN MODERATE RESIDENTIAL DENSITIES IN AND AROUND THE VILLAGE CORE AND VERY LOW RESIDENTIAL DENSITIES IN PERIPHERAL AREAS IN ORDER TO PROTECT AND CONSERVE AGRICULTURE, VIEWS, RIDGELINES, SLOPES AND OPEN SPACES AND TO PROVIDE A TRANSITION ZONE BETWEEN THE MARIN COUNTY AGRICULTURAL PRESERVE LANDS AND THE VILLAGE CORE.

**Policy CD-3.1** **Rezone All C-R-A-zoned Land Within the Planning Area to C-RSP.** All land within the Planning Area that is zoned C-R-A shall be rezoned to C-RSP, as shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B). The areas to be rezoned include approximately 20 acres of land immediately surrounding the commercial core of the village and a 3.10-acre portion of the old high school site currently identified as Assessor's Parcel Numbers 102-080-04 and -06. The C-RSP zoning district permits residential development and uses.

**Policy CD-3.2** **Maintain Existing Residential Densities on Lands to be Rezoned to C-RSP.** Small-lot development should be focused in the village core and large-lot development should be distributed in a ring around the core area in order to protect and conserve agriculture, views, ridgelines, slopes and open spaces. The residential density of the land that surrounds the commercial core of the village to be rezoned to C-RSP shall remain at a density of one unit per 6,000 square feet (7.26 units per acre), as shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B). The residential density of the 3.10-acre portion of the old high school site to be rezoned to C-RSP that is currently identified as Assessor's Parcel Numbers 102-080-04 and -06 shall maintain a lower density of 1.6 units per acre, as shown on the same Map. The maximum floor area to lot area ratio ("FAR") should not exceed 0.30 for residential development.

**Policy CD-3.3** **Maintain Existing C-ARP Zoning.** Land that surrounds the residential and commercial core of the village that is zoned C-ARP, as shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B), should remain zoned C-ARP. The C-ARP zoning district permits agricultural and residential development and uses.

**Policy CD-3.4** **Maintain Existing, C-ARP Residential Densities.** Land zoned C-ARP should maintain existing residential densities, as shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B). Low-density agricultural and residential development should be distributed in a ring around the village core area in order to protect and conserve agriculture, views, ridgelines, slopes and open spaces and to provide a transition zone between the Marin County Agricultural Preserve lands and the village core. In these areas, maximum

residential densities range from one unit per two acres through one unit per 20 acres. The maximum floor area to lot area ratio ("FAR") should not exceed 0.30 for residential development.

**Policy CD-3.5 Clustering Development in C-ARP, C-RSP, and C-CP Zoning Districts.** Design standards for C-ARP, C-RSP, and C-CP zoning districts require development to be clustered in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Clustering development in the least visually prominent portion or portions of a site is especially important on open grassy hillsides such as those surrounding the village. In these areas, the prominence of construction shall be minimized by placing buildings so that they would be screened by existing vegetation, rock outcroppings or depressions in the topography. In areas where usable agricultural lands exists, residential development shall be clustered so as to minimize disruption of existing or possible future agricultural uses.

**Policy CD-3.6 Standards for Second Units.** The Countywide-Second Unit Ordinance permits second units in the Planning Area on all land to be rezoned to C-RSP or on land zoned C-ARP where the maximum permitted residential density is either one unit per two acres or one unit per five acres. Second units require Use Permit and Design Review approval pursuant to Chapters 22.82 and 22.98 of Marin County Code. Approval of a Second Unit Use Permit shall be evaluated against the specific findings for approval listed in the countywide second unit ordinance (Appendix I). In addition, second units require Coastal Permit approval pursuant to Chapters 22.56 and 22.57 of Marin County Code.

#### 4. Historic Resource Preservation

Tomales has a rare asset, both for the permanent community and for potential visitors, in the historic, architectural quality of many of its buildings and in their combined visual effect. This asset, along with the setting of the village in the rolling countryside, give the community its unusual and attractive quality. According to the *Tomales Historic Resource Survey* issued by the North Marin Water District in 1976, "[Tomales] is now the only community in Marin County and along the [former] North Pacific Coast Railroad that has retained its general integrity as a turn of the century rural community." The Survey identifies a number of buildings of historical and architectural significance.

The Church of Our Lady of the Assumption, the Presbyterian Church, and Diekman's store are of particular interest, as are a number of houses clustered along Highway 1 and others scattered throughout the community. The Church of Our Lady of the Assumption, the Presbyterian Church and the Town Hall have been placed on the National Register of Historic Places.

The Water District Survey summarizes the visual quality of the older buildings by stating that "The architectural fabric of Tomales is non-pretentious and reflects examples of rural-type,



single-story Queen Anne cottages, Greek revival cottages and farmhouses, shingle style cottages, and some turn of the century bungalows. Most of the buildings are constructed of shiplap, smooth horizontal boards, clapboard, shingles and some stucco.”

Appendix D contains photographs that provide just a few examples of the many buildings within Tomales which are historically and architecturally significant. The overall purpose of the photographs is to create an awareness for early architectural styles of Tomales and to demonstrate the simple, attractive and historic quality of the architecture.

Conservation of the visual character of Tomales village and its significant components should be given high priority in the County's development policy for the community. This should be accomplished both through preservation of existing buildings and implementation of specific design criteria for alterations, additions and new construction.

The Local Coastal Program designates specific areas within the Coastal Zone as “Historic Resource Areas.” Boundaries for Historic Resource Areas were selected to include groups of unique and architecturally significant structures that are visually accessible to both local residents and visitors. The Tomales Historic Resource Area is mapped in Appendix C.

Policies of the Local Coastal Program provide that all structures in the Coastal Zone built prior to 1930 will be reviewed through the Coastal Permit process before being altered or demolished, unless a project is specifically exempted. In addition to the Coastal Permit process, new structures on properties zoned C-VCR or new structures and alterations or additions to structures on properties zoned C-ARP, C-RSP and C-CP will also be reviewed through the Design Review process.

All Coastal Permit and/or Design Review applications should be reviewed by the Tomales Design Review Board. Projects located within the boundary of the Tomales Historic Resource Area and projects involving pre-1930 structures will be reviewed in accordance with the “Design Guidelines for Construction in Historic Areas and for Pre-1930's Structures” and the “Historic Review Checklist” as described in Appendix D.

Overall, historic resource preservation measures should: (1) guide new development to be compatible with architecturally significant resources, without imposing a false, imitative style contrary to contemporary building technology or practices; and (2) protect existing resources from destruction or aesthetically undesirable alterations.

a. Historic Resource Preservation Objective and Policies

**OBJECTIVE CD-4.0. TO CONSERVE AND PROTECT THE UNIQUE VISUAL CHARACTER OF TOMALES AS A TRADITIONAL COASTAL VILLAGE WITH SIGNIFICANT HISTORICAL AND ARCHITECTURAL RESOURCES THROUGH PRESERVATION OF EXISTING STRUCTURES AND IMPLEMENTATION OF SPECIFIC DESIGN CRITERIA FOR ALTERATIONS, ADDITIONS AND NEW CONSTRUCTION.**

**Policy CD-4.1 New Construction.** All new construction within the boundary of the Tomales Historic Resource Area (Appendix C) shall conform in scale,

design, materials and texture with the surrounding community character.

**Policy CD-4.2**

**Alterations and Additions to Pre-1930 Structures.** Any alteration or addition to a structure built prior to 1930 requires Coastal Permit approval pursuant to Chapters 22.56 and 22.57 of Marin County Code, provided that such alteration or addition requires a building permit. Maintenance or repair to restore a structure to its original architectural character shall be exempt from Coastal Permit approval. Any alteration or addition to a pre-1930 structure shall retain the scale and original architectural features of the structure, especially for the front facade.

**Policy CD-4.3**

**Demolition of Pre-1930 Structures.** Demolition of a residential, commercial or other principal structure built prior to 1930 requires Coastal Permit approval pursuant to Chapters 22.56 and 22.57 of Marin County Code. Demolition of a pre-1930 secondary or agricultural structure may be exempted from Coastal Permit approval if it is found that such structure is not a significant historic resource. Approval for demolition of a pre-1930 structure may be delayed for a period not to exceed six months. During this period, the property owner or local historic group or society may attempt to find a purchaser or alternate location for the structure. This six-month period may be waived by the Community Development Agency Director or appropriate hearing body if it is found that such structure is not a significant historic resource.

**Policy CD-4.4**

**Historical and Architectural Resource Preservation Design Criteria.** All Coastal Permit and/or Design Review applications for projects located within the boundary of the Tomales Historic Resource Area (Appendix C), and for projects involving pre-1930 structures, shall be reviewed in accordance with the "Design Guidelines for Construction in Historic Areas and for Pre-1930's Structures" and the "Historic Review Checklist" in Appendix D. These historic preservation design criteria should: (1) guide new development to be compatible with architecturally significant resources, without imposing a false, imitative style contrary to contemporary building technology or practices; and (2) protect existing resources from destruction or aesthetically undesirable alterations.

**Policy CD-4.5**

**Register of Architecturally Significant Structures.** The County should compile a register of architecturally significant structures in Tomales, using the *Tomales Historic Resource Survey* (North Marin Water District, 1976) and the *Marin County Local Coastal Program Historic Study* (Marin County, 1981) as guides. The register, which would identify structures subject to the historic preservation policies of the Community Plan, should not only focus on individual structures but

also on areas where concentrations of structures maintain a strong visual, historic character.

## **B. TRANSPORTATION**

State Highway 1, Dillon Beach Road and Tomales-Petaluma Road are each two lanes (i.e., one lane in each direction) and are projected to remain so under State and County transportation policies. The design capacity of each of the three roadways is about 10,000 vehicles per day, with the actual annual Average Daily Traffic ("ADT") now amounting to only a fraction of that capacity. According to State Department of Transportation records, peak month ADT counts in 1994 on Highway 1 were 2,650 at the Tomales-Petaluma Road intersection and 3,650 at the Dillon Beach Road intersection. According to Marin County Department of Public Works records, summer ADT counts in 1987 were 1,207 for Dillon Beach Road and 1,778 for Tomales-Petaluma Road.

Within the village itself, the County assumes maintenance responsibility for certain designated streets, including: (1) First Street, from Carrie Street to Highway 1; (2) First Street, from Highway 1 to John Street; (3) John Street, from First Street to point about 250 feet south of First Street; (4) Second Street, from Highway 1 to a point about 100 feet west of Carrie Street; (4) Valley Street, from First Street to a point about 250 feet north of Second Street; (5) Carrie Street, between First and Second Streets; and (6) Church Street, from First Street to a point about 400 feet south. The County accepts no responsibility for the maintenance of other local streets in the village, where potholes and mud sometimes cause inconveniences to local residents. Maintenance of these streets is the responsibility of abutting, private property owners. All local streets are two lanes in width or less and without curbs, gutters and sidewalks.

Policies of the Local Coastal Program and Countywide Plan limit transportation improvements to projects that enhance safety but do not increase the capacity of the road network. Specifically, the County should maintain the rural character of all roads in West Marin as two-lane routes with improvements limited to those that enhance safety only, such as left-turn pockets or turnouts. Projects will not be undertaken to increase traffic capacity.

The Countywide Plan calls for improving bicycle and pedestrian access throughout the County because public trails fulfill an important open space need for both residents and visitors. The proposed trails system links environmentally important areas of the county, such as coastal areas and established recreational and open space areas, with developed areas. The Countywide Plan Trails Element Map D-3 (Appendix E) designates proposed paved paths along Highway 1 and Dillon Beach Road. Paved paths are multi-use trails for bicyclists, joggers and pedestrians. These trails may be located along improved road shoulders or may be located off-road as a separate trail where terrain necessitates relocation and an easement can be secured. At the present time, the biking and pedestrian trail potential of the Tomales area has not been developed.

### **1. Transportation Objective and Policies**

**OBJECTIVE TR-1.0. TO LIMIT TRANSPORTATION IMPROVEMENTS TO PROJECTS THAT MAINTAIN THE RURAL, SCENIC CHARACTER OF PLANNING AREA ROADWAYS, ENHANCE SAFETY BUT DO NOT INCREASE THE CAPACITY OF THE ROAD NETWORK, AND IMPROVE PEDESTRIAN AND BICYCLE ACCESS.**

**Policy TR-1.1 Maintain Rural Character of Roadways.** Roadway improvements should be limited to projects that enhance safety only and do not increase the capacity of the road network. Specifically, all roads in the Planning Area, including State Highway 1, should retain their rural, scenic character with a two lane width or less and without curbs, gutters and sidewalks. The only area to be considered for sidewalks and similar "urban" roadway improvements should be the commercial core of the community, with such improvements conforming with any renovation plans to be developed for the area. Projects should not be undertaken to increase traffic capacity. Permitted roadway projects should be limited to: slope stabilization, drainage control, and minor safety improvements; expansion of shoulder paving to accommodate bicyclist, joggers and pedestrians; creation of vista and slower traffic turn-outs; and improvements to accommodate public transit.

**Policy TR-1.2 Provide Bicycle and Pedestrian Access.** Bicycle and pedestrian access should be provided through the Planning Area as designated by the Countywide Plan Trails Element Map D-3 (Appendix E). Map D-3 designates proposed paved paths along Highway 1 and Dillon Beach Road. Paved paths are multi-use trails for bicyclists, joggers and pedestrians. These trails may be located along improved road shoulders or may be located off-road as a separate trail where terrain necessitates relocation and an easement can be secured.

## **C. PUBLIC FACILITIES AND SERVICES**

### **1. Sewer Service and On-site Wastewater Disposal**

Prior to 1977, the community had a problem of polluted groundwater resulting from the leaching of sewage into groundwater sources. This pollution problem slowed or halted residential and commercial development in the community. However, the opening of the sewer collection and treatment system in 1977, which is operated by the North Marin Water District ("NMWD"), appears to have significantly reduced this pollution problem.

The sewer system is designed to handle wastewater from existing residences, commercial establishments, and school facilities. Based on 1993 data, NMWD reports that there were a total of 88 service connections to the sewer system generating an average daily wastewater flow of 19,842 gallons per day. Requirements for operation of the system established by the California Regional Water Quality Control Board limit the system capacity to 38,000 gallons per day. When consideration is given to the additional wastewater generated by the connected commercial enterprises and school facilities, 88 connections translate into approximately 149 "equivalent" residential units that generate approximately 121 gallons of wastewater per unit per day. Based on the remaining capacity of the system, NMWD estimates that the system can serve an additional 152 equivalent units for a total of 301 equivalent units at buildout. In other words, the system is currently operating at about one-half its capacity.

The design of the collection system, although far in excess of the existing treatment plant capacity, employs minimum diameter sewer lines as needed for cleaning and maintenance equipment. The treatment plant is located northwest of the intersection of Tomales-Petaluma

Road and Irvin Road. The treated wastewater is piped from the treatment plant and reused for irrigation of landscaping and playing fields on the adjacent school campuses, with the surplus carried to ponds located south of the hills on the south side of Tomales-Petaluma Road. Surplus pond water is used to irrigate adjacent pasture lands.

Smaller lot residential and/or commercial areas in the village all lie either within the existing sewer service area or immediately adjacent to it. The sewer service area is presently developed with 83 residential units. Based on policies of the Community Plan, it is estimated that the total number of residential units within the ultimate sewer service area could approximately double to 172 at buildout, which is an extremely high estimate that assumes an adequate supply of potable water would be available. Including future non-residential sewer connections, 172 units translate into approximately 290 to 300 equivalent units at buildout. Therefore, with a buildout sewer system capacity of 301 equivalent units estimated by NMWD, it appears that the sewer system may have adequate capacity to accommodate buildout sewage flows.

Peripheral areas zoned for low-density residential and agricultural development would continue to utilize private septic systems for on-site wastewater disposal. The peripheral areas outside the sewer service area are presently developed with 8 residential units. Based on policies of the Community Plan, it is estimated that the total number of residential units in the peripheral areas could increase to 21 at buildout, assuming that an adequate supply of potable water and on-site sewage disposal capacity would be available. The NMWD has expressed the desirability of extending sewer service to these low-density peripheral areas for protection against groundwater pollution. Such extension, however, would also increase pressure for higher residential density zoning, with related problems of water supply and alteration of the existing village environment.

a. Sewer Service and On-site Wastewater Disposal Objective and Policies

**OBJECTIVE PF-1.0. TO LIMIT EXPANSION OF NMWD'S SEWER SERVICE AREA TO THOSE PROPERTIES ALREADY WITHIN THE SERVICE AREA AND THOSE PROPERTIES ZONED FOR HIGHER DENSITY DEVELOPMENT IMMEDIATELY ADJACENT TO THE SERVICE AREA AND TO REQUIRE PRIVATE, ON-SITE SEPTIC SYSTEMS OUTSIDE THE SERVICE AREA TO CONFORM WITH APPLICABLE STATE GUIDELINES AND COUNTY CODES.**

**Policy PF-1.1**      **Limit Expansion of the NMWD's Sewer Service Area.** No major boundary expansion of the North Marin Water District's sewer service area should be permitted into peripheral, low-density residential and agricultural lands that would increase the development potential of those lands and would increase future pressure for changes in land use policies. The boundaries of the ultimate sewer service area should correlate with the C-VCR, C-CP and C-RSP zoning district boundaries, as shown on the Tomales Community Plan Zoning and Land Use Map (Appendix B), with exception to those lower density C-ARP properties already in the service area such as those owned by the Shoreline Unified School District. The existing, NMWD sewer service area boundary is mapped in Appendix F of the Community Plan.

- Policy PF-1.2** Utilize Septic Systems Outside the NMWD Service Area. Private, on-site septic systems for wastewater disposal should be utilized in the peripheral, low-density residential and agricultural areas.
- Policy PF-1.3** Protect Against Groundwater Pollution. In order to protect against groundwater pollution, all septic systems shall conform with the "Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems" adopted by the Regional Water Quality Control Board or Marin County Code Chapter 18.06, whichever is more stringent.
- Policy PF-1.4** Coastal Permit Approval Required for Septic Systems. The expansion or construction of a septic system requires Coastal Permit approval pursuant to Chapters 22.56 and 22.57 of Marin County Code.

2. Potable Water Supply

Potable water for Tomales is provided by private, individual wells tapped into local groundwater sources. As mentioned earlier, past pollution problems related to the leaching of sewage into groundwater sources appears to have been significantly reduced with the opening of the sewer collection and treatment system in 1977 by the North Marin Water District.

There are no area-wide estimates of groundwater availability. At the present time, on-site water sources are required to be proved before new development can take place, but there is little knowledge of the area's groundwater characteristics or the long-range capacity for population growth depending on local water sources.

There are three potential new sources of water: (1) deep wells and springs, (2) Walker Creek, and (3) Stemple Creek. Walker Creek is approximately one mile south of the Planning Area, while Stemple Creek is approximately one mile north. Importing water from these two distant sources would be economically infeasible for a community as small as Tomales. General estimates of water potential from these sources would require a study of moderate scale, while a comprehensive study would be a larger undertaking. In the absence of such information, long-range plans for development in Tomales are based on the historical precedent that there was apparently sufficient local water available to serve larger populations in the past (about 300 people in the late 1800's), but it should be noted that this is not really an adequate information base because per capita water use may be higher today and historical data is not very specific.

a. Potable Water Supply Objective and Policies

**OBJECTIVE PF-2.0. TO PROTECT THE QUALITY AND QUANTITY OF THE COMMUNITY POTABLE GROUNDWATER SUPPLY.**

- Policy PF-2.1** Coastal Permit Approval Required for Water Wells. The expansion or construction of a water well requires Coastal Permit approval pursuant to Chapters 22.56 and 22.57 of Marin County Code. Approval of a Coastal Permit for any well shall be subject to a finding

that the well would not have an adverse impact on coastal resources, including groundwater supplies, aquifers, and streams.

**Policy PF-2.2 Individual Water Well Standards for New Development.** New development shall not be approved until a determination that an adequate quality and quantity of potable water would be available for the proposed use. Deep wells -- typically greater than 100 feet deep -- may be necessary. Availability of water supply for new development should be demonstrated by a qualified professional engineer based on adequate field testing. A sustained water well yield of at least one gallon per minute per residential unit shall be demonstrated. Higher yields may be required for fire protection service, as recommended by the Marin County Fire Protection Department. Lastly, wells shall be at least 100 feet from all property lines, unless a finding can be made that no development constraints would be placed on neighboring properties.

**Policy PF-2.3 Utilize Water-saving Devices.** All new development shall utilize low-flow water fixtures and other water-saving devices.

**Policy PF-2.4 Recommended Groundwater Supply Study.** The County, California Coastal Commission, and/or North Marin Water District authorities should consider conducting a Planning Area water study to determine the extent of the local groundwater supply and to develop recommendations to be used in conjunction with long-range planning for the area.

### 3. Emergency Services

#### *Fire Protection Services*

Adequate fire protection service is of particular importance to the Tomales community. Major fires have occurred in the village on at least three occasions; the first time in 1877, the second in the mid-1890's, and the third and most disastrous time in 1920. An important question is whether available facilities and water supplies are adequate for meeting another catastrophic fire situation.

The Planning Area is served by the Marin County Fire Department. The existing fire station on Dillon Beach Road has a crew of two to five firefighters, depending on the season, and three fire engines, including a 1,250-gallon per minute pumper, a 500-gallon per minute pumper, and a 1,500-gallon water tender with a 500-gallon per minute pumper. In addition, there is an active volunteer force in Tomales of eight or nine individuals. Therefore, the most important issue is not one of response time from the station, equipment, and firefighters, but rather of available water supply.

Emergency water supplies are available and accessible at various locations around the village, including two storage tanks with a total capacity of 13,000 gallons, a 60,000-gallon tank at the high school, and numerous private tanks ranging in size from 3,000 to 7,000 gallons. The Marin County Fire Department is currently implementing plans for another storage tank in the Planning

Area with a capacity of 67,000 gallons. When this new tank and its related water distribution facilities (water lines, fire hydrants, etc.) are constructed, emergency water supply storage capacity and distribution should be adequate to handle a fire for most structures in Tomales. It is not clear, however, to what extent the water supply could be utilized by the equipment and firefighters that would be necessary in a catastrophic situation.

### *Emergency Medical Services*

Tomales is served by emergency medical services in both Marin and Sonoma County. When a medical emergency occurs in Tomales, "9-1-1" first dispatches the closest fire unit. The fire unit may come from Tomales or Petaluma. Marin County fire personnel are trained as Emergency Medical Technicians, and Petaluma fire personnel are trained as paramedics. If additional help is needed, the paramedic unit stationed at the fire station in Pt. Reyes Station is available, as well as units from the U.S. Coast Guard Training Center at Two Rock.

Medical helicopters are also available, such as Redwood Empire Helicopter which maintains a helicopter staffed by paramedics that is stationed at Sonoma County Airport. Patients transported by helicopter are generally taken to medical facilities in Sonoma County because there are no hospitals in Marin County that currently maintain a helipad.

### *Police Protection*

Police services to Tomales are provided by the Marin County Sheriff's Department from the West Marin Substation in Point Reyes Station. The California Highway Patrol also routinely patrols Highway 1 and the county roads in the area. Additional mutual aid is provided as necessary by the Sonoma County Sheriff's Department.

#### a. Emergency Services Objective and Policies

**OBJECTIVE PF-3.0. TO ENSURE THAT ADEQUATE EMERGENCY SERVICES ARE AVAILABLE FOR THE COMMUNITY OF TOMALES.**

**Policy PF-3.1      Develop an Adequate Emergency Water Supply.** An adequate water supply for emergency fire situations should be developed. The Marin County Fire Department should develop a response plan that would permit immediate and efficient utilization of all available supplies of water for fire fighting purposes. If deficiencies in water supply and distribution are identified, the plan should include recommendations to correct any deficiencies.

**Policy PF-3.2      Incorporate Fire Protection Measures into Development Projects.** All development applications should be reviewed by the Marin County Fire Department so that necessary fire protection measures, including but not limited to water storage facilities, sprinkler systems, and fire hydrants, are incorporated into a project where required.



**Policy PF-3.3**      **Maintain Contracts and/or Mutual Aid Agreements for Emergency Services.** The County should continue to maintain contracts and/or mutual aid agreements with other emergency service providers, including fire protection and emergency medical services, that serve Northwest Marin.

4.    School Facilities

Tomales is located within the Shoreline Unified School District. The District serves the communities from Olema to Bodega Bay, including Inverness, Point Reyes Station, Marshall, Tomales, and Dillon Beach. The Tomales Elementary School (K-8) serves an area extending north from Marshall, while the Tomales High School (9-12) serves the entire district. Tomales Elementary has a student capacity of 250, while Tomales High has a capacity of 260. Currently, the elementary school maintains a student enrollment at 100% of capacity, while the high school maintains an enrollment at about 97% of capacity.

According to District administration, the District's facilities should be able to accommodate any increase in the number of students projected for Tomales, who will continue to form only a small portion of the students generated throughout the district's jurisdiction. If an unanticipated capacity problem arises, the District has the ability to redistribute the student population to other facilities within the District that contain excess capacity.

a.    School Facilities Objective and Policy

**OBJECTIVE PF-4.0.** TO ENSURE THAT THE STUDENTS OF TOMALES CONTINUE TO BE PROVIDED A QUALITY PUBLIC EDUCATION.

**Policy PF-4.1**      **Provide a Quality Public Education to Tomales Students.** The Shoreline Unified School District elementary and high school facilities should be maintained in Tomales with adequate enrollment capacity so that Tomales students continue to be provided with a quality public education within their own community.

**D. RECREATIONAL, EDUCATIONAL, AND CULTURAL FACILITIES**

At the present time, facilities for recreational, educational, and cultural purposes are provided in the community by the schools, town hall, community park and two churches.

School recreational grounds and gymnasiums could be open for general public use during afternoons and weekends with certain operational exceptions. The schools do not have a swimming pool.

Tomales Town Hall is a non-profit organization under the administration of a board of directors. The town hall is used for local meetings and is also available for private rental. The board handles the financial matters of the hall, usually being dependent on volunteer labor and money-raising events for operating and maintenance revenue.

The future use of the old high school facility on the west side of Highway 1 is an important planning issue to the community. This property is still owned and used by the Shoreline Unified School District.

Presently, the property contains a continuation high school facility and the school transportation department, including a school bus garage, bus parking area and offices. Several buildings, such as the gymnasium and industrial arts building, are in a state of disrepair and are only being used for storage. The school district does not intend to sell this property but has expressed an interest in leasing some buildings to tenants that would be responsible for upgrading available buildings. For example, the Tomales Regional History Center, Inc., a non-profit organization, is currently implementing plans to lease, repair and remodel the auditorium building and establish a community history museum where archival material from the region would be stored and displayed for public viewing. The available buildings, though mostly in a state of disrepair, represent an extraordinary opportunity for developing a regional center for recreational, educational, and cultural uses, such as the community history museum. If the buildings on this 5.85-acre property are razed, it may be financially impossible for prospective tenants to build new buildings with similar potential for public use. Ideally, these buildings, with necessary renovations and alterations, could accommodate important regional recreational, educational, and cultural uses, most of which could have potential for earning revenue. Accordingly, the Community Plan recommends the creation of a formal citizens group with area-wide representation to carry out a feasibility study for potential regional uses of the old high school site. The Community Plan strongly supports regional recreational, educational, and/or cultural uses, such as the Tomales Regional History Center, of the former high school site. Implementation of those potential regional uses identified as desirable uses in any feasibility study would be given highest priority.

1. Recreational, Educational, and Cultural Facilities Objective and Policies

**OBJECTIVE PF-5.0. TO ENHANCE COMMUNITY RECREATIONAL OPPORTUNITIES AND TO STUDY AND SUPPORT THE DEVELOPMENT OF REGIONAL RECREATIONAL, EDUCATIONAL AND CULTURAL USES OF THE FORMER HIGH SCHOOL SITE.**

**Policy PF-5.1 Enhance Community Recreational Opportunities.** Subject to approval by the Shoreline Unified School District, the elementary and high school recreational facilities, including the gymnasiums and ball fields, should be made available to the community of Tomales for organized, recreational purposes during non-school hours.

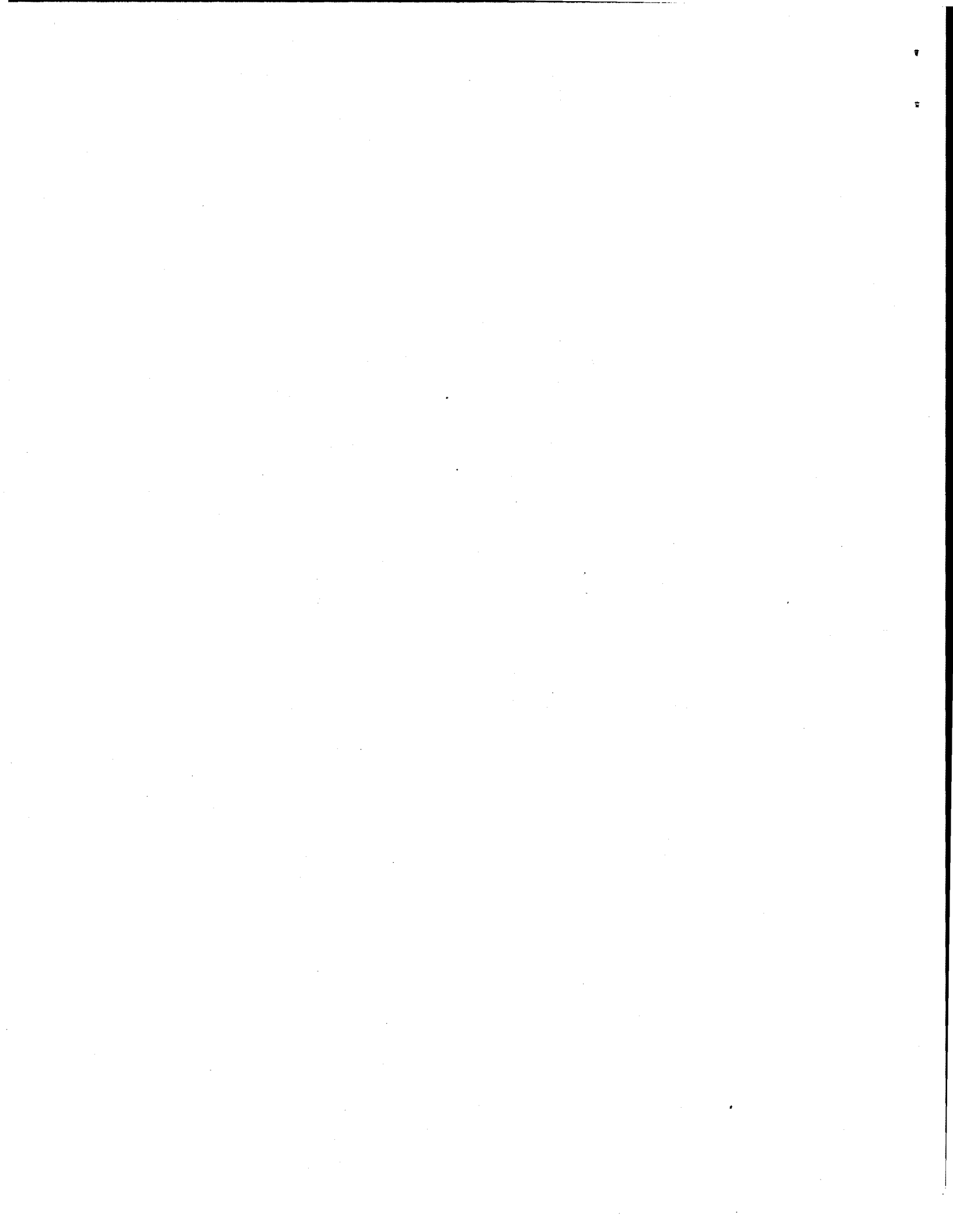
**Policy PF-5.2 Feasibility Study for Potential Regional Uses of the Former High School Site.** A formal citizens group with area-wide representation should be created to carry out a feasibility study, in cooperation with the Shoreline Unified School District, for potential regional uses of the former high school site, currently identified as Assessor's Parcel Numbers 102-080-04, -05, -06 and -07. Recommended steps for the feasibility study are described in Appendix G.

**Policy PF-5.3 Support Potential Regional Uses of the Former High School Site.** The available buildings at the former high school site, currently identified as Assessor's Parcel Number 102-080-04, -05, -06 and -07, should be utilized for regional recreational, educational, and/or cultural uses, such as the Tomales Regional History Center. Those potential regional uses identified as desirable uses in the feasibility study recommended in Policy PF-5.2 should be given highest priority.

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# APPENDICES

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**APPENDIX A**  
**BIBLIOGRAPHY**

1. *Tomales Community Plan*, Marin County Comprehensive Planning Department, September 19, 1977
2. *Marin County Local Coastal Program Unit 2*, Marin County Comprehensive Planning Department, December 9, 1980 (certified by the California Coastal Commission April 1, 1981 and amended periodically thereafter)
3. *Marin County Local Coastal Program Historic Study*, Marin County Community Comprehensive Planning Department, November 1981
4. *The Marin Countywide Plan*, Marin County Community Development Agency -- Planning Division, adopted January 18, 1994
5. "1994 Traffic Volumes on California State Highways", State Department of Transportation (Caltrans)
6. "Marin County Numerical and Alphabetical Road List 1994-1995, County-maintained Road System", Marin County Department of Public Works -- Traffic Division
7. *Tomales Historic Resource Survey*, North Marin County Water District, 1976

**LIST OF INDIVIDUALS CONSULTED**

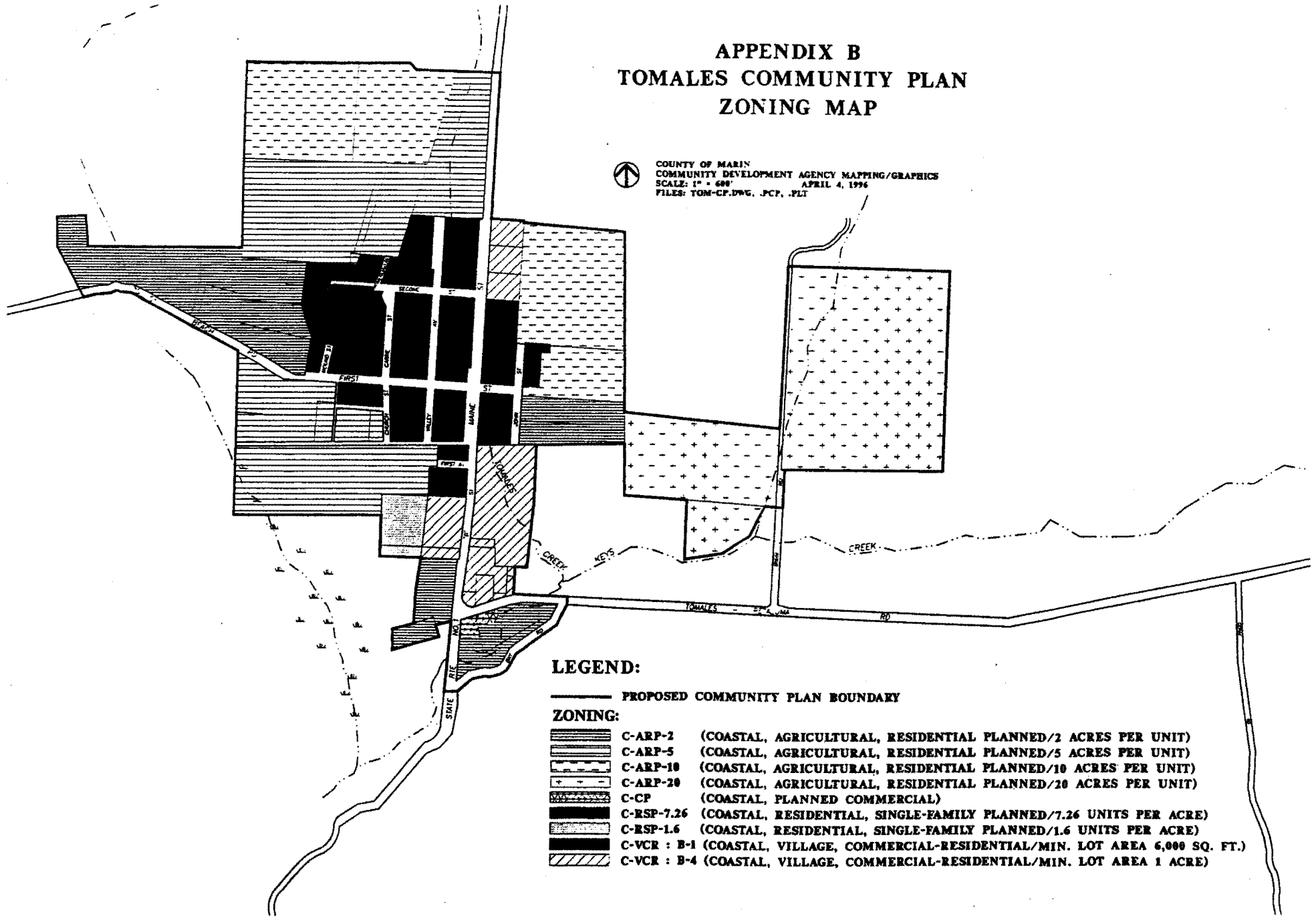
1. Chris DeGabriele, Chief Engineer, North Marin Water District
2. Will Corbett, Fire Apparatus Engineer, Marin County Fire Department, Tomales Substation
3. Sherry Fuzesy, Water Specialist, Marin County Community Development Agency -- Environmental Health Services
4. Laura Bartnowski, Director of Business Services, Shoreline Unified School District
5. Art Brook, Marin County Department of Public Works, Traffic
6. Rich Lopez, Senior Fire Captain, Marin County Fire Department, Tomales Substation
7. Brian Blease, Water Specialist, Marin County Community Development Agency -- Environmental Health Services

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# APPENDIX B TOMALES COMMUNITY PLAN ZONING MAP



COUNTY OF MARIN  
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS  
SCALE: 1" = 600'  
APRIL 4, 1996  
FILES: TOM-CP.DWG, JCP, .PLT



## LEGEND:

— PROPOSED COMMUNITY PLAN BOUNDARY

### ZONING:

	C-ARP-2	(COASTAL, AGRICULTURAL, RESIDENTIAL PLANNED/2 ACRES PER UNIT)
	C-ARP-5	(COASTAL, AGRICULTURAL, RESIDENTIAL PLANNED/5 ACRES PER UNIT)
	C-ARP-10	(COASTAL, AGRICULTURAL, RESIDENTIAL PLANNED/10 ACRES PER UNIT)
	C-ARP-20	(COASTAL, AGRICULTURAL, RESIDENTIAL PLANNED/20 ACRES PER UNIT)
	C-CF	(COASTAL, PLANNED COMMERCIAL)
	C-RSP-7.26	(COASTAL, RESIDENTIAL, SINGLE-FAMILY PLANNED/7.26 UNITS PER ACRE)
	C-RSP-1.6	(COASTAL, RESIDENTIAL, SINGLE-FAMILY PLANNED/1.6 UNITS PER ACRE)
	C-VCR : B-1	(COASTAL, VILLAGE, COMMERCIAL-RESIDENTIAL/MIN. LOT AREA 6,000 SQ. FT.)
	C-VCR : B-4	(COASTAL, VILLAGE, COMMERCIAL-RESIDENTIAL/MIN. LOT AREA 1 ACRE)

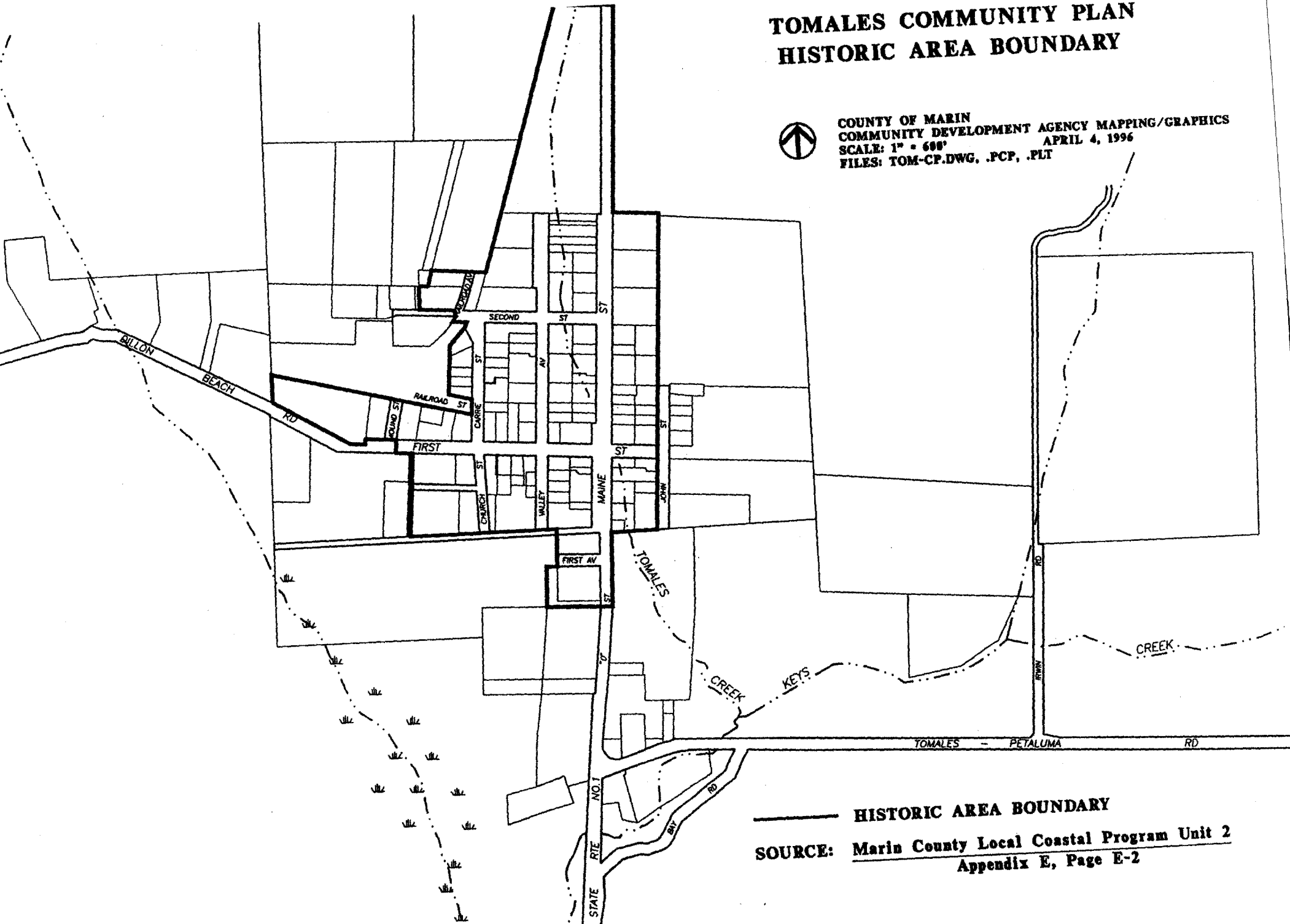




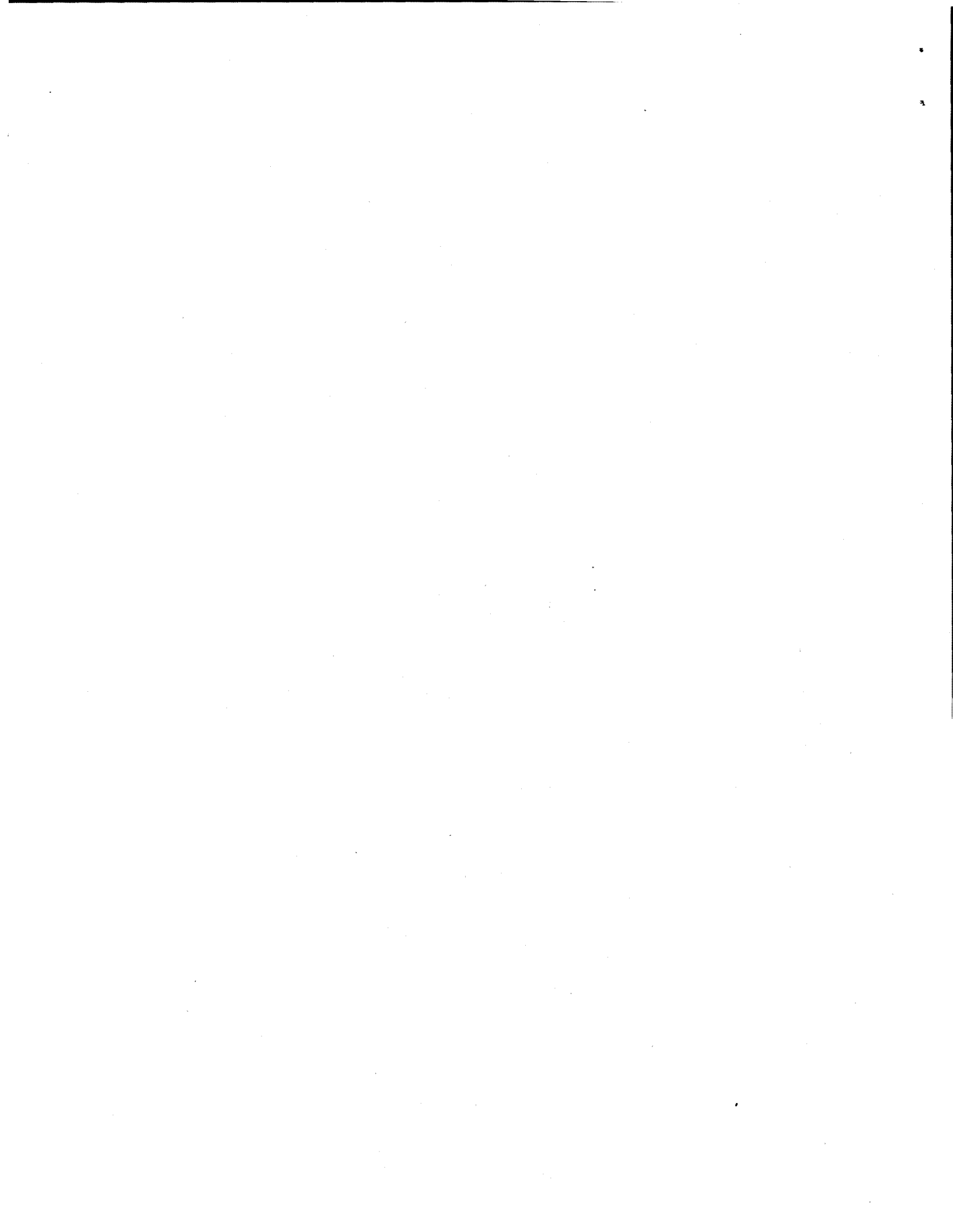
ATTENDIA C  
**TOMALES COMMUNITY PLAN  
HISTORIC AREA BOUNDARY**



COUNTY OF MARIN  
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS  
SCALE: 1" = 600'  
APRIL 4, 1996  
FILES: TOM-CP.DWG, .PCP, .PLT



— HISTORIC AREA BOUNDARY  
SOURCE: Marin County Local Coastal Program Unit 2  
Appendix E, Page E-2



## APPENDIX D

### DESIGN GUIDELINES FOR CONSTRUCTION IN HISTORIC AREAS AND FOR PRE-1930'S STRUCTURES

Technology has quickened the pace of change and introduced a great variety of building materials and construction methods. Since personal tastes and social attitudes often govern today's choice of materials and methods, design review has been introduced to guarantee carefully executed design solutions.

The landscape and buildings of a healthy community exhibit continuity of a community's past and present. In recognition of this concept, a properly instituted design review program aims to ensure guided freedom for future growth in historic areas. Design review will vary according to conditions in particular communities, but it should ensure that new buildings conform in scale, proportion and texture to existing community form.

The design principles and standards below are intended to ensure maximum compatibility of remodeling and new construction with older buildings in historic areas.

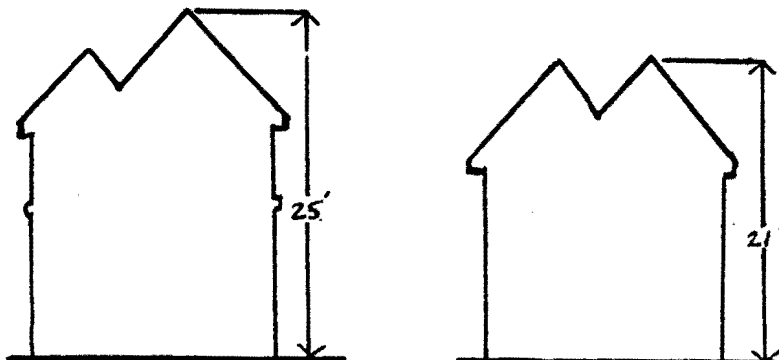
#### Repetition of Roof Shape

Similarity of roof shapes is often the most important means for achieving continuity in design between new and old buildings in historic areas. Roofs are an important factor in the overall design of a building to help relate items such as height and scale to those adjacent structures.



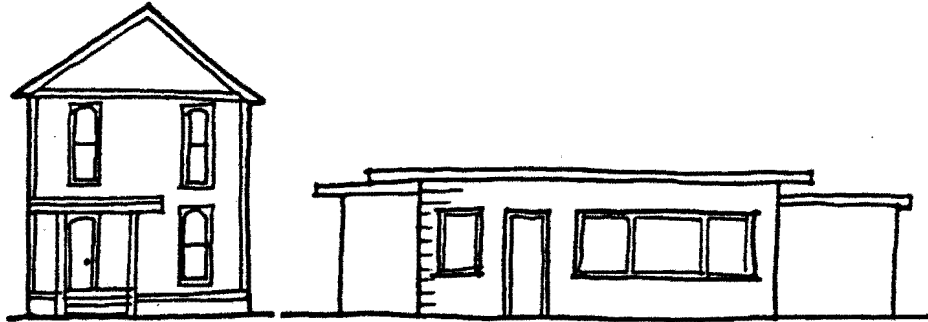
#### Consistent Building Height

New buildings should be constructed to a height within a reasonable average height of existing adjacent buildings.



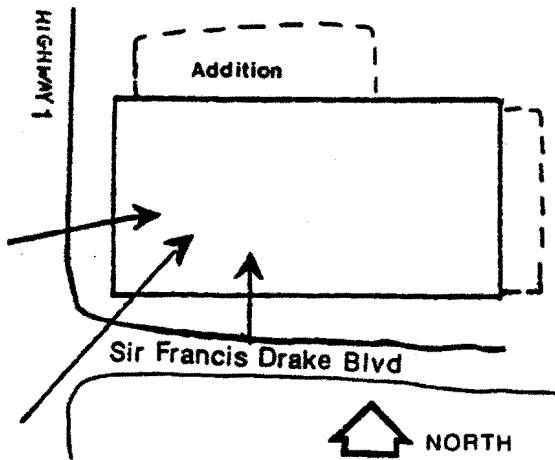
### Directional Expression of Front Elevations

Structural shape, placement of openings, and architectural details may give a predominantly vertical, horizontal, or a non-directional character to a building's facade. If buildings in historic areas have predominantly vertical expressions, then new buildings should also have vertical expressions. Nineteenth century buildings tend to be vertical, while 20th century buildings often have a horizontal emphasis.



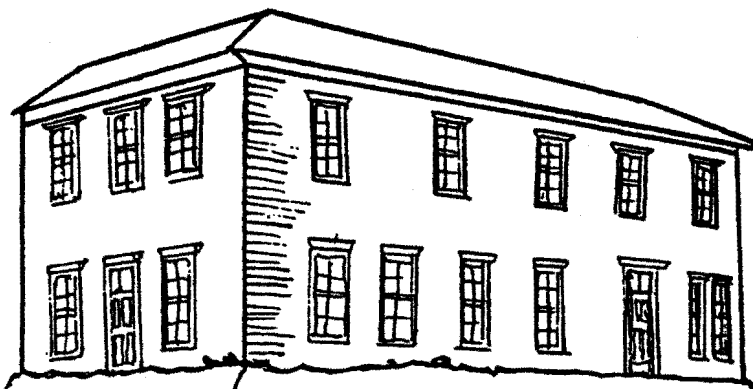
### Placement of New Additions to Historic Buildings

The most important facade of any building is generally the frontal facade. This is particularly true when viewing a streetscape. The front elevation, and the side elevation on a corner building, should not have additions added that would destroy a building's historic character.

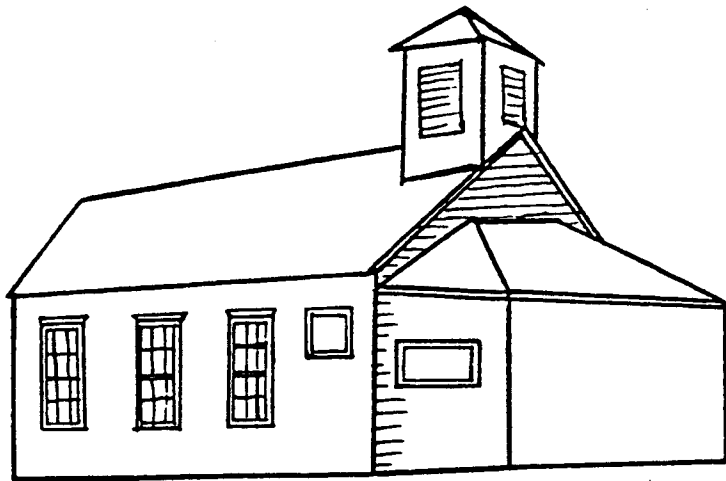


#### Good Example

Focal points facades of Olema Inn



Additions made to the Olema Inn left the focal point facades intact.



Bad Examples

Greek Revival school house with addition on the front facade destroys the focal point view.



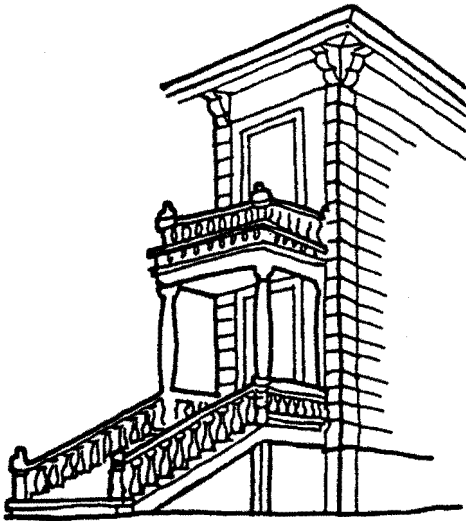
Italianate commercial structure with front facade addition

Building Setback

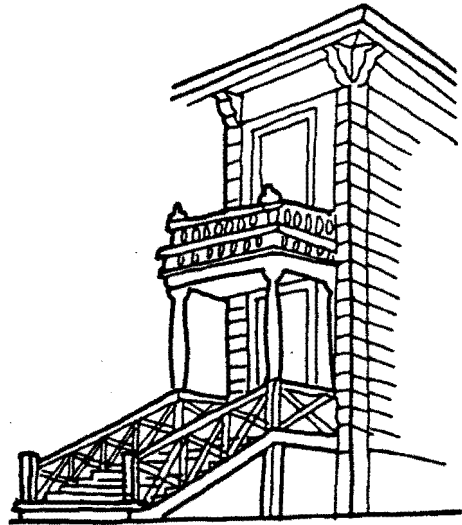
Building setback is an important consideration in harmonizing new with old in rural historic areas.



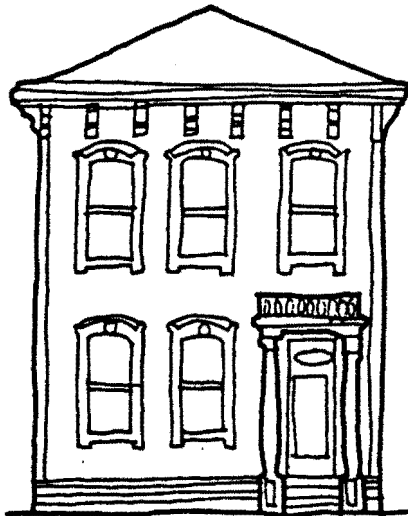
Preserve or Replicate Historic Details



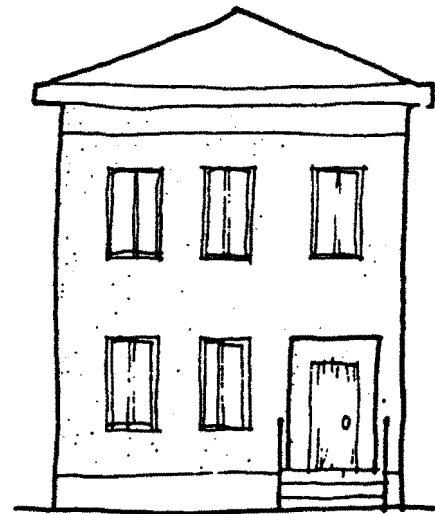
**Original: Sympathetic treatment of stairway railing**



**Remodeled: Unsympathetic treatment of stairway railing**



**Original: Precise wooden details around windows, doors, cornice line, building edges, horizontal lap siding**

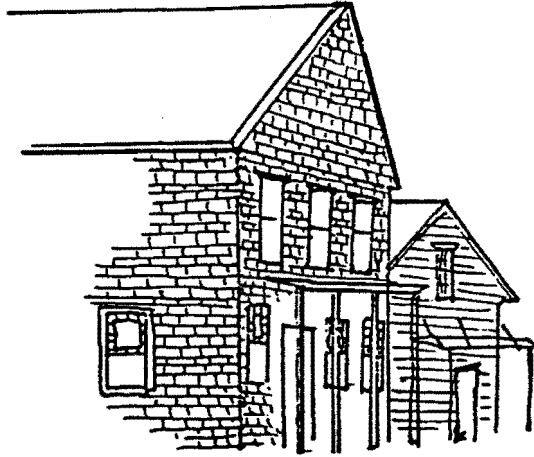


**Remodeled: Stucco facade destroys integrity of historic structure.**

Relationship of Textures

The texture of a building is an important factor in the overall appearance of a neighborhood. The predominant texture may be smooth (stucco), rough (brick with tooled joints), horizontal wood siding, or other textures. Whatever texture is used, its appearance must be considered in relation to the neighborhood to ensure a compatible blending with other styles.

The front facade of the Greek Revival commercial building (in foreground to the left) has been "modernized" with the addition of wood shingles or brick. These exterior coverings are not appropriate for Greek Revival. Its next-door neighbor (smaller building to the right) retains the Greek Revival feeling with the original horizontal siding.



### Repetition of Details

Repetition of details, such as choice of exterior building materials, proportions of windows and doors, gingerbread porch posts and trim, window and door moldings, cornices, lintels, and arches, is extremely important in ensuring compatible appearance in new construction in historic areas.

There has been a general misunderstanding about 19th century styles because of the weather-beaten appearance of many vintage buildings. Greek Revival, Queen Anne, Italianate, and Stick architectural styles are precise in their detailing and consistency of proportions. There is a great difference between these precise, albeit weathered, architectural statements, and contemporary efforts to create vintage-style buildings by constructing badly proportioned, indistinctive, rough-shod buildings of rough-sawn plywood or board and batten style.

### Relationship of Colors

The proper application of a color scheme to a building or a series of buildings can highlight important features and increase their overall appearance. Accent or blending colors on building details is also desirable in creating compatibility with neighboring structures.

Use of exterior color is of particular importance in the case of a wood frame house where the combination of wall and trim colors usually decides its basic character.

A good color scheme should be neighborly as well as effective in itself, so that both the house and the environment benefit.

### Relationship of Landscaping and Physical Features

Landscaping should be placed to emphasize design and should enhance a structure rather than detracting from it or obscuring it. Physical features such as picket fences, building facades, beaches, lamp posts, and signs or combinations of these features provide continuity and cohesiveness to a neighborhood.

Efforts to achieve continuity should not be so restrictive that they force mere imitation. However, the design of new buildings in and adjacent to historic areas, and new additions to old buildings must be carefully executed to achieve harmony between old and new. The challenge, particularly in special design districts, is to create contemporary buildings whose flavor and scale compliments, rather than imitates, the pre-determined images of the historic setting.

### Signs and Street Furniture

Commercial signs are an effective tool for enhancing historic quality and can be designed to harmonize with the structure. All too often, oversized or modernistic signs are used that detract from the overall charm. For this reason, strict design review for signs is recommended.

Similarly, street furniture (benches, light fixtures and litter containers) should be designed to embellish the historic grace and conform to existing architectural styles. Ingenuity may be required, but these details can provide cohesion and grace.



## HISTORIC REVIEW CHECKLIST

The Historic Review Checklist has been established to provide an initial determination of compatibility of new construction, alterations and additions in historic areas or for individual pre-1930 structures outside the boundaries of historic areas. This checklist should apply to all types of structures, including accessory buildings. Signs and street furniture should be compatible with the historic character of the community.

Please check the appropriate box in applicable categories.

<u>YES</u>	<u>NO</u>	<u>CATEGORIES</u>
<b>A. NEW CONSTRUCTION</b>		
___	___	1. Is the roof shape similar to adjacent structures?
___	___	2. Is the building height consistent with surrounding structures?
___	___	3. Do the front facades give similar directional expressions (vertical or horizontal)?
___	___	4. Are building setbacks similar to adjacent structures?
___	___	5. Will new landscape features (including parks, gardens, fencing, benches, walkways and signs), be compatible with the character of the neighborhood?
___	___	6. Is the design compatible in scale, design, materials and texture with surrounding structures?
___	___	7. Will a contemporary design that is compatible with the mood and character of the surrounding neighborhood be used?
___	___	8. Will mechanical equipment such as air conditioners, skylights, satellite dishes and television antennas be placed in inconspicuous locations?
<b>B. ALTERATIONS AND ADDITIONS</b>		
___	___	1. Does the project preserve distinguishing original qualities or character of the structure or site and its environment?
___	___	2. Does the project retain or preserve any previous modifications that evidence the history and development of the structure or site?
___	___	3. Does the project retain or preserve distinctive stylistic features or examples of skilled craftsmanship which characterize the building's structure or site?

YES

NO

CATEGORIES

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Has every reasonable effort been made to provide a compatible use for the property in this community? |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Does the project give consideration to harmonizing street furniture and signs?                        |

**C. ALTERATIONS AND ADDITIONS, RESTORATION**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Has the applicant applied for designation of a historic structure?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Does the State Historic Building Code apply?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Will the project retain the front of the building to preserve the architectural and historic character of the building?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Will the project retain distinctive features such as the size, scale, mass and building materials, including roofs, porches and stairways that give the community its character? |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Will the project retain landscape features (including parks, gardens, fencing, benches, signs, walkways) that reflect the structure's development and history?                   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Will the project place new additions without destroying focal point views?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Will the project preserve or duplicate original details (such as cornices, brackets, windows, doors, shutters, siding, railing) of architectural significance?                   |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Will the project repair or stabilize weakened structural members and systems?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Will the project retain original materials where possible?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Will the project preserve the original roof shape and material?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Will the project retain or replace, where necessary, architectural features in the roof such as dormer windows, chimneys, cornices and brackets?                                |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Will the project improve the thermal performance of the building through weather-stripping without damaging window and door frames?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Will the project improve or repair drainage to prevent damage to the structure or foundation where necessary?   |

- | <u>YES</u> | <u>NO</u> | <u>CATEGORIES</u>  |
|------------|-----------|--|
| ___        | ___       | 14. Will the project retain any previous modifications that evidence the history and development of the structure?   |
| ___        | ___       | 15. Will the project make alterations and new additions in such a manner that they can be removed in the future without impairing the essential form and integrity of the structure? |

**D. RESTORATION**

- |     |     |   |
|-----|-----|---|
| ___ | ___ | 1. Are deteriorated architectural features being repaired rather than replaced, where possible?   |
| ___ | ___ | 2. Where replacement of deteriorated architectural features is necessary, do new materials match the material being replaced in color, texture, composition and design? |
| ___ | ___ | 3. Will cleaning methods undertaken damage the historic building materials?   |

**E. DEMOLITION**

- |     |     |   |
|-----|-----|---|
| ___ | ___ | 1. Is the building of such architectural or historic interest that its removal would be to the detriment of public interest?  |
| ___ | ___ | 2. Is the building of such interest or significance that it could be designated as a National, State or local historic landmark?  |
| ___ | ___ | 3. Is the building of such old and unusual or uncommon design, texture and/or material that it could not be reproduced or be reproduced only with great difficulty and/or expense?  |
| ___ | ___ | 4. Would retention of the building help preserve and protect a historic place or area of historic interest in the county?   |
| ___ | ___ | 5. Would retention of the building promote the general welfare of the community by encouraging study of local history, architecture and design or by developing an understanding of the importance and value of the local culture and heritage? |
| ___ | ___ | 6. Can the structure be converted to another use?   |
| ___ | ___ | 7. Is the structure in a state of major disrepair?  |
| ___ | ___ | 8. Has the local historical group or society been contacted?  |
| ___ | ___ | 9. Has the State Historic Preservation Office been contacted?   |

YES

NO

CATEGORIES

\_\_\_\_\_

\_\_\_\_\_

10. Has an attempt been made to locate a purchaser for the property?

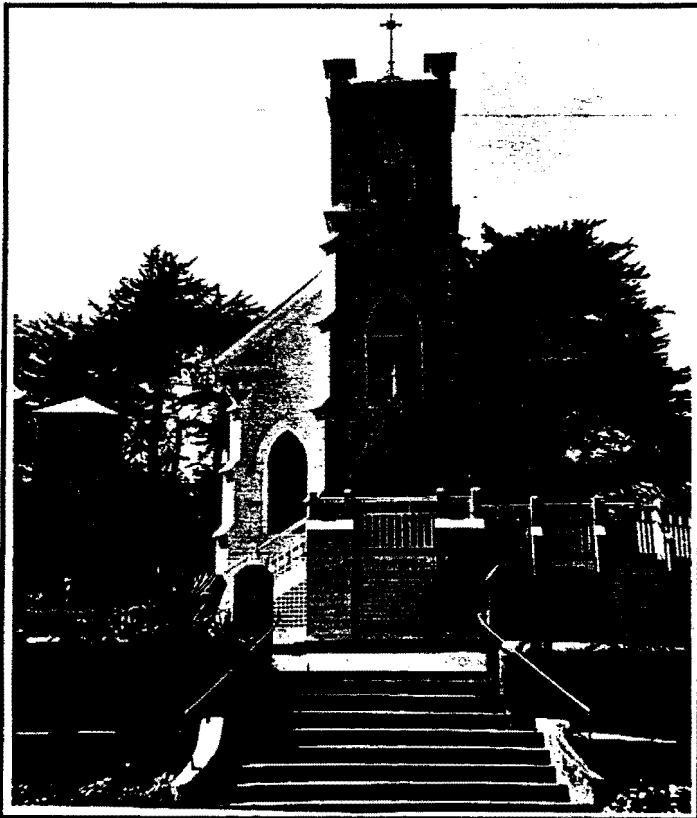
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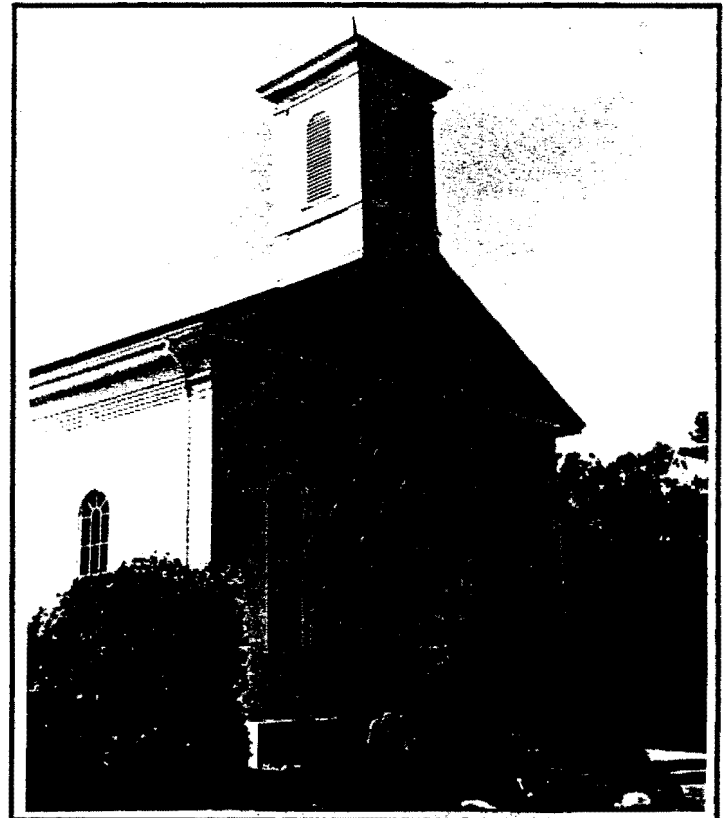
11. Has an alternative site for the structure been researched?

## PHOTOGRAPHIC EXAMPLES OF TOMALES ARCHITECTURE

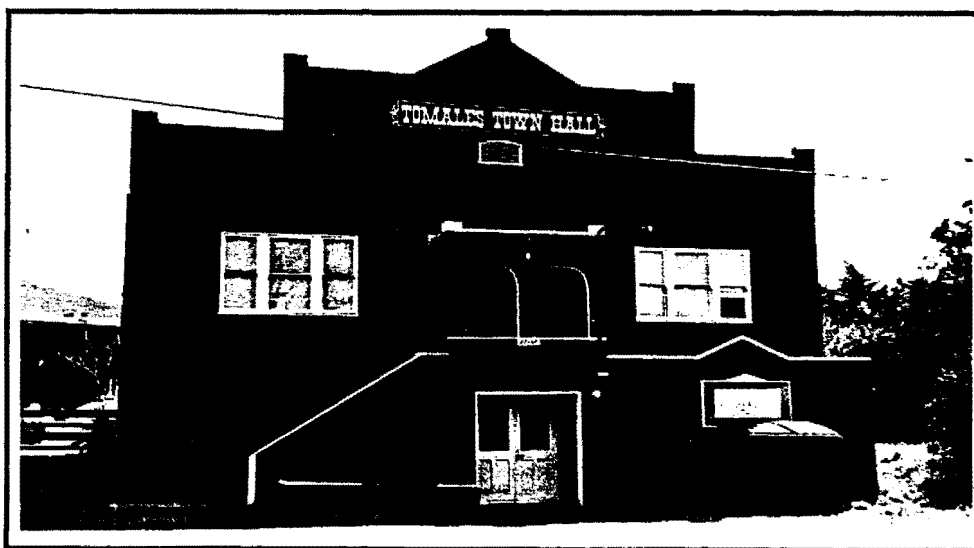
The following photographs provide just a few examples of the many buildings within Tomales which are historically and architecturally significant. The overall purpose of the photographs is to create an awareness for early architectural styles of Tomales and to demonstrate the simple, attractive and historic quality of the architecture.



Church of Our Lady of the Assumption, 1860  
Gothic Revival style, National Register of Historic Places



Presbyterian Church, 1868  
Greek Revival style, National Register of Historic Places

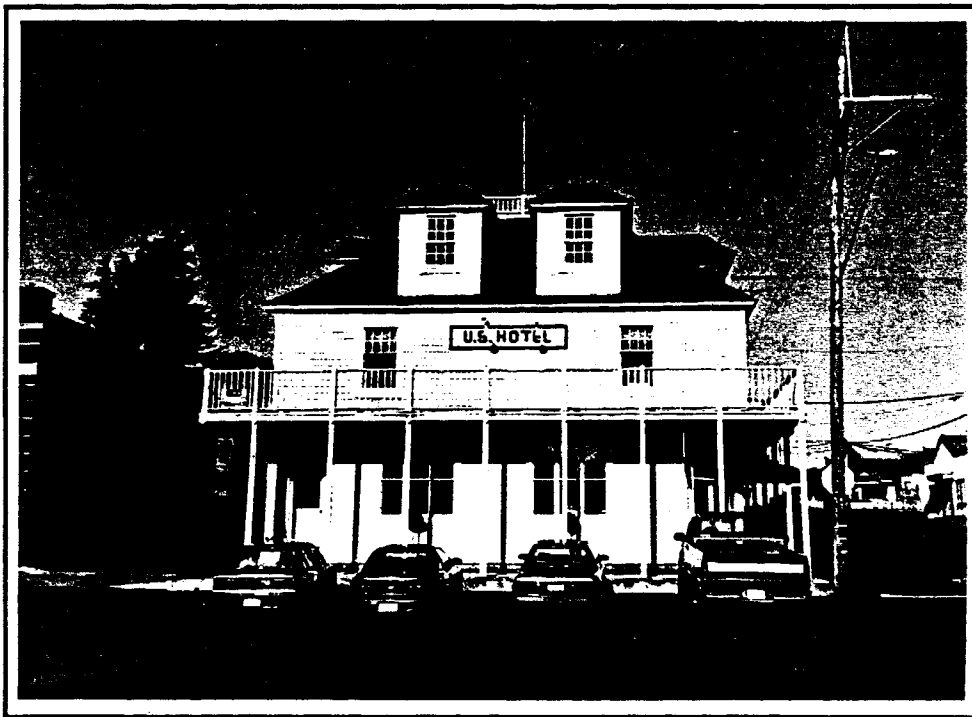


Tomales Town Hall, 1874  
Mission Revival style, National Register of Historic Places

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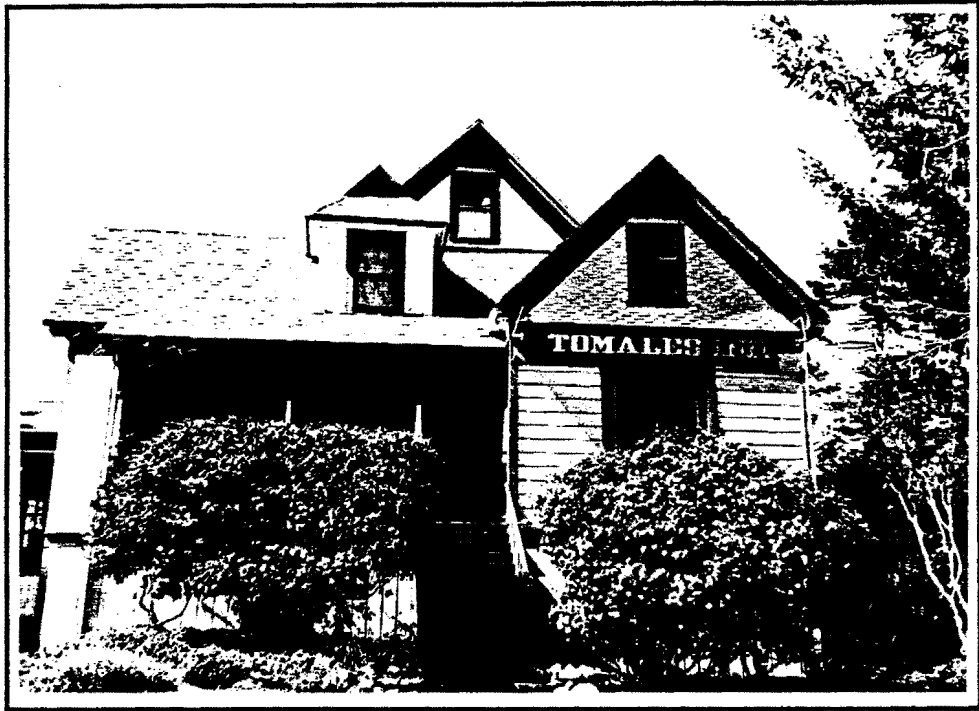
Diekman's General Store and U.S. Post Office (established in 1854), 1867  
Italianate style



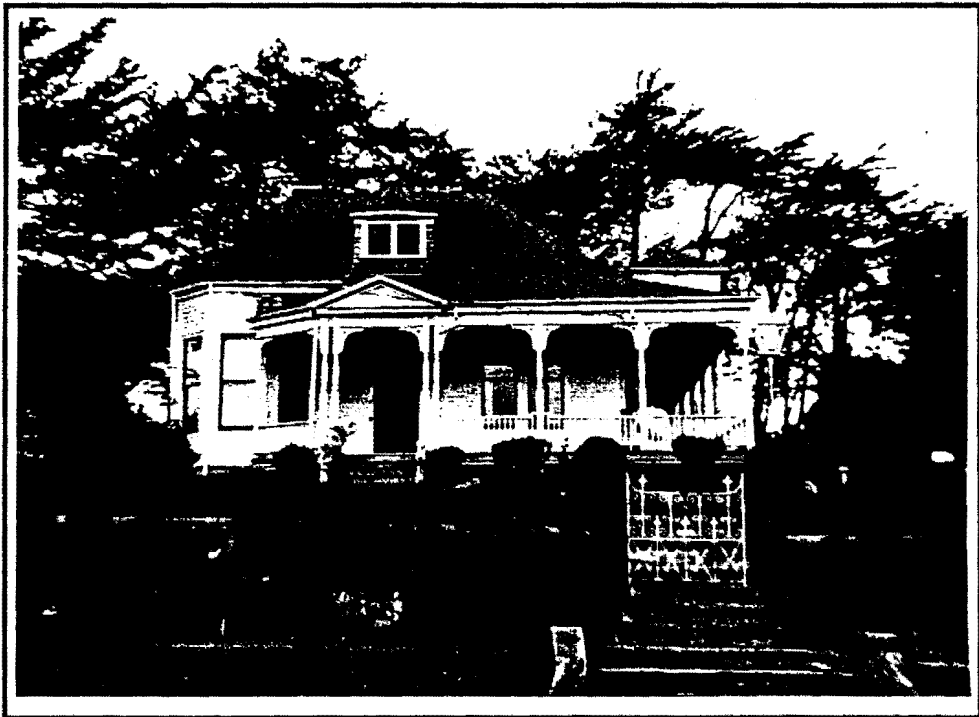
U.S. Hotel, rebuilt in 1989 to replicate original hotel built in 1887  
Greek revival style

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Tomales Inn, circa 1905  
Queen Anne style

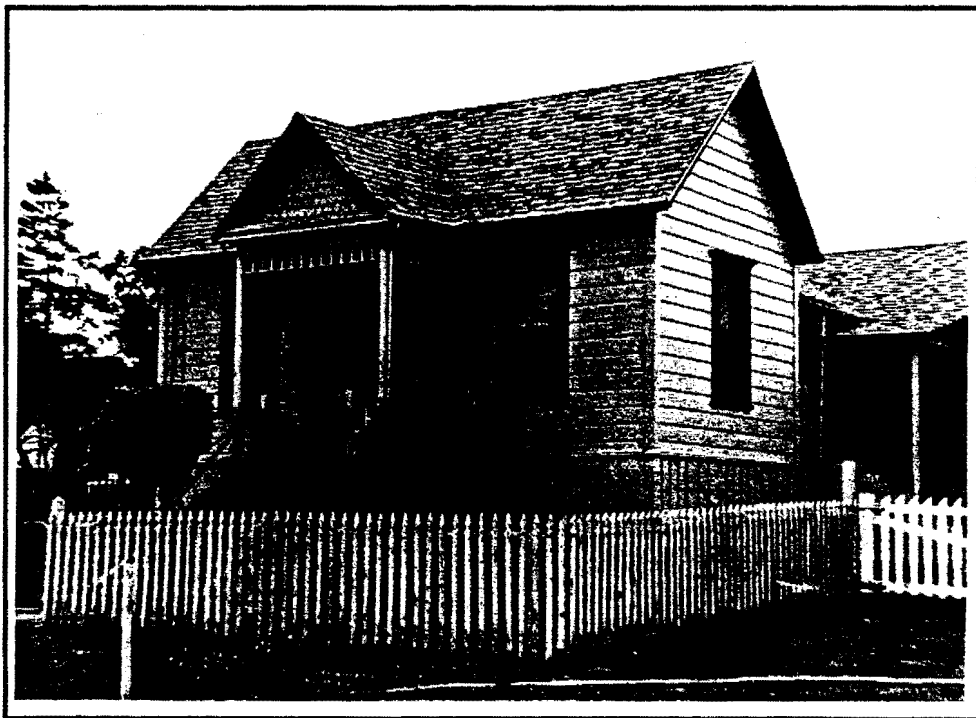


Rectory, Church of Our Lady of the Assumption, 1880  
Queen Anne style

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Greek Revival style with Queen Anne details, circa 1890

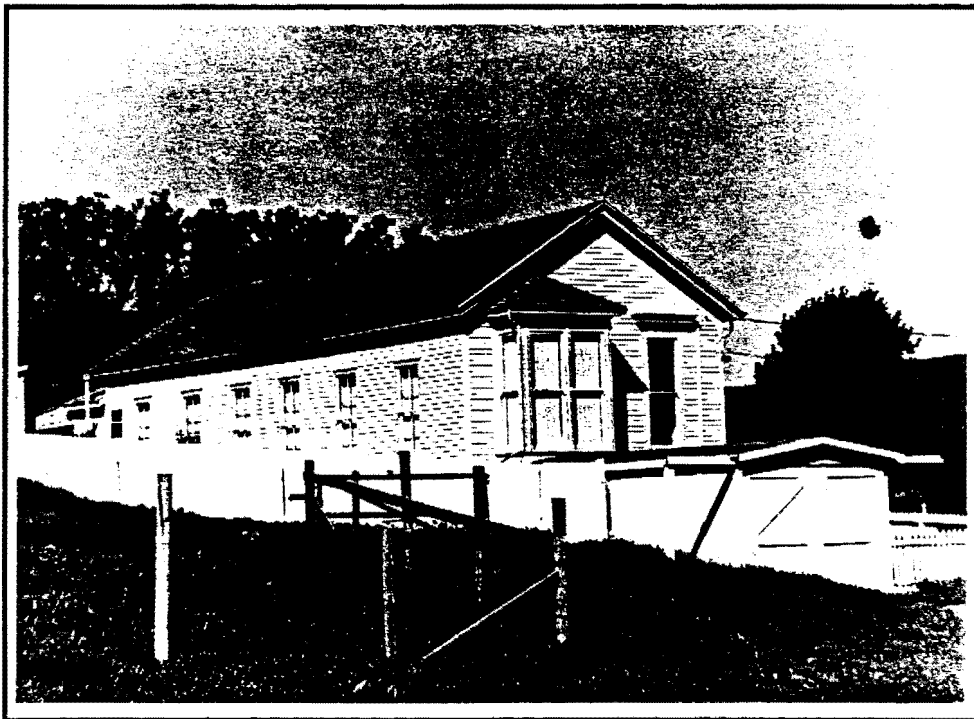


Greek Revival style with Queen Anne details, circa 1890

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Rebuilt in 1990 to replicate original residence built in 1880  
Greek Revival style, won award from the National Trust for Historic Preservation



Greek Revival style

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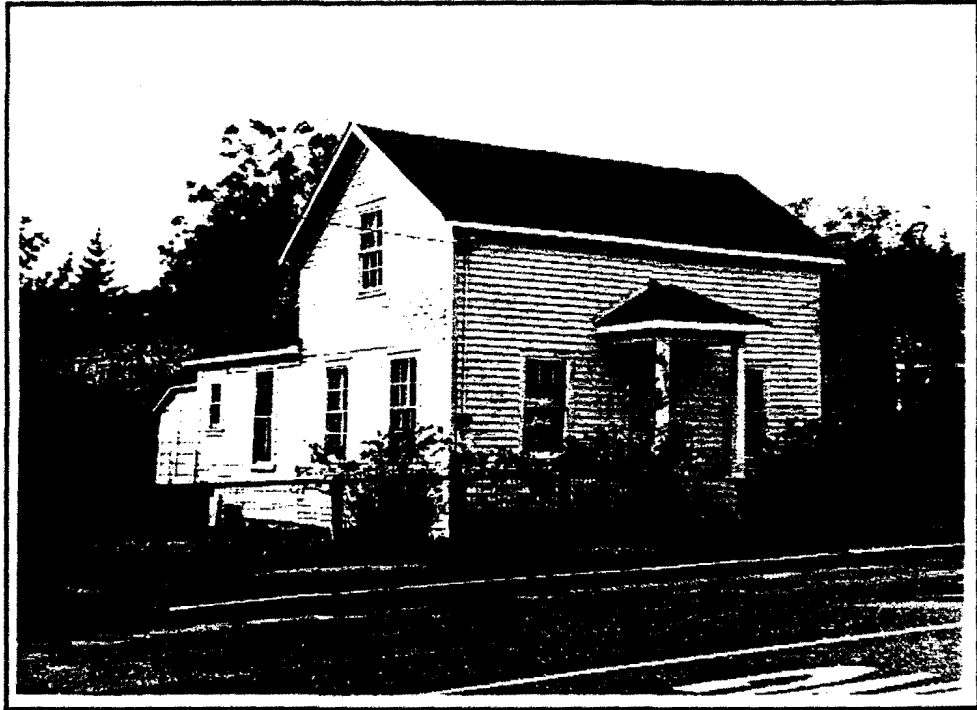
Greek Revival style



Greek Revival style

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Greek Revival style



Greek Revival style

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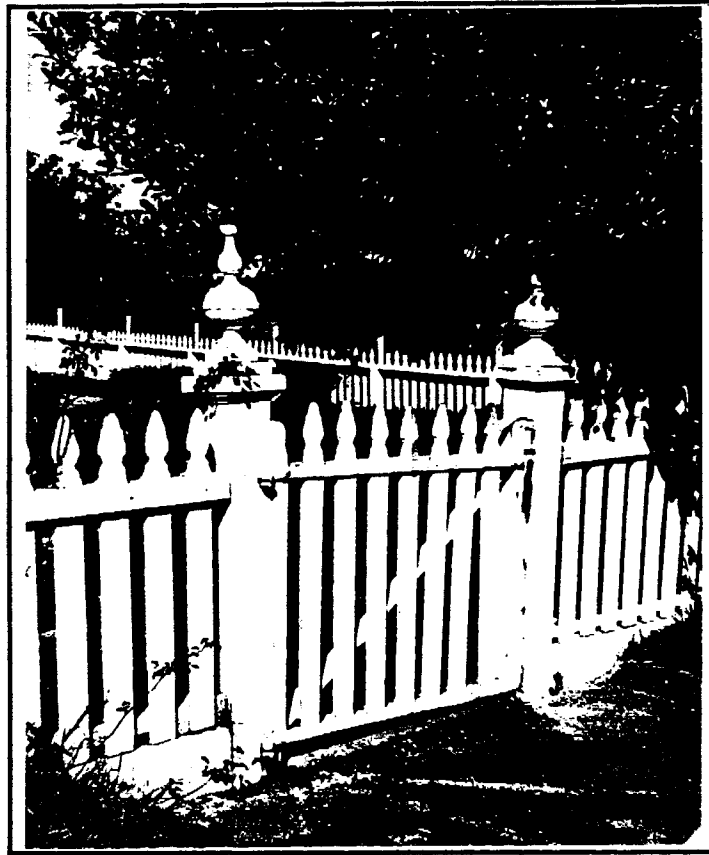


Italianate style

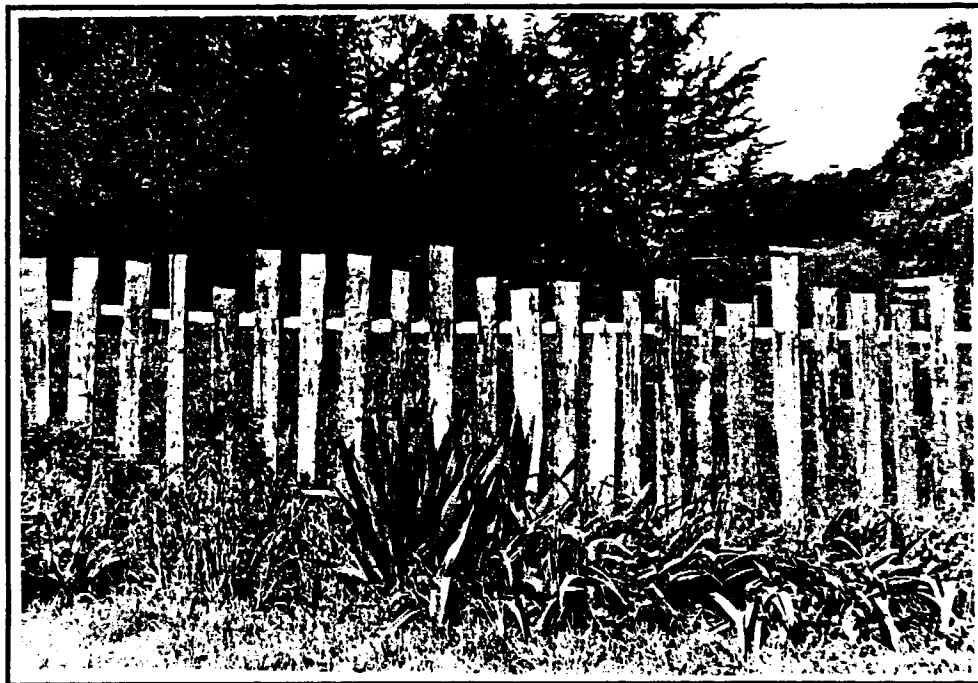


California Bungalow style, 1924

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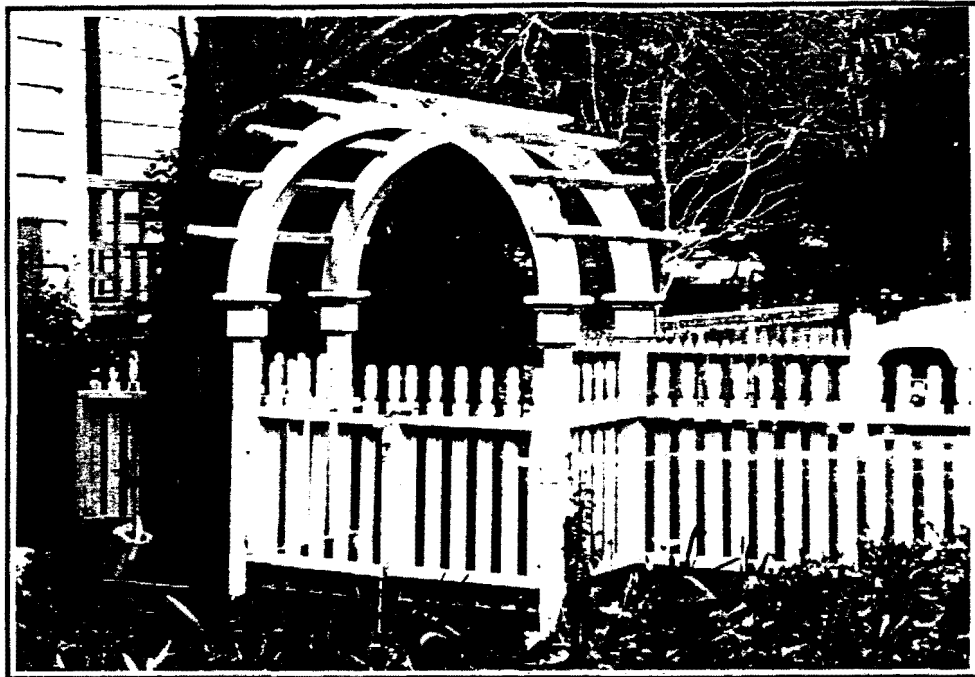


Common Tomales fencing

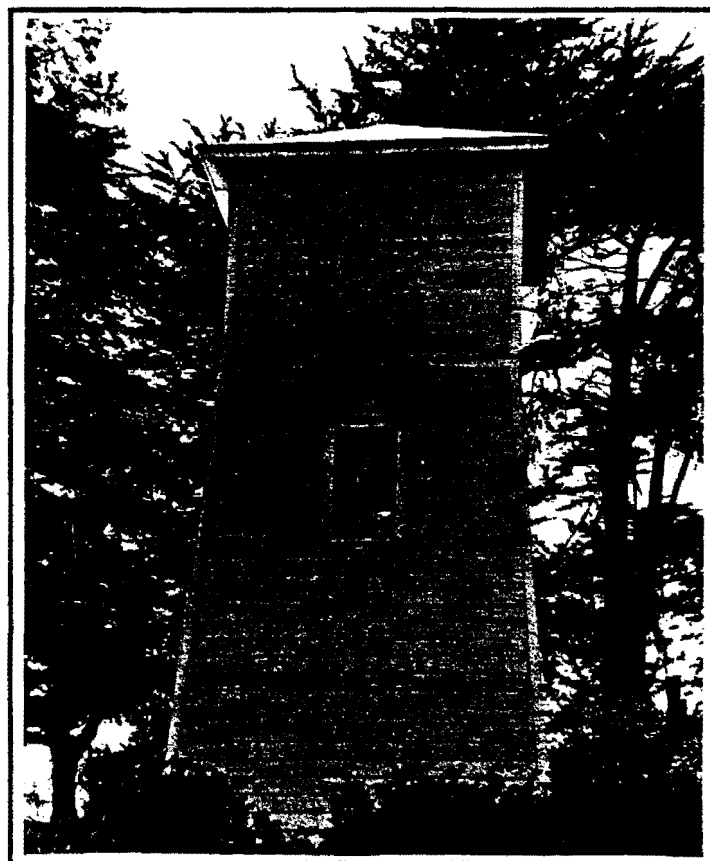


Common Tomales fencing

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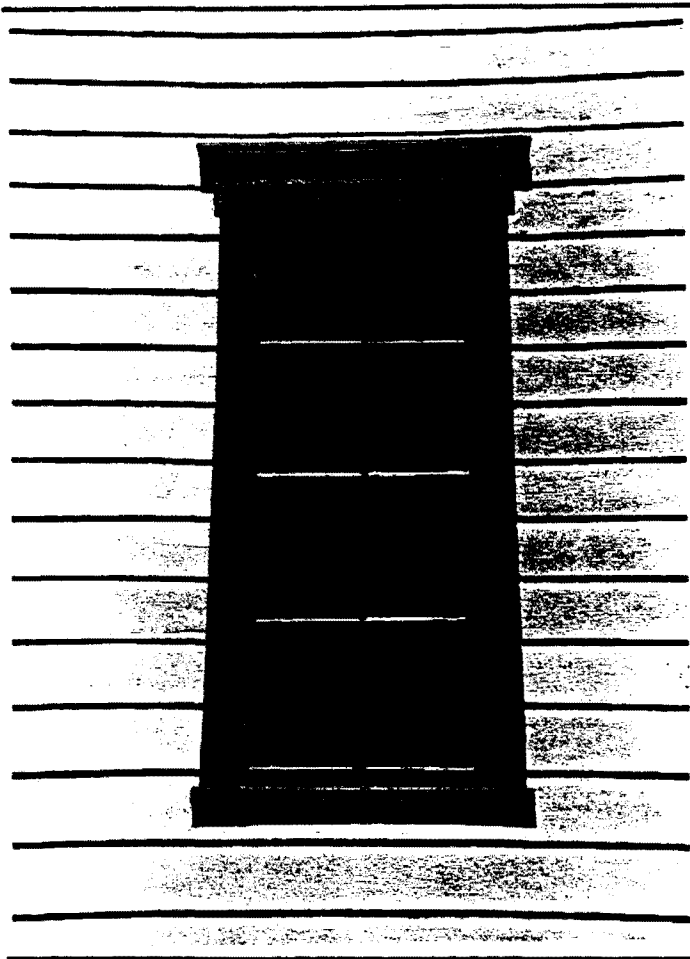
Trellis example



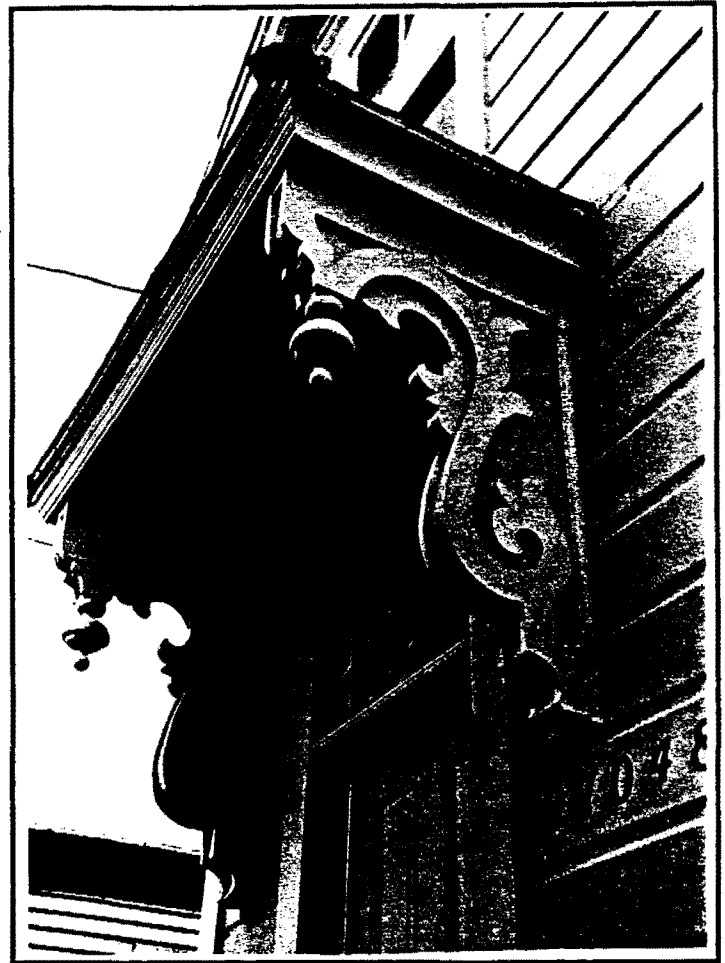
Water tower example

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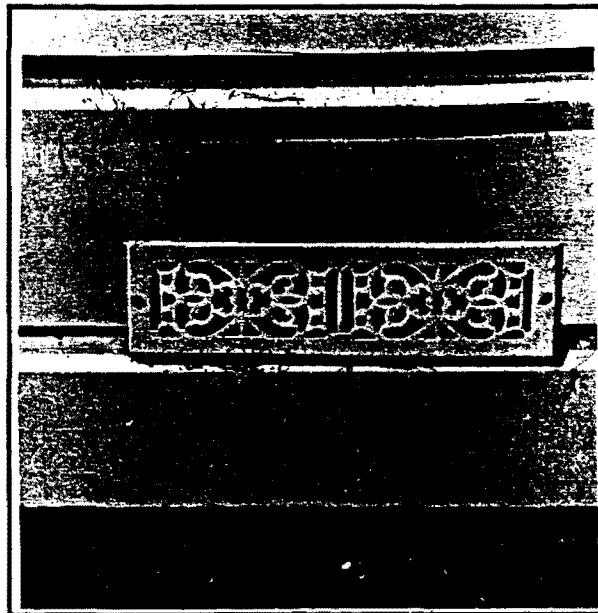




Window detail



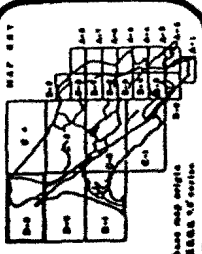
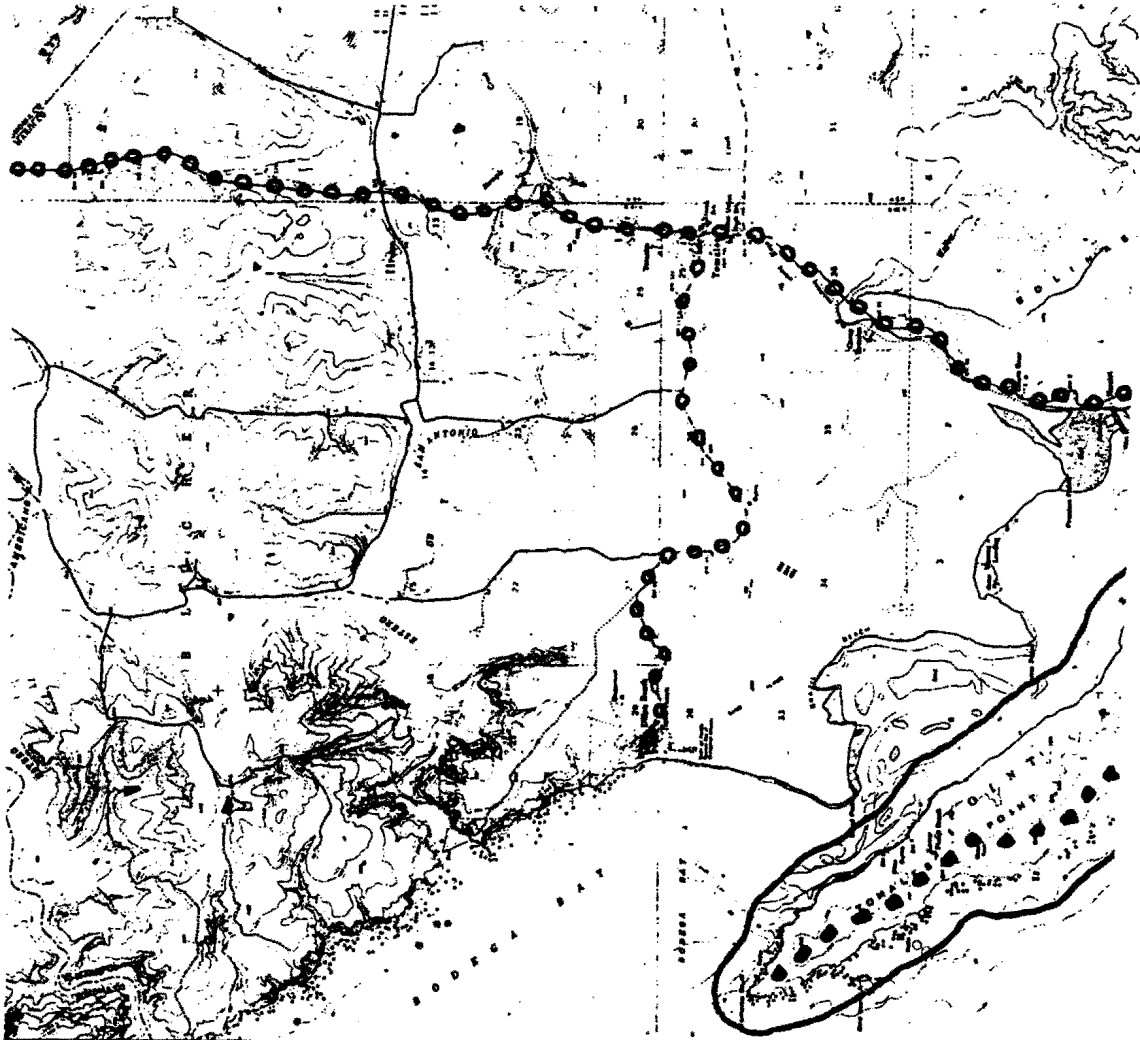
Portico detail



Foundation grate detail

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APPENDIX E



Legend:

TRAIL TYPE	TRAIL NUMBER	TRAIL TYPE	TRAIL NUMBER
HIKING ONLY	CCCCCCCC	TRAIL TYPE	TRAIL NUMBER
EQUESTRIAN/HIKING	CCCCCCCC	TRAIL TYPE	TRAIL NUMBER
COMBINED USE	CCCCCCCC	TRAIL TYPE	TRAIL NUMBER
PAVED PATH	CCCCCCCC	TRAIL TYPE	TRAIL NUMBER

**MARIN COUNTYWIDE TRAILS PLAN**  
**PREPARED FOR THE COUNTY OF MARIN AND THE CITIES OF MARIN COUNTY**  
 BY BRUCE WITTEBERG/LANDSCAPE ARCHITECT - PLANNING CONSULTANT

RECOMMENDED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REVISED 1981

NOTES:

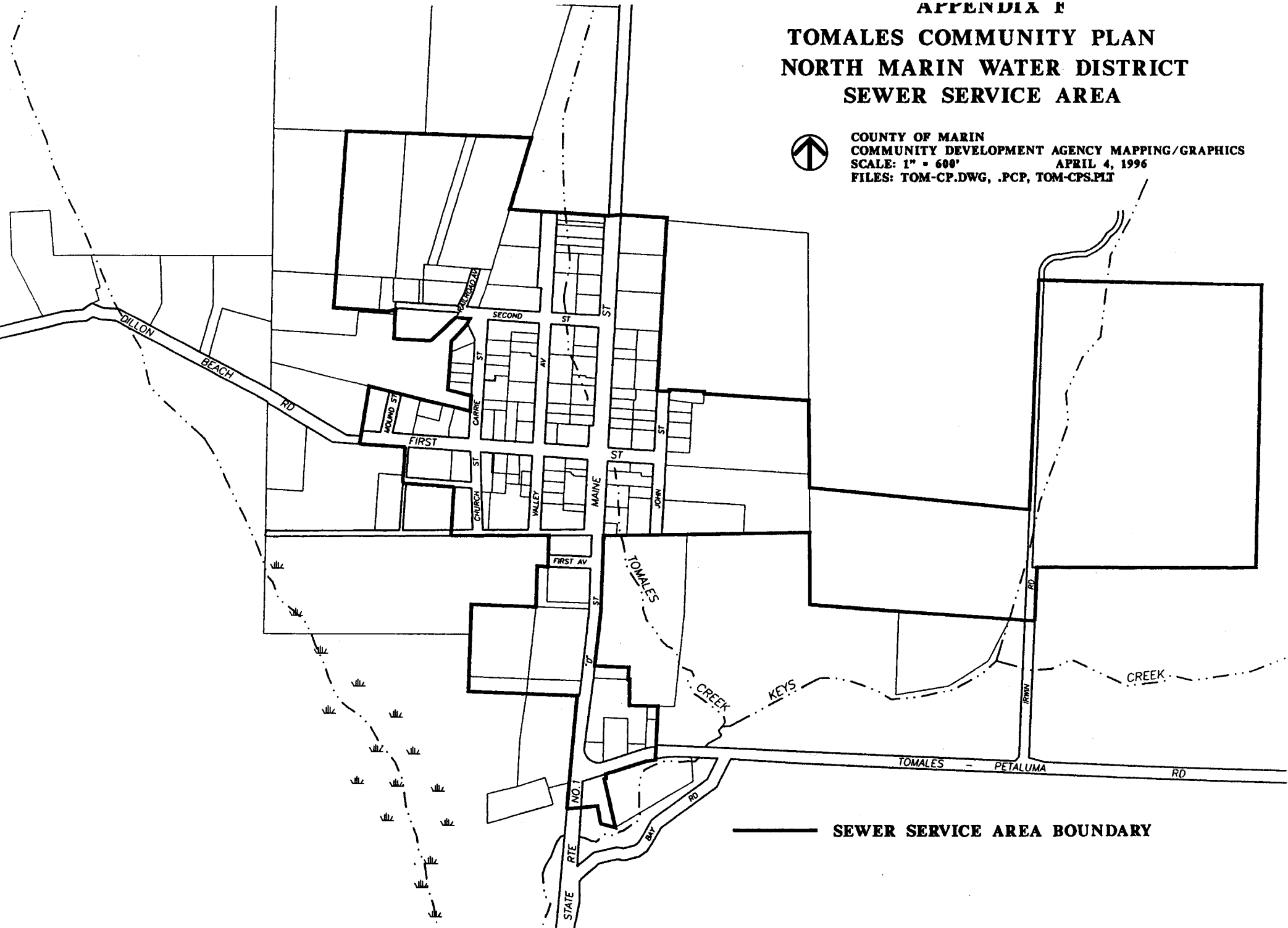
1. THIS PLAN IS A PRELIMINARY PLAN. IT IS SUBJECT TO CHANGE AND IS NOT TO BE USED AS A BASIS FOR CONSTRUCTION.
2. THE PLAN IS BASED ON THE BEST AVAILABLE INFORMATION AND IS NOT TO BE USED AS A BASIS FOR CONSTRUCTION.
3. THE PLAN IS SUBJECT TO CHANGE AND IS NOT TO BE USED AS A BASIS FOR CONSTRUCTION.
4. THE PLAN IS SUBJECT TO CHANGE AND IS NOT TO BE USED AS A BASIS FOR CONSTRUCTION.
5. THE PLAN IS SUBJECT TO CHANGE AND IS NOT TO BE USED AS A BASIS FOR CONSTRUCTION.



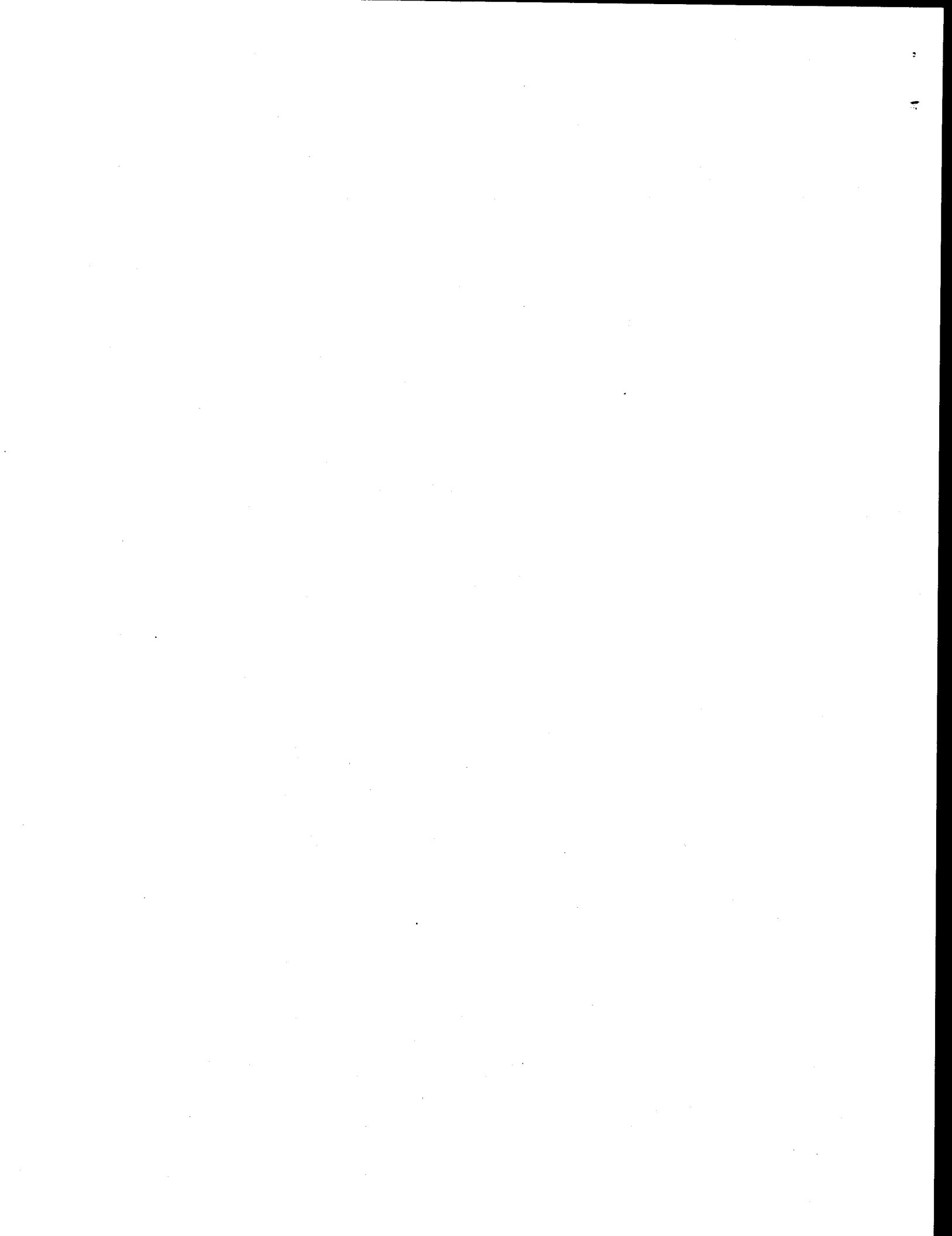
APPENDIX F  
TOMALES COMMUNITY PLAN  
NORTH MARIN WATER DISTRICT  
SEWER SERVICE AREA



COUNTY OF MARIN  
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS  
SCALE: 1" = 600'  
APRIL 4, 1996  
FILES: TOM-CP.DWG, .PCP, TOM-CPS.PLT



SEWER SERVICE AREA BOUNDARY



## APPENDIX G

### RECOMMENDED STEPS FOR A FEASIBILITY STUDY FOR POTENTIAL REGIONAL USES OF THE FORMER HIGH SCHOOL SITE

Policy CU-9.1 of the Community Plan recommends the creation of a formal citizens group with area-wide representation to carry out a feasibility study, in cooperation with the Shoreline Unified School District, for potential regional uses of the former high school site, currently identified as Assessor's Parcel Numbers 102-080-04, -05, -06 and -07. Responsibilities of this group should include the following:

1. The cost of renovations and alterations should be determined that are necessary to satisfy both building safety requirements and requirements for alternative uses of buildings and grounds.
2. The actual market for facilities to accommodate regional recreational, educational, and cultural community functions should be researched. This could require a lengthy process of communication with numerous institutions, jurisdictions and individuals.
3. An investigation should be conducted of possible funding and support sources for initial seed money or other forms of initial support and for subsequent subsidies, if necessary.
4. Long-term maintenance and operating costs should be projected.
5. Alternative long-range schemes should be developed to assure availability of the site by purchase, leasing or by other means.
6. Alternative site plans and facility designs should be developed, possibly through the auspices of an established community design center, a university architecture department or other entities offering free or low-cost professional services to community projects.
7. A financing plan for a first phase of operation should be developed if the long-range feasibility of the project can be demonstrated.
8. Potential regional uses should be evaluated for desirability as part of the feasibility study, including but not limited to:
  - a. major conferences that require both meeting space and overnight facilities;
  - b. special educational courses and seminars offered by universities and colleges through short or long-term rental or leasing arrangements;
  - c. overnight hostel services for bicyclists, hikers and other visitors to the Northwest Marin area;
  - d. rental studio space for artists and craftspersons, as offered in similar centers elsewhere;

- e. space for regional cultural events, including exhibitions, performing arts events and special courses in the arts;
- f. space for community health and social services as provided by both the public and private sectors;
- g. experimental technological programs in agricultural adaptation, solar energy and similar areas of concern; and
- h. permanent or periodic retailing of products associated with Northwest Marin, including crafts, agricultural products, etc.



## APPENDIX H

### RECOMMENDED TOMALES PLANT LIST

The following list suggests a number of plant species recommended for the Tomales Planning Area. This list is not conclusive and serves only as a guideline for landscape architects or designers to follow when selecting plants for landscape plans related to projects within the Planning Area. Native plants are identified with an asterisk (\*).

SCIENTIFIC NAME	COMMON NAME
<b><u>Trees</u></b>	
<i>Acer macrophyllum</i>	big leaf maple*
<i>Aesculus californica</i>	California buckeye*
	apple
<i>Cupressus macrocarpa</i>	Monterey cypress*
<i>Juglans hindsii</i>	California black walnut*
<i>Quercus agrifolia</i>	coast live oak*
<i>Sequoia sempervirens</i>	coast redwood*
<i>Umbellularia californica</i>	California bay*
<b><u>Shrubs</u></b>	
<i>Arbutus unedo</i>	strawberry tree
<i>Arctostaphylos spp.</i>	manzanita*
<i>Buddleia spp.</i>	butterfly bush
<i>Ceanothos spp.</i>	wild lilac*
<i>Chaenomeles</i>	flowering quince
<i>Cistus spp.</i>	rockrose
<i>Diplacus aurantiacus</i>	sticky monkey flower*
<i>Forsythia spp.</i>	Forsythia
<i>Leptospermum scoparium</i>	New Zealand tea tree
<i>Lonicera spp.</i>	honeysuckle
<i>Myrica californica</i>	Pacific wax myrtle*
<i>Rhamnus californica</i>	coffeeberry*
<i>Ribes sanguineum glutinosum</i>	pink winter currant*
<i>Rosa 'Climbing Cecile Brunner'</i>	Climbing Cecile Brunner rose
<i>Wisteria spp.</i>	wisteria
<b><u>Perennials</u></b>	
<i>Amaryllis belladonna</i>	naked lady
<i>Clematis spp.</i>	Clematis
<i>Erigeron spp.</i>	fleabane
<i>Eschscholzia californica</i>	California poppy*
<i>Geranium spp.</i>	cranesbill

**SCIENTIFIC NAME**

**COMMON NAME**

**Perennials -(cont'd.)**

*Heuchera micrantha*

alum root\*

*Iris spp.*

Pacific Coast irises\*

*Lavandula spp.*

lavender

ornamental grasses

*Penstemon spp.*

beard tongue

*Rosa 'Heirloom'*

Heirloom rose

*Verbena spp.*

Verbena

## APPENDIX I

### COUNTYWIDE SECOND UNIT ORDINANCE (MARIN COUNTY CODE, CHAPTER 22.98)

It is a primary goal of the Countywide Plan to achieve a balanced community with housing available for households of all sizes and income levels. Accordingly, the County adopted a Countywide Second Unit Ordinance that permits second units in certain single-family zoning districts. Subject to Second Unit Use Permit approval, second units are permitted in the Tomales Planning Area on all land recommended to be zoned C-RSP or on land zoned C-ARP where the maximum permitted residential density is either one unit per two acres or one unit per five acres. For ease of reference, the Countywide Second Unit Ordinance (Marin County Code, Chapter 22.98) is reproduced herein in its entirety. This Marin County Code excerpt provides information on the process, necessary application materials, and mandatory findings in order for the County to approve a second unit on property.

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## Chapter 22.98

22.98.150 Appeals.  
22.98.160 Annual report.

## RESIDENTIAL SECOND UNITS\*

## Sections:

- 22.98.00E Editor's notes to Chapter 22.98.
- 22.98.000 Findings.
- 22.98.010 Purpose.
- 22.98.020 Application.
- 22.98.021 Procedure for neighborhood inclusion.
- 22.98.022 Modification of required findings.
- 22.98.030 Definitions.
- 22.98.050 Registration of existing legal nonconforming residential second units.
- 22.98.051 Issuance of certificates of registration.
- 22.98.052 Expiration date of certificates of registration.
- 22.98.053 Building permits.
- 22.98.054 Replacement of legal nonconforming residential second units.
- 22.98.070 Use permits for legalizing all other existing residential second units.
- 22.98.071 Grant of use permit — Required findings.
- 22.98.072 Building permits.
- 22.98.090 Use permits for new residential second units.
- 22.98.091 Grant of use permit — Required findings.
- 22.98.092 Building permits.
- 22.98.110 Review date — Use permits for residential second units.
- 22.98.115 Recordation of certificates of registration and use permits.
- 22.98.120 Existing nonconforming units — Violations.
- 22.98.130 Enforcement and penalties.

22.98.00E \*Editor's notes to Chapter 22.98.

Prior ordinance history: Ordinance 2681.

22.98.000 Findings.

The county finds that some citizens of the county, especially low and moderate income citizens, have difficulty finding a rental housing unit. Low vacancy rates and high rents, compared to other Bay Area counties, indicate that there is a shortage of rental units.

It is a goal of the countywide plan to achieve a balanced community with housing available for households of all sizes and income levels. Demographic changes occurring in the county are leading to the formation of increased numbers of small households (one to three persons), comprised primarily of young single people, single parents and the elderly. Many of these people cannot find rental units suitable to their needs at a rent they can afford. Also, as the local economy expands, it is necessary to provide a range of housing alternatives in order to meet the needs of the people who will be working in new jobs.

In the housing element of the countywide plan, the county has determined that it needs one thousand eighty-four rental units to be constructed in the unincorporated area between 1980 and 1990 in order to accommodate a fair share of the projected regional housing needs. Second units provide additional rental housing, some of which would be affordable to low and moderate income households. The areas designated for second units are capable of providing some of the units necessary to meet Marin's share of the regional housing needs. There are approximately thirteen thousand seven hundred single-family units in the designated areas.

In accordance with the findings in state enabling legislation for residential second units, the county finds that a portion of the housing stock is underutilized in that many houses with four or more bedrooms are occupied by only one or two people.

By allowing the owner of such a house to improve it's utilization, the county has a low public cost means of meeting the county's projected housing needs.

The county finds that residential second units also provide income to homeowners, which assists them in purchasing housing. Residential second units may provide social benefits to both homeowners and tenants via companionship, exchange of services and additional guardians for the property.

The areas in which second units shall be permitted collectively have the following conditions which make them suitable for second units:

a. A sufficient number of parcels which have adequate public services and facilities, including water and sewer systems, streets of ample width, and police, fire and medical services;

b. A sufficient number of parcels without environmental hazards, such as unstable soils, or public safety hazards, such as steep, narrow, winding streets;

c. A sufficient number of parcels which meet county zoning codes, including having adequate space for off-street parking;

d. A sufficient number of parcels which do not have any private conditions, covenants and restrictions (C, C & R's) or tax assessment obligations which would limit or prohibit the development of second units.

Therefore, the county finds it necessary, for the health, safety and welfare of its residents, to permit residential second units in the single-family residential zones designated in Section 22.98.020. (Ord. 2935 § 2 (part), 1987)

#### **22.98.010 Purpose.**

The purpose of this chapter is to establish a procedure to accomplish the following:

(a) Identification and legalization of existing second units through permit procedures which mitigate negative neighborhood impacts in order to insure healthy and safe living environments;

(b) Development of new second units through use permit procedures which set forth conditions

that mitigate neighborhood and environmental impacts. (Ord. 2935 § 2 (part), 1987)

#### **22.98.020 Application.**

The provisions of this chapter shall apply to single-family zoning districts including, but not limited to, R-I, R-A, R-R, R-E, RSP, C-R-I, C-RSP, C-RSPS, A-2-B, and A-RP 1-5 (parcels zoned one to five acres in size) in the unincorporated portion of the following census tracts: 1011, 1012, 1021, 1022, 1031, 1032, 1041, 1042, 1043, 1050, 1081, 1090, 1110, 1121, 1122, 1130, 1141, 1160, 1170, 1181, 1200, 1211, 1212, 1220, 1230, 1241, 1242, 1250, 1261, 1262, 1270, 1281, 1282, 1290, 1302, 1310, 1321, 1322 and 1330. Districts zoned A for agricultural uses and R-F for floating homes are not included. The required findings for the granting of a use permit contained in resolutions adopted by the board of supervisors for the communities of Bolinas, Tamalpais Valley/Homestead, Stinson Beach, Inverness, and Pt. Reyes shall remain in effect unless modified through procedures described in Section 22.98.022. Those communities shall otherwise be subject to provisions of this chapter. Owners of second units existing anywhere in the unincorporated portion of Marin County prior to the effective date of this chapter shall obtain a certificate of registration under Sections 22.98.050 through 22.98.054 if the planning department determines that the second unit has a legal, nonconforming status. Owners of second units existing anywhere in the unincorporated portion of Marin County prior to the effective date of this chapter shall obtain a use permit under Sections 22.98.070 through 22.98.072 if the planning department determines that the second unit has a nonconforming status. (Ord. 2935 § 2 (part), 1987)

#### **22.98.021 Procedure for neighborhood inclusion.**

The board of supervisors may initiate hearings to include any portion of the unincorporated part on Marin County under this chapter. Residents of any unincorporated area of Marin County may petition the board of supervisors to initiate hearings to

consider their neighborhood for inclusion under this chapter. The board of supervisors may, by resolution, set out, describe and designate the proposed area. The board of supervisors shall refer such a resolution to the planning commission for a public hearing and recommendation.

a. The planning commission shall conduct at least one public hearing on the proposal in the manner provided by law for the adoption of general plans. At the conclusion of the hearing(s), the planning commission shall forward its findings and recommendation to the board of supervisors.

b. The board of supervisors shall conduct at least one public hearing thereon, and may at the conclusion of the hearings, declare by resolutions the establishment of the area or areas in which second units may be permitted under the provisions of this chapter. (Ord. 2935 § 2 (part), 1987)

#### **22.98.022 Modification of required findings.**

The findings set forth in Sections 22.98.071 and 22.98.091, with the exception of findings (c), (f), and (g) of Section 22.98.071 and findings (c), (e), and (f) of Section 22.98.091, may be modified or omitted by resolutions adopted by the board of supervisors for individual communities or neighborhoods in the unincorporated area. Representatives of a community or neighborhood may petition the board of supervisors to adopt a resolution which modifies the required findings of Sections 22.98.071 and 22.98.091. Upon acceptance of this petition, the board of supervisors shall refer the petition to the planning commission for a recommendation. This section shall not be construed to allow a community or neighborhood to draft required findings which preclude second units. (Ord. 2954 § 2, 1987; Ord. 2935 § 2 (part), 1987)

#### **22.98.030 Definitions.**

As used in this chapter, the following words shall have the following meanings:

a. **Residential Second Units.** The term "residential second unit" or "second unit" means one additional dwelling unit, designed to be a permanent

residence, on any one lot or parcel within district of one-family dwellings. The primary criterion for defining a second unit shall be the existence of separate food preparation facilities which may include, but are not limited to, a stove, oven, hot plate, refrigerator or sink. For purposes of review and approval, a second unit shall also have both a separate bathroom and separate entrance intended for the use of the occupants. A second unit may be rented but shall not be sold separately from the one-family dwelling. A second unit may be established by:

1. The revision of a single-family unit whereby food preparation facilities are not shared in common;

2. The conversion of an attic, basement, garage, or other previously uninhabited portion of a single-family unit;

3. The addition of a separate unit onto the existing single-family unit; or

4. The conversion or construction of a separate structure on the lot or parcel in addition to the existing single-family unit.

b. **Use Permits.** Use permits referred to in this chapter are granted to allow the continued use of existing residential second units and the development and use of new residential second units subject to all of the requirements and provisions of Chapter 22.88.

c. **Certification of Registration.** A certificate of registration granted pursuant to Section 22.98.050 shall mean that the second unit is a legal nonconforming use which meets the requirements of this title.

d. **Single-Family Residential Zoning District.** A "single-family residential zoning district" is a zoning district listed in Title 22 which allows only one-family dwellings as a primary permitted use to the exclusion of two family dwellings or multiple family dwellings. Such zoning districts include, but are not limited to, R-1, R-A, R-R, P-E, RSP, C-R-1, C-RSP, C-RSPS, A-2-P, and A-RP 1-5 (parcels zoned one to five acres in size). Districts zoned A for agricultural uses, other than those listed above,

and R-F for floating homes are not included in this definition.

e. **Nonconforming Second Unit.** "Nonconforming second unit" is a second unit which has been constructed and located on a parcel of land in a manner which does not conform to the regulations for the district in which it is situated.

f. **Legal Nonconforming Second Unit.** "Legal nonconforming second unit" is a second unit which currently does not conform to the regulations for the district in which it is situated but did conform at the time it was constructed or erected.

g. **Floor Area Ratio.** "Floor area ratio" or "F.A.R." means the floor area of the building or buildings on a lot, divided by the area of that lot. For the purpose of determining the allowable floor area of a lot where a floor area regulation is applicable, the "floor area" is the sum of the gross horizontal areas of the several floors of the building or buildings measured from the exterior faces of the exterior walls and shall exclude the following: all unenclosed horizontal surfaces such as balconies, courts, decks, porches, terraces; any detached structures not designed for and/or used for sleeping purposes and which are accessory to a dwelling on the same lot; spaces permanently allocated for automobile parking. (Section 22.02.285). (Ord. 2935 § 2 (part), 1987)

**22.98.050 Registration of existing legal nonconforming residential second units.**

a. **Registration.** At any time following the application of this chapter, the owner of each existing second unit which was constructed in conformity with law and which has become legally nonconforming by reason of later enactment of zoning ordinances, rules or regulations, may register the unit with the planning department. Nonregistration of these units does not change their legal nonconforming status.

b. **Application for Registration.** The application for registration shall be made by the owner in writing and shall contain the following:

1. The name(s) of the owner(s);

2. The address of the unit;
3. The assessor's parcel number;
4. The floor space of the primary and second unit;
5. A scale drawing showing the lot dimensions, the location of the primary and second unit, and the location of all vehicular parking;
6. By attachment, evidence of the date of the establishment of the unit, if feasible;
7. By attachment, evidence continuous use as a second unit for six months or more prior to application for registration;
8. Description and location of water and sanitary services (septic or sewer);
9. Signature under penalty of perjury;
10. Any other information required by the planning director for a proper review of the application. (Ord. 2935 § 2 (part), 1987)

**22.98.051 Issuance of certificates of registration.**

In order to grant a certificate of registration, the planning director shall make the following findings based on currently adopted provisions of Marin County Code:

- a. The structure to be registered shall meet Uniform Housing Code Standards;
- b. The lot or parcel on which second unit is located must have a minimum of one off-street parking space assigned to a studio or one-bedroom second unit or two off-street parking spaces assigned to a two-or-more-bedroom second unit.

In addition, certificates of registration may be issued with such conditions that the planning director determines are required in order to permit the mandatory findings to be established. (Ord. 2935 § 2 (part), 1987)

**22.98.052 Expiration date of certificates of registration.**

The certificates of registration shall have no expiration date unless, due to specific findings, the planning director determines that the protection of property and public welfare require a specific review date. (Ord. 2935 § 2 (part), 1987)



**22.98.053 Building permits.**

A building permit shall be required in conjunction with the issuance of a certificate of registration under Section 22.98.051 only if the structure was previously constructed without benefit of a building permit and/or if repair or rehabilitation work is necessary pursuant to Section 22.98.051(a). (Ord. 2935 § 2 (part), 1987)

**22.98.054 Replacement of legal nonconforming residential second units.**

A legal nonconforming second unit is subject to the provisions of Chapter 22.78. Such a unit may not be enlarged, extended, reconstructed, structurally altered, or moved unless such use is changed to a use permitted under the regulations of Title 22. If a nonconforming use is damaged to the extent of seventy-five percent of its fair market value, as determined by the county assessor, a replacement unit must conform to the requirements of Section 22.98.090. (Ord. 2935 § 2 (part), 1987)

**22.98.070 Use permits for legalizing all other existing residential second units.**

a. Use Permit. Subsequent to the adoption of the resolution permitting second units in unincorporated areas of Marin County, the owner of each existing second unit which was not constructed in conformity with law or was constructed subsequent to the enactment of the zoning ordinance in 1938 (and did not subsequently become a legal, nonconforming use) shall apply to the zoning administrator for a use permit.

b. Applications for Use Permits. The application for a use permit shall be made by the owner in writing and shall contain the following, in addition to all requirements of Chapter 22.88.

1. The name(s) of the owner(s);
2. The address of the unit;
3. The assessor's parcel number;
4. The floor space of the primary and second unit;

5. A scale drawing showing the lot dimensions, the location of the primary and second unit, and the location of all vehicular parking;

6. By attachment, evidence of the date of establishment of the second unit, if feasible;

7. The consent of the applicant to the physical inspection of the premises prior to the issuance of the use permit;

8. Description and location of water and sanitary services (septic or sewer);

9. Signature under penalty of perjury;

10. Any other information required by the planning director for a proper review of the application. (Ord. 2935 § 2 (part), 1987)

**22.98.071 Grant of use permit — Required findings.**

In order to grant a use permit for a second unit existing prior to the effective date of this section, the following findings shall be made by the zoning administrator, planning director, planning commission or board of supervisors:

a. The second unit is located on the same lot or parcel on which the owner of record maintains his principal residence;

b. The second unit meets all current property development standards of Title 22, for a dwelling unit of the residential zoning district in which it is located;

c. The second unit meets, at a minimum the Uniform Housing Code as adopted by the county;

d. The second unit is the only additional dwelling unit on the parcel;

e. The lot or parcel on which the second unit is located must have a minimum of one off-street parking space assigned to a studio or one-bedroom second unit or two off-street parking spaces assigned to a two-or-more-bedroom second unit;

f. Adequate sanitary services will be provided for the additional increment of effluent resulting from the second unit in accordance with state and county regulations;

g. An adequate amount of water and quality of water will be provided for the second unit in accordance with state and county regulations;

h. The second unit meets all standards for its location set by the applicable community plan or resolutions adopted by the board of supervisors. (Ord. 2935 § 2 (part), 1987)

**22.98.072 Building permits.**

A building permit shall be required in conjunction with the issuance of a use permit under Section 22.98.071 if the second unit was created without benefit of a building permit, or if repair or rehabilitation work was performed to convert the original structure as permitted, or if repair or rehabilitation work is necessary pursuant to Section 22.98.071(c). (Ord. 2935 § 2 (part), 1987)

**22.98.090 Use permits for new residential second units.**

a. Use Permits. A second unit to be completed subsequent to the effective date of this section shall apply to the zoning administrator for a use permit.

b. Applications for Use Permits. An application for a use permit for a new second unit shall be made by the owner in writing and shall contain the following, in addition to all requirements of Chapter 22.88.

1. The name(s) of the owner(s);
2. The address of the unit;
3. The assessor's parcel number;
4. The floor space of the primary and second unit;
5. A scale drawing showing the lot dimensions, the location of the primary and second unit, and the location of all vehicular parking;
6. The consent of the applicant to the physical inspection of the premises in order to ensure compliance with the conditions of the use permit and building permit;
7. Description and location of water and sanitary services (septic or sewer);
8. An applicant-signed declaration that the application for the second unit is not in conflict with existing conditions, covenants, and restrictions (C, C & R's) applicable to the title of the subject property;

9. Any other information required by the planning director for a proper review of the application.

A new second unit will be subject to the standards and provisions of Chapter 22.82 but a separate design review application shall not be required. (Ord. 2935 § 2 (part), 1987)

**22.98.091 Grant of use permit — Required findings.**

In order to grant a use permit for a new residential second unit to be built subsequent to the effective date of this chapter, the following findings shall be made by the zoning administrator, planning director, planning commission or the board of supervisors:

a. The second unit is located on the same lot or parcel on which the owner of record maintains his principal residence;

b. The second unit meets all current property development standards of Title 22, for a dwelling unit of the residential zoning district in which it is located;

c. The second unit meets all current applicable building codes adopted by the county;

d. The second unit is the only additional dwelling unit on the parcel;

e. Adequate sanitary services will be provided for the additional increment of effluent resulting from the second unit in accordance with state and county regulations;

f. An adequate amount of water and quality of water will be provided for the second unit in accordance with state and county regulations;

g. The second unit will not be located on a parcel that is subject to environmental or public safety hazards such as flooding, unstable soils, or excessive traffic;

h. The lot or parcel on which this proposed second unit is to be located meets the minimum building site area requirements of the zoning district in which it is located. The slope ordinance shall apply in determining the minimum size of the parcel where appropriate;

i. The addition of a second unit maintains the scale of adjoining residences and blends into existing neighborhoods by use of building forms, height, materials, color and landscaping appropriate to that setting;

j. The second unit meets all standards for its location set by the applicable community plan or resolutions adopted by the board of supervisors;

k. The floor area of the primary and second unit combined shall not exceed the floor area ratio of the particular residential district in which the parcel is located, and in no circumstance shall the floor area of the second unit exceed seven hundred fifty square feet;

l. The parcel should accommodate two off-street parking spaces for occupants of the second unit in addition to the two off-street parking spaces required for the primary dwelling unit. The number of off-street parking spaces required may be reduced to one if the second unit is a studio or one-bedroom unit, and/or a determination is made that adequate parking, either on-street or off-street, exists nearby. The off-street parking spaces may be tandem. Special consideration shall be given to maintenance of landscaped areas to provide adequate parking and landscaped areas;

m. The street upon which the parcel fronts shall have the minimum width necessary to allow the safe passage of emergency vehicles: for streets along which parking is prohibited on both sides, the minimum width shall be twelve feet. For streets along which parking is permitted on one side, the minimum width shall be eighteen feet. For streets along which parking is permitted on both sides, the minimum width shall be twenty-four feet. For privately maintained streets, the minimum width shall be eighteen feet. (Ord. 2935 § 2 (part), 1987)

#### **22.98.092 Building permits.**

A building permit shall be required in conjunction with the issuance of a use permit under Section 22.98.090. (Ord. 2935 § 2 (part), 1987)

#### **22.98.110 Review date — Use permits for residential second units.**

Use permits granted pursuant to Chapter 22.98 shall be reviewed once within two years but not thereafter. Noncompliance with conditions of the use permit shall be handled in accordance with the provisions of Chapter 22.88. (Ord. 2935 § 2 (part), 1987)

#### **22.98.115 Recordation of certificates of registration and use permits.**

Any certificate of registration or use permit granted under provisions of this chapter shall be recorded in the county recorder's office as an informational document in reference to the title of the subject property. (Ord. 2935 § 2 (part), 1987)

#### **22.98.120 Existing nonconforming units — Violations.**

Existing nonconforming second units which are not permitted through application of this chapter shall constitute violation of Title 22, and shall be subject to abatement as described in Chapter 22.06. (Ord. 2935 § 2 (part), 1987)

#### **22.98.130 Enforcement and penalties.**

Failure to comply with any provision of this chapter shall constitute a violation of this chapter, and any condition permitted to exist in violation of this chapter shall be subject to provisions of Chapter 22.06. (Ord. 2935 § 2 (part), 1987)

#### **22.98.150 Appeals.**

Any person aggrieved by any action involving the grant, denial, suspension, or revocation of a use permit or certificate of registration may appeal such determination in accordance with Chapter 22.89. (Ord. 2935 § 2 (part), 1987)

#### **22.98.160 Annual report.**

The county planning department shall prepare an annual report to the planning commission and board of supervisors on the status of the second unit ordinance. The report shall include information about the number, size, type and rent, as available,

22.98.160

of each second unit by neighborhood. The report shall provide a basis for an annual evaluation of the effectiveness of this chapter. (Ord. 2935 § 2 (part), 1987)