

## **CALIFORNIA COASTAL COMMISSION**

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# **F13b**

**2-20-0018 (Dillon Beach Resort)**

**February 12, 2021**

**CORRESPONDENCE**



# Civicknit

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Forest Knolls, CA 94933  
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415.307.1370

February 10, 2021

Jeannine Manna, North Central Coast District Manager  
Stephanie Rexing, North Central Coast District Supervisor  
California Coastal Commission  
455 Market Street, Suite 228  
San Francisco, CA 94105

**RE: Corrections to Staff Report (Application Number 2-20-0018)**

Ms. Manna and Ms. Rexing,

In our continuing effort to cooperate on providing an accurate representation of this application for the Commission and the public, we are submitting these comments on the posted staff report. We request that you specifically address these clarifications or corrections in your staff report. Our comments cite the page and the issue in bold, often followed by text from the staff report. In some instances, we provide additional comment on the matter.

**P.37,45 The mitigation for low-cost lodging should not include reduced parking fees.**

P.37 Further, the Applicant has agreed to provide for additional public benefits to supplement for the additional required .25 lower cost unit (here provided via new free public access improvements for better accessing the beach, and via a required parking fee reduction...

And **Special Condition 2** requires a reduced parking lot rate structure for the same purpose.

P.45 ....it is appropriate that the parking fee schedule be reduced to help offset potential lower cost impacts that would accrue otherwise.

The applicants and staff agreed that the provision of 6 permanently low-cost RV rental units and the additional access improvements met the formula prepared by Coastal staff. Beach parking mitigation is addressed through Special Condition 2.

This is an important clarification that should be corrected in the staff's amended report or there should be an offer to pay the in-lieu fee for the .25 units that are not covered by the access improvement investments, which we believe are equal to the in-lieu amount not covered by the 6 units.

**P.43 DBR never sold its sand**

Members of the public have alleged that the sand was being sold.

This is a prejudicial statement without any documentation, and it is factually incorrect. Please clarify this. Please clarify this. (Note: Sonomarin Landscaping may have sold the sand that we provided, but no payment was made to DBR.)

#### **P.43-44 Sand removal calculations are incorrect**

... the Commission here estimates such impact to be 10,000 cubic yards of sand were removed from the local sand supply in total.

DBR contacted their sand hauling contractors.

- Between March and June 2020, Sonomarin Landscape removed 680CYs. This represents 17 weeks at 40CY/week.
- From July through September 2020, Toby Trucking removed 1,488 CY of sand.
- The total sand removed from the beach parking lot was 2,108CY, not 10,000CY.

It is also important to inform Commissioners that Coastal staff supported hauling sand away for a period of time that included all of Sonomarin Landscaping's activity, before complaints caused staff to reconsider their position. DBR can provide documentation from those subcontractors if needed.

In addition, it should be noted that all of DBR's sand removal occurred entirely within the footprint of the parking lot. In some instances, it could appear to be dune removal because the depth of sand was obscuring the installed concrete barriers.

Please modify the estimate of sand removal and acknowledge that staff supported sand removal for a period of the time it occurred.

#### **P.22 On 1/19/21 we submitted information demonstrating over 50 free spaces on Oceana**

There are very few free parking options in and around the Dillon Beach community that can provide access to Dillon Beach, limited to a handful of off-street residential parking spaces....

One correspondence from Mr. Scott Miller also points out free parking availability at this location. Please clarify that this parking is available.

#### **P.22,39 DBR's parking lot is 62% not 100% of visitor parking** (Lawsons Landing-100, Oceana > 50 spaces)

P.22 As a result, the beach parking lot is effectively the only parking that is available for visitors to access the beach.

P.39 The Applicant's paid parking lot represents the only public parking option directly adjacent to Dillon Beach.

#### **P.40 Beach access analysis should include parking at all short-term rentals in the village**

The Applicant's beachside parking lot is essentially the only place to park, and thus the manner in which it provides parking has an outsized effect on whether most people can access Dillon Beach at all.

This characterization is incorrect. Visitors have access from village and Oceana Marin rentals, Lawsons Landing, and free parking on Oceana Drive. Also, there are fewer than 20 days a year when beach access is difficult, and that is because of high demand, not affordability.

#### **P.2 DBR's RV Park Use Permit expressly prohibits residential use.**

Such redevelopment would transition the RV park from a business model that allowed long-term rental of 25 RV parking spaces (akin to standard residential use) to one that provides 25 park-model RVs for nightly rental with a maximum stay of 14 nights at any one time.

p. 36 And given that the applicable use permit didn't specify rates or durations of stay, it appears these pseudo-residential uses were allowable under the County's use permit...

Please correct the staff report.

**P.22- Two of the original RV space tenants continue to rent their space.**

All owner-occupied RVs have since vacated Dillon Beach Resort.

Please correct the staff report.

**P.21/25; Footnote 1 Relocating the cabins' leachfield should not be considered an ATF permit.**

Tom Lai was copied on EHS permit correspondence at the time it was issued. A Copy of one email was submitted to you. The owners have agreed to Special Condition 3, which requires relocation of the permitted septic leachfield.

Given the Resort's fully permitted work and their cooperation with your request to relocate the leachfield, please revise the statement that the septic relocation is an ATF permit.

**P.32, Footnote 25 The RV spaces are HCD-approved and cannot be eliminated**

Because the 12 existing units are being applied for ATF, the CDP baseline for analytical purposes is the site is as if they weren't there.

Also, no prior configuration of the park allowed pull-thru use.

In addition to the comments regarding the staff report, I am providing you with two attachments that illustrate ongoing social trail use from throughout Dillon Beach. Also, Marin County's public street drainage inlet lies directly above the cypress grove and should be investigated as a contributing factor prior to placing any conditions on the Resort for the condition of the cypress tree root system.

Thank you for considering our comments.

Sincerely,

A handwritten signature in blue ink that reads "Steve Kinsey". The signature is written in a cursive, flowing style.

Steve Kinsey



Drain inlet at the end of Ocean View Drive



Google Earth image illustrating numerous social paths leading into the grove area



RECEIVED  
JAN 26 2021

CALIFORNIA  
COASTAL COMMISSION

## BOARD OF SUPERVISORS

January 14, 2021

PRESIDENT

Dennis Rodoni

4<sup>TH</sup> DISTRICT

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105  
*Sent via email and post*

VICE PRESIDENT

Judy Arnold

5<sup>TH</sup> DISTRICT

As the County Supervisor representing coastal Marin County, I am submitting the following comments regarding the Dillon Beach Resort application (CDP2-20-0018). I have worked closely with the Resort owners, in conjunction with owners of the adjacent Lawsons Landing to manage beach traffic during high use periods, which occur approximately 20-25 days per year. The owners of DBR willingly offered to contribute a fair share portion for the cost of a large electronic traffic sign, placed at the nearby Tomales Fire Station and the County is moving forward on this project now. Marin County considers this to be the best location to alert possible beachgoers that facilities are at capacity and offer directions for a safely re-directing their trip. This signage will have a significant impact on reducing the traffic congestion along Dillon Beach Rd. on high traffic days, and it will also provide local residents with other Fire & Emergency services alerts, providing a larger community benefit to Tomales, Dillon Beach, and our coastal visitors.

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3<sup>RD</sup> DISTRICT

Matthew H. Hymel

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CLERK OF THE BOARD

Diane Patterson

ASSISTANT CLERK OF THE BOARD

I also appreciate the Resort's cooperation with CalWater, the privately owned public utility serving the Village portion of Dillon Beach. CalWater depends upon the use of a well located on the Resort property that is essential for the town's water supply reliability. Even though the well is not used by the Resort, the owners have agreed to jointly seek a permit in recognition of its importance to residents.

Marin County Civic Center

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Since their initial application was filed, the owners of Dillon Beach Resort have made a sincere community outreach effort and have shown a commitment to working with local agencies and community organizations to address concerns that were identified. We are committed to keeping this historic coastal visitor-serving business in good condition, available to the widest spectrum of beachgoers, and with environmentally sound practices.

I appreciate the work of the Coastal Commission and look forward to our shared efforts to protect our coastal resources, increase equitable coastal access and strengthen the existing coastal communities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis Rodoni", is positioned above the printed name.

Dennis Rodoni, District 4  
Marin County Board of Supervisors



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*Conservation Director*

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*Education Coordinator*

Patricia Wimpfheimer  
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Catherine Caufield  
*Tomales Dunes Consultant*

# Agenda Item F13b

## Environmental Action Committee of West Marin

February 5, 2021

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105  
*Via Electronic Delivery: NorthCentralCoast@coastal.ca.gov*

Re: Agenda Item F13b (Dillon Beach Resort, LLC CDP Application)

Dear Commissioners,

The Environmental Action Committee of West Marin (EAC) is based in Point Reyes Station and has been working to protect the unique lands, waters, and biodiversity of West Marin since 1971. Our work focuses on the environmental issues impacting the unincorporated coastal communities of West Marin from Dillon to Muir Beaches.

We are in general support of the California Coastal Commission (Commission) staff's recommendation related to Coastal Development Permit (CDP) application number 2-20-0018, as conditioned. However, we do raise several concerns and present some suggested revisions to the CDP.

### ***After-the-Fact Permitting Sets a Bad Precedent***

Our primary concern is related to the applicant's failure to obtain the necessary permits in advance of conducting work at the Dillon Beach Resort (or resort). Additional concerns are also discussed below. We are generally against after-the-fact (ATF) permits, as they set a bad precedent for compliance. We also note that the CDP does not include a requirement to pay any fines related to the unpermitted sand management activities, which include the relocation of significant quantities of sand, dumping sand in the creek, and potentially transporting sand off site for sale according to verbal accounts by members of the community.<sup>1</sup> This activity took place in a rare sensitive coastal dune habitat.

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<sup>1</sup> See California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 43-44; California Coastal Commission, CDP Application 2-20-0018, Exhibit 8

The Greater Farallones National Marine Sanctuary is also offshore from the resort, and sensitive species, such as the California red-legged frog and western snowy plover, occur in this area and are federally endangered. Sand was also placed back on the beach, likely smothering native vegetation species.<sup>2</sup>

We view these actions as egregious, especially considering they continued to take place following enforcement notices by the Commission. This type of behavior is unacceptable. We also understand that there were some permitting issues that took place at the county level, such as the applicant failing to obtain the appropriate permits. There are also unpermitted wells on the property. While we understand a balancing has taken place with on-site mitigation measures and the provision of lower cost units, we are concerned this CDP may set a negative precedent for allowing ATF permitting in the future.

### **Impacts Related to Improper Septic Placement**

In particular, we are concerned about the applicant's placement of a leach field connected to the septic system in a sensitive vegetated dune area without seeking a CDP.<sup>3</sup> This dune area constitutes an environmentally sensitive habitat area (ESHA), the protection of which is a very high priority issue for EAC and is consistent with our past advocacy in the area of Dillon Beach and elsewhere. The staff report indicates that, "[E]xisting dune habitat areas on the subject property, regardless of their condition, including the foredunes adjacent to and seaward of the beach parking lot and central dune scrub inland of Cliff Street, are considered ESHA under the Coastal Act" and that the Marin County Local Coastal Program (LCP) and Dillon Beach Community Plan also "[prohibit] development within dunes to preserve dune formations, vegetation, and wildlife habitats..."<sup>4</sup> We believe that the Commission should hold the applicant accountable for jeopardizing this sensitive habitat area.

We appreciate the hard work of the Commission staff and the applicant to come to a mutually agreeable resolution, including the inclusion of mitigation measures on the property. While we note the mitigation measures, lower cost visitor accommodations, and changes to parking fees and access listed as special conditions to the CDP are to serve in lieu of fines, we recommend that some type of fine is included, due to the egregious nature of previous activities.

Alternatively, we recommend additional mitigation measures, such as restoration of the Cypress Grove to the north of the parking lot, which we understand has been degraded recently by overuse<sup>5</sup>, be included in the special conditions of the CDP. From local accounts, we understand that visitors have been cutting through this grove of trees to access the beach, as well as using it as a restroom. This additional mitigation measure, including replenishment of sand in the area, could be added to the Habitat Restoration Plan outlined in Special Condition 4.<sup>6</sup>

### ***Support for Staff Recommendation***

While we are concerned with the applicant's history of noncompliance, we hope that the applicant is able to comply with the CDP requirements going forward, as well as any additional conditions. We support the structure of the permit with required special conditions and monitoring.

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<sup>2</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 52-53

<sup>3</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 2, 21, 25; California Coastal Commission, CDP Application 2-20-0018; Exhibit 3; and Exhibit 7, page 1

<sup>4</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, page 52

<sup>5</sup> See Photos in the Public Comments submitted by Coastwalk, February 5, 2021

<sup>6</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 10-13

We support several aspects of the CDP. In particular, we support the decision to require the removal of the cottage septic system and restoration of the native habitat area as described in Special Condition 1(d) and Special Condition 4.<sup>7</sup> We appreciate that the majority of the future development, including the proposed leach field locations, will take place in an already developed area to avoid further harm to sensitive habitat.<sup>8</sup>

We strongly support Special Conditions 3 and 4 (the Sand Management Plan and the Habitat Restoration Plan, respectively), as well as the related requirements for annual monitoring. In addition, we support the requirement that construction best management practices are implemented as described in Special Condition 6(d).<sup>9</sup>

We also support the numerous public access improvements as outlined in Special Condition 1(e) and (g), including the installation of a new bike rack, an additional dog mitt station, an electric vehicle charging station, and an improved pedestrian accessway between Cliff Street and the beach entrance, as well as improvements to the sidewalk on Cliff Street.<sup>10</sup>

Safe and equitable public access to this well-loved beach is critical. We support efforts to provide equitable accommodations for visitors, including perpetual lower cost visitor-serving lodging as described in Special Condition 8(d), and alterations to the beach parking lot fee schedule in Special Condition 2, specifically free parking for visitors with ADA placards/plates, the inclusion of ADA parking spaces, and free parking for visitors with valid state or county parks passes.<sup>11</sup> In recognition of the need to lower greenhouse gas emissions, we also applaud the permit condition providing free access to the beach parking lot and facilities to visitors who arrive on foot or by bicycle.

Related to the traffic management measures outlined in Special Condition 7, we support this requirement, as idling cars contribute to greenhouse gas emissions and negatively impact the town's safety and character.<sup>12</sup> We support broad community input related to the Traffic Management Plan, including the additional involvement of the Dillon Beach Neighborhood Group, which is not currently listed under Special Condition 7(b) 2.<sup>13</sup> Due to the relatively small nature of the community, we would also recommend that notices related to the Traffic Management Plan be sent to all local residents in the Dillon Beach Village, Portola Beach, and Oceana areas via U.S. mail. We understand that Dillon Beach Resort also maintains an email list, which could potentially be utilized for outreach purposes. We defer to the local community related to the specifics related to this process. We also suggest that additional signage should be required at all main access points, including at the intersection of Dillon Beach Road and Valley Ford/Franklin School Road.

### ***Additional Suggested Revisions & Concerns***

Our main concerns and recommendations include:

- 1) Ensuring this CDP does not set a bad precedent for ATF permitting without fines, as discussed above;
- 2) Recommending a phased approach to the approval of additional units;
- 3) Ensuring maximum public access is afforded under the Marin County LCP and Sections 30213 and 30252 of the California Coastal Act;

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<sup>7</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 7, 10-13

<sup>8</sup> California Coastal Commission, CDP Application 2-20-0018, Exhibit 3

<sup>9</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 9-16

<sup>10</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 7-8

<sup>11</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 8-9, 18

<sup>12</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 16-17

<sup>13</sup> Id.

- 4) Ensuring the proposed mitigation measures are adequate to protect sensitive habitat in the area, as also mentioned above; and
- 5) Additional concerns and suggestions related to parking, marine mammal assistance, litter, and visual impacts.

### **A Proposed Phased Approach May Help to Ensure Compliance.**

One potential recommendation is a phased approach to the planned development including placement of the additional lodging units. Instead of the CDP authorizing all 31 total units in this permit, the ATF units could be authorized as well as a portion of the additional units. The placement of the final units would be subject to the Executive Director's approval once additional permit requirements are completed. By that time, additional information will be available related to traffic, environmental impacts, water usage, septic functionality, and other key factors.

### **Broader Public Access**

While we appreciate the staff's recommendation to reduce parking fees and offer free parking during designated hours, we are concerned that these measures may be inadequate to promote maximum public access. More than ever, people are flocking to California beaches for respite during the pandemic, and many are also facing economic hardship as a result of COVID-19. Consistent with the Coastal Act, it is vital that beach access is offered with little to no cost. We recommend that the parking fee schedule be adjusted to offer additional hours of free parking.<sup>14</sup>

This beach is used widely by locals, as well as individuals from greater Sonoma and Marin counties and beyond. Two of our current interns regularly frequent this beach, and they have noted the steep increases in parking fees. Before the applicant took over this resort, the price per day for parking was only \$8 and an annual pass was approximately \$125. The increases to \$10 and \$15, as well as \$160 for an annual pass are significant, and they may present a barrier to equitable public access. If the adjustments to the parking fee schedule noted in the previous paragraph are not feasible, we suggest that parking fees be lowered to historic rates to promote equitable access.

Also related to public access and spillover impacts, we have received several accounts of poor restroom maintenance by the applicant.<sup>15</sup> While we do not normally comment on these types of concerns, we have noticed numerous environmental impacts related to inadequate restrooms in West Marin in general. The restroom near the parking lot must be properly maintained (and upgraded if necessary) to ensure that visitors do not resort to relieving themselves in sensitive habitat areas. Further, to maximize equitable access, the bathrooms should also be ADA-compliant.

We also want to ensure that a safe path is available to access the beach. The CDP is unclear as to where the improved pedestrian accessway outlined in Special Condition 1 will be provided, as well as whether any path improvements will avoid sensitive habitat areas and native plants in accordance with the Marin County LCP Policies on Natural Resources and the Coastal Act Sections 30240 and 30250, as noted in the Staff Report.<sup>16</sup>

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<sup>14</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, page 45

<sup>15</sup> See Photos in the Public Comments submitted by Coastwalk, February 5, 2021

<sup>16</sup> California Coastal Commission, Staff Report, CDP Application 2-20-0018, pages 7, 49-50

### **Other Concerns and Recommendations**

We also note that the CDP is unclear as to how the applicant will meet all of the parking requirements for the 31 proposed units. The areas described in the report appear inadequate for sufficient parking, plus there is the likelihood of spillover impacts if guests bring additional vehicles. We suggest that the applicant submit a more detailed parking plan with proposed measured and marked spaces.

Additionally, the permit could be revised to include that where possible the applicant is to cooperate with The Marine Mammal Center<sup>17</sup> for use of the applicant's ATV to transport injured marine mammals when necessary. Regarding trash clean ups, which the applicants obtained a CDP waiver for, it would be helpful if the applicant provided documentation of their efforts. We have received local accounts of excess litter at the beach. Also, where possible and appropriate, additional waste receptacles above the mean high tide line could be placed to ensure beach visitors have ample opportunities to dispose of their trash.

Lastly, we also acknowledge that there are some visual impacts of the new units, some of which are taller than prior units. We defer to the local community for input on this matter.

We thank you for the consideration of our comments and for your continued dedication to the protection of coastal resources and public access.

Sincerely,



Morgan Patton  
Executive Director



Ashley Eagle-Gibbs, Esq.  
Conservation Director

cc: Dan Carl, District Director, North Central Coast and Central Coast  
Jeannine Manna, District Manager  
Stephanie Rexing, District Supervisor

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<sup>17</sup> The Marine Mammal Center, <https://www.marinemammalcenter.org>

**Application Number 2-20-0018**

**Dillon Beach Resort, LLC**

**Agenda item: F13b February 12, 2021**

Dear Commissioners and Commission staff,

Thank you for this opportunity to provide comments on CDP Application Number 2-20-0018 for Dillon Beach Resort, LLC.

Coastwalk/California Coastal Trail Association (CW/CCTA) also thanks Commission staff for their excellent work on the Dillon Beach Resort (DBR) CDP staff report and supports their recommendations with additional conditions.

The Dillon Beach Area is a special location on the Northern California Coast. It is a remote and wide white sandy beach rich in sensitive resources, surfable waves, and safe public access opportunities. Historically, it has provided safe beach access for low-to moderate income inland families due to the reasonable parking fee structure which never exceeded \$8 for daily passes or under \$125 for unrestricted yearly passes. Public visitation consisted primarily of day use; however, many short term rentals in the Dillon Beach Neighborhood that accommodate 6-8 people are also reasonably priced at under \$250 a night to allow for extended stays.

Since the applicant has taken ownership of DBR, they have raised parking fees up to 250%, relocated and removed sand from the property, failed to properly service the restroom or clean the beach, built illegal structures & septic systems, caused destruction of sensitive habitat & wave quality, and knowingly and deliberately operated without permits.

Staff has been generous in both their calculation and waiver of in lieu fees for the applicant's sand removal & failure to provide adequate low cost visitor serving accommodations; therefore Coastwalk/CCTA supports the mitigations and special conditions recommended by staff be adopted with the following additional conditions in order to ensure equitable & safe public access,



restoration & conservation of sensitive habitat, and preservation of the historic character of the Dillon Beach Community:

**Public Access Improvements:**

- The only public restroom available should be serviced properly and ADA compliant. Currently the entrance is narrow and not navigable by a wheelchair and the stalls with broken doors are also not wide enough for a disabled person (see photos) Also there should be an ADA compliant parking space located at the foot of the pathway to the restroom
- Improvements to the sidewalk on the east side of Cliff Ave should also include a cross-walk to allow for safe crossing of DBR overnight guests and the public in this congested area to the only entrance to the beach parking area
- Improvement should be made to the public access pathway from Ocean View Ave & Cliff Street which is now unsafe and eroded from over use by the public- who parked in the neighborhood to avoid the excess parking fees charged by the applicant (see photos)

**Habitat Restoration & Sand Management Plan:**

- The Cypress Grove at the North end of the applicant's property should be included in the restoration plan and a location for sand replenishment as it was impacted by the applicant's sand removal as well as the increased volunteer trails by the public walking from street parking to avoid excess parking fees charged by the applicant. The roots of the trees are now exposed and the risk of the trees toppling has dramatically increased. (see photos)

**Traffic Management Measures:**

- In addition to the traffic sign placed in Tomales, a traffic sign should be placed at the intersection of Valley Ford/Franklin School Road as this is the last safe place to turn vehicles around before the long narrow and several mile-long Dillon Beach Road to the kiosk. DBR should also place

a staff member at this intersection on crowded weekends and Holidays with radio communication to the entrance kiosk to avoid the bottleneck that occurs there from cars waiting to enter a full lot. This will help avoid the backup at Beach Ave & Dillon Beach Road which blocks access by emergency vehicles and prevents residents from entering or leaving their neighborhood

- Baseline monitoring in addition to vehicles in parking lot should also include monitoring/data of number of vehicles used by overnight guests of the tiny homes/RVs/ & cabins to properly quantify traffic impacts
- DBR LLC should have a notice on their reservation site which clearly states that only one vehicle is allowed per unit (2 per cabin) and that no guests may park in the neighborhood. DBR LLC should also ensure and provide additional parking on their property for guests with extra vehicles
- Outreach measures should include the Dillon Beach Neighborhood Group and also require applicant to send notices by mail to all homeowners in the village and Oceana neighborhoods as they are impacted by traffic generated by visitors and guests of DBR.

### **Construction Plan:**

- Permitting of the additional 13 tiny homes and RVs should be phased and conditional upon the applicant adhering to permit conditions and determination of impacts from the 12 existing illegally placed units or additional units added 5 at a time in order to allow for quantifying impacts to natural resources, public access, and traffic.

### **Parking Fee Structure:**

- Staff proposed parking fee structure should be required as a condition of the CDP and if altered; it should only be to further lower the fees to historic rates or to ensure equitable public access by providing more opportunities for low cost or free access. The parking fee proposed by staff is mitigation for failure of the applicant to provide adequate low cost visitor serving accommodations by continuing to charge rates much



higher than area rates (see photos of rental rates) as well as for the destruction of habitat caused by their illegal sand removal practices.

### **In Lieu Fees:**

- **Sand Removal & Management:**

**Page 44** *“Assuming that this sand movement occurred at least once a month from March-November in 2020 over a 3-day period with up to 15 trucks a day, the total amount of sand moved off site could have amounted to 8,100 cubic yards, or even more. Thus, it is estimated that that the Applicant removed approximately 8,100 cubic yards of sand from the beach sand system, and given the inherent uncertainties, the Commission here estimates such impact to be 10,000 cubic yards of sand were removed from the local sand supply in total.*

*The Commission has in the past equated impacts to sand supply as direct impacts to public beach access and recreation. In those cases, the Commission calculated an in-lieu fee for such impacts as the cost of buying and delivering an equivalent volume of beach quality sand to the affected area. In this case, assuming an equivalent cost of sand of \$75 per cubic yard, an in-lieu fee to address the impacts would be approximately \$750,000. As discussed further in the Sensitive Habitat section that follows, the new Sand Management Plan will address activities moving forward, but the Applicant has not proposed mitigation for any of these impacts that accrued from the removal of sand.”*

Commission staff has calculated in favor of the applicant an in-lieu fee based on a schedule of a once a month sand removal from March-November at \$75 per cubic yard with an estimate of 10,000 cubic yard removed-\$750,000.

Sand removal occurred more frequently than once a month and continued for a longer period of time than was used to calculate the in lieu fee. Applicant was informed by numerous members of community and concerned citizens that removal was not permitted and asked to stop yet continued to truck sand off site. Applicant continued to remove sand even after receiving Commission enforcement letters. These removal practices were documented by film and

video. (<https://youtu.be/Aoe1f6JV42s>) The in-lieu fee should not be waived as there is no proposed mitigation for this deliberate and knowing violation.

- **Low Cost Visitor Serving**

Page 33 *“The California Regional Lodging Forecast Report found that the Statewide Average Daily Rate (ADR) for the peak season (July/August) of 2019 was approximately \$172, which is also the overall ADR for all of 2019.<sup>26</sup> The ADR number reflects a standard, 2-person hotel unit with either one large bed or two single beds. Thus, per the Commission’s past methodology, lower-cost hotel rooms would be those offered at a price of \$129 per night or lower (i.e., 75% of the statewide average daily rate) and high-cost rooms would be those offered at a price of \$215 per night or higher (i.e., 125% of the statewide average daily rate); mid-cost would be those offered between \$129 and \$215 per night). Comparing the rates outlined for the proposed park model RVs above with these low-, mid-, and high-cost range estimates presents a difficult challenge because the above rates vary based on timing within each season, and these units can accommodate more people than what the standard double occupancy ADR rate reflects. Further, the units at Dillon Beach Resort offer more amenities than a standard hotel room, such as in-unit kitchens. Without taking these factors into account, it appears that model A, A2 and E units (a total of 9 units) would be considered lower-cost only during the winter lowest nightly rate, and these units, in addition to all other units on site would be considered moderate or high-cost during all other times of the year.”*

Comparison of low, mid, and high cost can be achieved by utilizing rates charged by STRs in the Dillon Beach Community. These are more comparable as they provide amenities similar to those of the “tiny home” units such as a kitchen and can accommodate between 4-12 people. Average rates for a comparable short term rental (which actually provides more privacy and space for families) are significantly lower in price (especially when utilizing weekly and Sun-Thursday rates) and provide more amenities are available for under \$250.00 a night. When comparing “low-cost” unit pricing proposed with existing prices of STRs in the area-the proposed pricing of the applicant does not meet the Commission’s standards of low cost visitor serving

accommodation; therefore any requests by the applicant to adjust mitigations or increase fees for parking other than what is proposed in the conditions should be denied and waiver of the in lieu fee of \$700,000 should be reconsidered.

Thank you for this opportunity to comment on this CDP application and thank you all for your service to the State of California.

*Cea Higgins*

Coastwalk/California Coastal Trail Association

**Photos of non-compliant public restroom:**





**Photos of Cypress Grove Destruction:**



**Photos of Eroded Public Access Trail:**





## Photos of Short Term Rental rates at Dillon Beach



🏠 This property is already 50% full in February.

### Short walk to the beach, store and cafe

Cottage 2 BR 1 BA Sleeps 4 900 Sq. Ft.

📍 0.1 mi to Dillon Beach center

Premier Host

Excellent! 4.5/5

★ 4.5 (68)

**\$195 /night**

\$6,729 total

Total includes fees, taxes additional



🏠 This property is already 79% full in February.

### Single level view home of the Pacific Ocean and Tomales...

House 3 BR 2 BA Sleeps 6 1850 Sq. Ft.

📍 0.5 mi to Dillon Beach center

Exceptional! 5/5

★ 5.0 (5)

**\$303 /night**

\$10,194 total

Total includes fees, taxes additional



### Your Vacation Starts Here!

House 2 BR 1 BA Sleeps 4

📍 0.1 mi to Dillon Beach center

Premier Host

Excellent! 4.5/5

★ 4.5 (34)

**\$227 /night**

\$7,764 total

Total includes fees, taxes additional



### Panoramic Ocean View--3 Min Walk To Beach--See How...

Cottage 2 BR 1 BA Sleeps 5 1200 Sq. Ft.

📍 0.1 mi to Dillon Beach center

Premier Host

Wonderful! 4.8/5

★ 4.8 (130)

**\$225 /night**

\$7,574 total

Total includes Fees, taxes additional

## Rexing, Stephanie@Coastal

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**From:** jeff Stafford <jeff@futureofdb.com>  
**Sent:** Friday, January 22, 2021 3:03 PM  
**To:** Rexing, Stephanie@Coastal  
**Cc:** Manna, Jeannine@Coastal; Bonnie Smetts (bonnie@futureofdb.com)  
**Subject:** Dillon Beach Resort CDP

Dear Stephanie,

With the CDP for the Dillon Beach Resort making its way to the Commission, we want to emphasize how important it is that the Permit addresses traffic flow and parking issues caused by mismanagement. So far we have not seen a requirement for a Traffic Management Plan.

### Traffic Flow

When the day beach parking lot reaches capacity, the parking attendants instruct visitors to form a queue at the entrance and wait until a spot becomes available. The line of idling cars quickly backs up onto Cliff Street and reaches the corner of Oceana Drive, a third of a mile away from the parking lot entrance. From Oceana Drive, it can take 40 - 60 minutes for a vehicle to reach the parking lot. These backups are not anomalies. They occur most weekends in the spring, summer and fall. They occurred on 35 days in both 2018 and 2019. When temperatures rise inland, the line is even longer, sometimes ending at Elephant Rock, 1.5 miles away. Both local residents and visitors to Lawson's Landing are caught in the line and are blocked from their destinations because there is no other route. The CHP, sheriff and fire department must also navigate the blocked road.

A system must be put in place to ensure that vehicle traffic continues to flow when the parking lot reaches capacity. Queuing vehicles on the public road should not be permitted, because it impedes emergency services and public access to Lawson's Landing. Here are two solutions:

1. When the parking lot reaches capacity, put up a sign that states the lot is full and close it for a period of time until sufficient inventory is available. This is what most paid parking lots do and it was the practice for this very same lot when it was owned and operated by the Lawson's (a different side of the family than the one that currently owns the campground). When the lot reached capacity they would simply turn vehicles around at the gate.
2. Implement an online parking reservation system like the one Lawson's Landing currently uses for their day visitors.

### Project-wide Parking

There needs to be a clear designation and allocation of parking spaces for the Dillon Beach Resort's store customers, cafe customers, overnight guests, and employees. There also needs to be an accurate assessment of the proposed number of vehicles and parking spaces.

There should be an accurate assessment of how many employees are on-site during peak season times and where they will park their vehicles. In the supplemental information provided by the Resort, it states there is a maximum of 12 employees servicing the store, restaurant and RV park. On a weekend day in June of 2019, I counted 21 staff members (4 parking lot attendants, 1 housekeeper, 4 store/motel associates, 9 restaurant staff, 3 administrators).

In October of 1992 the Marin County Planning Department approved an application for a permit to convert a portion of the building housing the Lawson's Resort Store into a cafe with indoor and outdoor seating. To accommodate the use of the property, the applicant provided 28 parking spaces. They were to be used for store and cafe customers and

employees. A condition of the approved permit stated that the Planning Department had not authorized the 25 mobile home park. This means that the 28 parking spaces were never approved for additional employees servicing short term rentals at the RV park.

When the 25 mobile home park was converted from residential use to short term rentals in 2018, it was clearly a change of use. Marin County municipal code, Schedule 24.04.340-B: Minimum Automobile Parking Standards for Nonresidential Developments, states that hotels and motels are required to have one space per guest room plus one per shift employee. In the supplemental information provided by the Resort, it states that all 31 parking spaces across from the rental units are designated for guests. Thus, the number of shift employees supporting the rental units and where they will park needs to be determined.

Today, there are still 28 parking spaces at the store and they are clearly marked (15 on the west side of the building and 13 on the east side). One space is consistently used to store the tractor used for beach sand removal. The Resort recently submitted supplemental information to the Coastal Commission staff that stated there are 36 spaces. Has the Dillon Beach Resort submitted plans to redesign the lots?

As you know our group has worked on traffic and safety at Dillon Beach for years. There were problems with traffic flow and back-ups at Lawson's Landing in the past, but during their CDP process, staff and the Landing developed a TMP and now the problems are resolved. We are hoping for the same kind of solutions to be found and implemented for the Resort.

Sincerely,  
Jeff Stafford  
Bonnie Smetts

--

Concerned Citizens of Dillon Beach  
PO Box 26  
Dillon Beach, CA 94929  
650 580-5472



## Concerned Citizens of Dillon Beach

PO Box 26 Dillon Beach, CA 94929 [contactus@futureofdb.com](mailto:contactus@futureofdb.com)

Steve Padilla, Chair  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-5260

**Re: CDP Application: 2-20-0018**

Dear Chair Padilla and Commissioners,

Concerned Citizens of Dillon Beach is an unincorporated association organized 15 years ago by Dillon Beach residents who share an interest in improving pedestrian safety, traffic flow, and emergency evacuation in our community.

Condition 7 (Traffic Management Measures) of the CDP application for the redevelopment of the Dillon Beach Resort is essential to address the traffic flow issues in Dillon Beach. Missing from the application are requirements that will insure that the change of use from a residential trailer park to a motel will not have adverse impacts on neighboring residential areas. The application does not adequately designate parking spaces for customers, guests and staff of the store, restaurant, and motel.

**Traffic Management Plan**

We support Condition 7 (Traffic Management Measures) and look forward to working with the Applicant and Lawson's Landing to create a TMP that, when implemented, will address traffic flow issues. When the day beach parking lot reaches capacity, a line forms on the single, narrow road into Dillon Beach, impeding access for Lawson's Landing campground visitors, local residents, and emergency services. This has occurred regularly since 2018.

**Motel, Store and Restaurant Parking**

The CDP application needs additional Conditions to ensure that parking spaces for store and restaurant customers, hotel guests, and employees are designated and that the total number meets Marin County requirements. Twelve off-street parking spaces are required for employees of the resort (excluding day beach parking lot employees). The applicant has proposed utilizing spaces in the restaurant parking lot to meet this requirement. On page 48 of the staff report (footnote 52) it states that "*the restaurant and store*



*require at least 24 parking spaces, and 36 spaces are provided, leaving an excess of 12 spaces.”* There are only 28 spaces, not 36. Eight additional spaces need to be created for employee parking. Also, the Resort has allotted one parking space for each of its 25 travel trailers and park model units, and 2 spaces for each of the three cottages in the grassy area across from Beach Avenue. This adds up to 31 parking spaces. There is just enough space in this area to meet Marin County dimension requirements for 31 parking spaces. The Applicant has stated that it will accept a Condition requiring each individual parking space to be identified for a corresponding unit (Coastal Development Permit Application Supplemental Information, page 2). At minimum, a Condition should require that each of the stalls be clearly delineated with markers if 31 vehicles are indeed going to fit in this area. To reduce visual impact on the area, it can be done using symbolic markings like those used for camp lots at Lawson’s Landing.

Our group has worked on traffic and safety at Dillon Beach for many years. There were problems with traffic flow and back-ups at Lawson’s Landing in the past, but during their CDP process, CCC staff and the Landing developed a TMP and now the problems are resolved. We are hoping that the same kind of solutions will be found and implemented for the Resort.

Sincerely,  
Jeff Stafford

--

Concerned Citizens of Dillon Beach  
PO Box 26  
Dillon Beach, CA 94929  
650 580-5472

## Dillon Beach Resort Traffic and Parking



Beach parking back-up extends onto Beach Avenue.



The area on the right side of Beach Avenue is where 31 parking places are sited.





February 5, 2021

**SENT VIA EMAIL ONLY**

*([Stephanie.rexing@coastal.ca.gov](mailto:Stephanie.rexing@coastal.ca.gov))*

Stephanie Rexing  
North Central Coast District Supervisor  
California Coastal Commission  
45 Fremont Street, Ste 2000  
San Francisco, CA 94105

**RE: Dillon Breach Resort; Costal Development Permit App. #2-20-0018**

Ms. Rexing:

Our firm continues to represent local property interests regarding the above referenced coastal development permit application. I am writing to share opposition to the project based on the inadequate and inaccurate information in the application materials as submitted. Further, the piecemealing of the project is contrary to state law and represents a fundamental flaw in this process; the current application omits the septic plan upgrade for the cabins, the retroactive permitting of the well is contemplated as a joint application in early 2021 by the water agency and property owner, and there is no baseline information regarding the traffic study for the Commission to adequately evaluate the impacts or mitigation measures necessary for a project approval. I respectfully request that the Commission deny the application, or in the alternative, continue the hearing until the entirety of the project is compiled into a single application that resolves the numerous current deficiencies.

The new "Tiny Home" RVs deviate from the 1969 permit approved by the County of Marin for travel trailers. The current application is reminiscent of 1969; at that time, the then owner of the property illegally demolished the legal conforming pre-existing cabin structures and illegally installed his preferred infrastructure to support the travel trailers, which the County reluctantly granted a retroactive permit for the non-conforming use. Similarly, the current owners commenced a series of impermissible projects only to now beg for forgiveness instead of asking for permission at the outset. The illegal work is well documented in the staff report. Just like 50 years ago, the current owner is seeking a retroactive coastal development permit to perfect the new change in use, structures, and supporting systems. Staff recommended denial of the 1969 retroactive permit for a variety of reasons. Those same reasons, and more, remain applicable to the current application, despite the reasonable attempts to confer some public benefit.

LAND LAW LLP

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The incomplete and/or inaccurate information includes:

1. Parking defects;
2. Septic defects;
3. Incomplete approvals from additional agencies, including the County of Marin's finding of conformance with the 1969 Use Permit and necessary master plan approval;
4. Miscellaneous additional defects including Inadequate treatment of the entire project, its impacts and potential alternatives that arise out of the piecemealing of the current application, and unreasonably vague and ambiguous special conditions of approval.

## **Parking**

Pages 47 and 48 of the staff report provide a thorough evaluation of the parking requirements to conform to the necessary findings for the CDP. Specifically, the staff report identifies that a minimum of 43 parking spaces are required based on the analogous use designation of hotel/motel. However, the staff report fails to resolve the technical requirements of Title 24 of the County Code related to parking requirements based on the following inconsistencies:

1. 24.04.335(a) requires that all parking and loading spaces shall be provided on the *same site* as the use to which they relate. At least 31 parking spaces are located off-site at APN 100-161-14 instead of on-site at APN 100-162-01. Although the parcels may share common ownership, they are different properties that serve different uses.
2. 24.04.335(f) requires all off-street parking and loading spaces to be striped and provided with wheel stops. There is nothing in the application materials that provides a site plan depicting the location, dimensions, and improvements to satisfy this requirement.
  - To the contrary, Figure 3 of Exhibit 1 to the staff report identifies "guest parking area" with an overly broad white box overlaid on a Google satellite image.
  - Exhibit 3 to the staff report includes a sheet produced by CiviKnit that identifies only 25 parking spaces on APN 100-161-14. 25 parking spaces in the applicant's own materials is less than the 31 spaces identified in the staff report. Absent an accurate site plan, these distinctions cannot be reconciled.
  - The 1969 CUP staff report and supporting documents identifies the proposed parking area as 20-22 feet wide and 200 feet long. Applying the County's minimum 8.5' parking width, only 23 parking spaces would fit in the designated area, which is even less than then 25 parking spaces presumed in the applicant's materials.
3. 24.04.335(g) requires safe circulation of vehicular and pedestrian traffic and prohibits direct backing into or out of a parking area from the street for commercial uses like this. Again, there is no accurate site plan provided in the application materials that clarifies whether the parking across Beach Avenue complies with the turnaround or backout circulation requirements under the County Code.

- The application materials fail to include a parking study or circulation evaluation from a qualified professional that clarifies the necessary dimensions for safe backout or turnin to the designated off-street parking.
4. 24.04.335(k) requires parking lots for both residential and nonresidential project to be landscaped. There is no landscape plan included in the materials to demonstrate compliance with this requirement.
  5. 24.04.360 requires designated accessible parking and related facilities in compliance with state and federal standards. Again, due to the deficiencies in the application materials regarding a comprehensive site plan/parking plan, there is inadequate information to evaluate whether the applicant is complying with this requirement under the County Code.
  6. 24.04.370 prescribes loading requirements for various uses and tiered off of overall square footage. It appears that, at a minimum, the applicant must designate one small (i.e. 12'x25') off-street loading space. Here too, there is inadequate information provided by the applicant to make a finding of compliance.
  7. To the extent that the applicant is treating APN 100-161-14 as a parking lot, then there may need to be corresponding lighting improvements pursuant to 24.04.410. Such improvements are absent from the application materials.
  8. The staff report identifies that the 12 additional parking spaces necessary to satisfy the 43 spaces required will be located at the restaurant parking lot. This proposal is fundamentally flawed since it is confirmed from the 1969 County approval that only 23 parking spaces can fit across the street in the applicant's designated parking area. Therefore, there is a minimum of an 8 parking space deficit that needs to be resolved to make the necessary findings in support of the CDP.
    - Footnote 52 to the staff report suggests that the restaurant and store currently provide 36 parking spaces whereas only 24 is required under CDP 92-059. There is no accurate site plan included in the project materials that demonstrates current compliance with the parking, circulation, and loading standards for the neighboring restaurant and store use. Further, as required by the Title 24 of the County Code, if the Applicant is suggesting utilizing that separate property to satisfy the RV parking needs, then all parking should be brought up to current compliance with County standards. See 24.04.335(j).

## **Septic**

Pages 56 and 57 of the staff report provide a comprehensive evaluation of the unpermitted past septic work in the environmentally sensitive habitat area ("ESHA") and corresponding damage that resulted from this work. The staff report also identifies the upgrades that are proposed to bring the RV park's septic into compliance with current standards, which is also detailed in the Questa Report dated March 27, 2020. However, like the parking considerations detailed above, the septic plan appears to be deficient in complying with County standards for the following reasons:

1. Section 401 of the County Regulations, adopted pursuant to Marin County Code 18.06, requires leach lines (drainfields) to be setback various distances from certain features. The following may apply and currently appear to be non-compliant based on the Questa materials:

- 5 feet from adjoining property lines – no property lines are depicted on the site plan to afford a meaningful determination of compliance.
  - 5 feet from a driveway or paved surface – there are no distances depicted on the plans to demonstrate compliance, but a rough scale of the plans suggests that the 5-foot setback is not accommodated based on the proposed design.
  - There is a semi-complicated calculation for measuring the setback required from an embankment or natural bluff, which is the condition that exists directly adjacent to the eastern drainfield. The notes for regulation 401 suggest that a minimum of 25-foot setback is required and potentially up to 100 feet. The plans fail to demonstrate compliance with this minimum condition, let alone the potentially more significant setback after properly calculating the existing features.
2. Section 603 of the County Regulations describes the restrictions that apply to reserve areas. The Questa design designates the parking along the northern side of Beach Avenue (APN 100-161-14) as “future reserve leachfield area”. Section 603(F)(2) specifically reads “Reserve areas shall meet all site suitability requirements outlined in these regulations and shall not be used for construction of buildings or roadways or other incompatible or Soil-damaging activities.” Parking, grading, paving, and other work necessary to accommodate the northern parcel for necessary RV parking qualifies as soil-damaging and incompatible activity. Therefore, it appears that the reserve area is deficient to accommodate the septic demands.

### **County of Marin Approval**

The new Tiny Home RVs are a change of use. The reasons for this conclusion are outlined in detail in the December 17, 2020 letter that was submitted in opposition to this project in advance of the originally scheduled January hearing. The same points remain applicable and the County should make its independent finding prior to the Commission approving the CDP. It is inefficient and improper to make the County’s determination a condition of approval, which is currently proposed by the staff report and resolution – see special condition 11.

Furthermore, the County requires that this project proceed through a master plan process in connection with the after-the-fact CDP. Specifically, Policy 10.1 of the Dillon Beach Community Plan requires that the owner engage in a master plan process with the County if there is a substantial improvement or new development in the Resort area. *The applicant’s past activities that are subject to this after-the-fact CDP clearly trigger the requirements in the Community Plan to engage in a master planning process. Accordingly, this CDP should be, at a minimum, suspended until that master plan has been review and approved by the County.*

Note that the Dillon Beach Community Plan reads “all Master Plan approvals will be contingent on adequate water supplies. To improve water supply efficiencies, primary Plan recommendations include conducting technical studies or existing water supplies to confirm their extent, and evaluating the feasibility of forming a communitywide service

district.” See Community Plan ES-6. In 1989 the community anticipated these issues and baked into the process the appropriate process and substantive input to make an informed decision. Unfortunately, the illegal work and after-the-fact attempt to permit the work obfuscates what would otherwise be a clean linear application process.

Further, the Community Plan describes specific objectives, goals, and policies that relate back to any necessary master plan for this property. Such objectives include: public access to Dillon Creek with Creekside trails and maintenance programs to keep the creek clear; stabilization of bank erosion and revegetation efforts, among others. These elements are absent from the current application materials and should be demonstrated as a precursor to approval. It is deficient to make these elemental aspects of the project a condition of approval, as is proposed in the resolution.

Additionally, the Community Plan reads, “due to the suspected presence of archaeological resources throughout the planning area, all Master Plan proposals shall be accompanied by archaeological and cultural resource reports and field surveys.” See EQ-10.1 of the Dillon Beach Community Plan. The trenching and grading associated with the septic systems would appear to qualify for such investigation and reports. Absent this information, it is challenging to understand how an informed decision on the merits can be made by the appropriate decisionmakers.

### **Miscellaneous Inconsistencies and Special Conditions**

There are a variety of components included in the staff report and supporting resolution that demand clarification and/or correction prior to any informed decision on the merits of the application. Such issues include:

1. The drive aisle along the southern portion of the RV park fails to satisfy the minimum 20-foot wide dimensions required by County Code. See County Code 24.04.110 and 14.04.260(c). Between the expanded travel trailers and proposed eastern leach field, it appears that this pinch point is a self-created hardship. This design defect suggests that the site is overly developed and too intensely improved to satisfy County minimum standards.
2. Page 2 of the staff report reads in part “the application is intended to resolve all of these issues and to allow the Applicant to proceed with the development and management of their property, and accommodate coastal visitors to Dillon Beach, with a clean slate moving forward.” This idyllic resolution is inconsistent with the substance of the application, which fails to resolve the cabin’s septic system (separate permit), the unpermitted well (separate permit), or reconcile the baseline understanding of traffic impacts, which are included as a special condition for future consideration. Further, as discussed above, the applicant is required to proceed through a master plan process with the County. The entirety of the project should be included in a single application so that the appropriate impacts and mitigation measures can be resolved at the same time as part of the “clean slate” process described in the staff report and sought by the owners.
3. There is no quantitative determination as to what the applicant’s “fair share” is for erection of electronic traffic sign and traffic management improvements. See special condition 7(a). Further, there is no mechanism detailed for how a dispute



about fair share should be resolved. Given the fact that this application process is nearly 2-years in the making, it seems appropriate that this information should be known now to eliminate future uncertainty and potential conflict. Additionally, it should be considered whether an electronic sign is adequate mitigation to manage the traffic impacts that are substantially created by the resort use and parking management.

4. Condition 4(f)(1) identifies that an initial five-year monitoring schedule is required for the habitat restoration plan. Please clarify that this five-year period commences upon completion of the improvements agreed to in the monitoring program. As presently conditioned, the monitoring program may not need to be prepared for up to 2-years from the date of CDP approval. There is no timeframe for implementing the improvements contemplated in the habitat restoration plan. So, the 5-year monitoring requirement could pass before the improvements are actually installed if the language in the condition is not clarified.
5. Condition 7(b) requires a traffic management plan that would include a baseline assessment. This application has been in process for over 2 years. Why has a baseline traffic assessment not been commissioned and produced in connection with the application materials for completeness review? This information is necessary for the Commission to evaluate the impacts of the CDP and assign mitigation measures and/or alternatives in connection with any approval.
  - As presently conditioned, the baseline assessment would only include traffic to/from the beach parking lot. It is appropriate to expand the traffic study and baseline assessment to include an objective evaluation of the traffic and parking demands for the restaurant/shop, as well as the RV park. As described in the staff report, the “facts” to support the findings for traffic and parking associated with these additional uses of the property are based solely on self-serving anecdotal data, which is inadequate to suggest that the parking and circulation demands are adequately met based on existing conditions.
6. Condition 8(e) allows the owner to continue the installation and rental of the RVs pending completion of the terms and conditions of a CDP approval. A question for the Commission is whether the owner/applicant should be financially rewarded for failing to comply with the Coastal Act, illegally making improvements to the property in a manner consistent with the historical management of this particular property, and potentially further incentivize this owner or other similar property owners to engage in the same pattern of behavior. To better incentivize the owner to diligently pursue the various conditions, including necessary technical studies, I suggest that the rentals be curtailed immediately and the expanded use permitted based on meeting objective milestones identified by the Commission.

## **Conclusion**

In light of above referenced application defects, the Commissioner is encouraged to deny the application as incomplete, inaccurate, and out of compliance with local and state land use regulations and standards. Although the applicant, in consultation with Coastal Commission staff, has attempted to demonstrate compliance with the Coastal Act by providing certain public benefits and amenities, the project remains too intense to satisfy



minimum development standards and requires evaluation of appropriate alternatives to bring the project into compliance with local and state law.

Thank you for your consideration.

Respectfully,



Christopher A. Skelton

cc: Sara Pfeifer ([Sara.Pfeifer@coastal.ca.gov](mailto:Sara.Pfeifer@coastal.ca.gov))  
Brian Crawford ([BCrawford@marincounty.org](mailto:BCrawford@marincounty.org))  
Tom Lai ([tlai@marincounty.org](mailto:tlai@marincounty.org))

Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

January 31, 2021

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Re: Application # 2-20-0018 (Dillon Beach Resort)

Dear Staff and Commissioners,



The new owners of Dillon Beach Resort advertise a "mile of dog-friendly beach" on social media with no restrictions. Part 7 of the CDP Application lists several recreational activities they offer, including bird watching. It does *not* list off-leash dogs or dog walking. Do they plan to no longer allow dogs? Or are they trying to sweep the obvious conflicts under the carpet?

Dillon Beach Resort borders the Greater Farallones National Marine Sanctuary. Wildlife is protected, and "Illegal Taking" has a very broad definition, much like "Development" has under the Coastal Act. When an unleashed dog chases shorebirds in the Sanctuary it is an Illegal Taking. Dillon Beach Resort also borders Lawson's Landing. Lawson's Landing requires dogs to be leashed at all times (see picture above).

The Resort does not own the beach below the high tide line (that's the Sanctuary) and it does not own the beach south of the Lawson's sign (pictured above), but they impose their lack of rules onto these adjacent landowners. Resort parking passes specifically instruct people to let their dogs off leash when they head south into the Lawson's Wildlife Protection Area.

I wrote to the GFNMS about the increasing dog/wildlife problem. Mary Jane Schramm responded, "...you could also approach the resort management directly with your concerns, and suggest they adopt a more wildlife-friendly approach; possibly to their own advantage. There may be models of resorts where this situation has been resolved satisfactorily. And it might be to the resort's benefit if they could advertise as a wildlife-friendly destination."

I spoke to both Mike Gobel and Steve Kinsey about becoming a wildlife-friendly destination. It was really disappointing. They have no interest.

The Coastal Act guarantees access to the coast for humans. It does not guarantee access for dogs. They may be "part of the family" but they are *not* protected by the Constitution.

Perhaps it would be possible to allow dogs to run off leash on a portion of the beach, while leaving the rest for wildlife and humans that like to witness it rather than harass it. But that is not what has been proposed by the Applicant. They have remained silent on the issue, hoping no one will notice and it will just go away.

## No Plan? No Dogs.

Sincerely,

Scott Miller

**P.S.** - Inevitably they will try to claim dogs harassing wildlife is 'pre-Coastal'. Fishermen used to shoot seals. Then the Marine Mammal Protection Act was passed in 1972. Trying to "grandfather in" dogs chasing birds is like trying to "grandfather in" shooting seals.

Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

February 3, 2021

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Re: Application # 2-20-0018 (Dillon Beach Resort)



Dear Staff and Commissioners,

The goal of this CDP is to address *all* the unpermitted development and provide "a clean slate moving forward".

My day job is cleaning. I couldn't help but notice there are still a few smudges. Don't get me wrong, Staff has done a fantastic job. Sometimes it takes a second go-around when people leave things really messy.

**List:**

Drain Pipe into Dillon Creek  
Alterations and planting in Dillon Creek  
Fire Pits within the 100 foot buffer of Dillon Creek  
Large plastic pipes installed somewhere near the unpermitted well  
Hedgerow/windbreak along Cliff St. that prevents sand from replenishing ESHA east of the road.  
Storage facilities at former Marine Lab site

I have not included the unpermitted well or the irrigation pipes along Dillon Creek since responsibility for those has been pawned off on CalWater, to be resolved at a later date. I disagree with the decision to "unconsolidate" this CDP and revert back to Marin County for processing of that portion of this development separately, but I respect staff's expertise and will hope for the best possible outcome.

Staff has done an amazing job cleaning up the mess they walked into. I can't imagine how overwhelming it must have been. My hat goes off to them and I appreciate all the hard work. When this is all over the place should be "Renter-ready" as we call it.

Thank you.

Sincerely,

Scott Miller



When: March 2011

The story: After the Clines piled sand west of the parking lot and along Dillon Creek they figured out that they had created a giant bathtub with no drain. So they installed one directly into the creek. Meanwhile, Lawson's Landing was spending large amounts of time and money to *prevent* contaminated runoff at their existing parking lot from entering wetlands using stuff like bio-retention basins. This new drainage into Dillon Creek should use the same technology (or be removed).

Special Note: the concrete blocks were installed and the entire parking lot was re-surfaced in April 2010, which might be considered "redevelopment" (see letterhead photo).



When: January 2008

The story: This one appears to be addressed by the required restoration, but just in case anyone was wondering how that stuff got there it was planted by the Clines.



## New Fire pits in the 100 foot creek buffer.

When: July 2018

The Story: The new owners increased the number of firepits and relocated some of them into the creek buffer. The 1981 Coastal Access Guide indicates there were *no* fire pits at that time. Google Earth images show that there were no fire pits at the southwest corner of the lot before the new owners. This CDP should require the removal of the pits in the buffer, set a limit for how many are allowed total, and require BAAQMD regulations be followed.



## Marin County TOMALES BAY

### FACILITIES

### ENVIRONMENT

#### NAME

#### LOCATION

Dillon Beach	Dillon Beach Rd., off Hwy. 1
Lawson's Landing	5 mi. W. of Tomales, off Hwy. 1; S.W. of Dillon Beach
Walker Creek	Delta area 2 mi. S. of Tomales, W. of Hwy. 1
Miller Park Boat Launch	3 mi. N. of Marshall, Hwy. 1
Tomales Bay State Park - Marshall	1-1/4 mi. N. of Marshall, Hwy. 1
Cypress Grove	1 mi. N. of Marshall-Petaluma Rd., Hwy. 1
Livermore Marsh	Marshall-Petaluma Rd., Hwy. 1 intersection
Tomales Bay State Park - Millerton	At Millerton, 4-1/2 mi. N. of Point Reyes Station
Tomales Bay Ecological Reserve	Southern portion of Tomales Bay
Shields Marsh	St. Francis Drake Blvd., 1 mi. S. of Inverness

Entrance/Parking Fee	Parking	Restrooms	Lifeguard	Campground	Showers	Firepits	Stairs to Beach	Path to Beach	Bike Path	Hiking Trail	Facilities for Disabled	Boating Facilities	Fishing	Equestrian Trail	Sandy Beach	Dunes	Rocky Shore	Upland from Beach	Stream Corridor	Bluff	Wetland
•	•	•									•	•			•						
•	•	•									•	•			•						
									</												

## No Firepits in 1981 Coastal Access Guide

**DILLON BEACH:** Day use parking fee \$2, bicycles \$1. Picnic tables on the beach.

**LAWSON'S LANDING:** Take the toll road from Dillon beach. Rare dune tansy vegetation, hang-gliding, gaper clamming. Trailer camping and 46 campsites, pier, boat launch by truck, open 7-5; fuel dock, moorings, dry storage, boat and motor rentals, charters Mar-Dec., fishing licenses, bait, tackle. (707) 878-2443.

**WALKER CREEK:** Take the toll road from Dillon beach. Rare dune tansy vegetation, hang-gliding, gaper clamming. Trailer camping and 46 campsites, pier, boat launch by truck, open 7-5; fuel dock, moorings, dry storage, boat and motor rentals, charters Mar-Dec., fishing licenses, bait, tackle. (707) 878-2443.



Note: It also shows no firepits at Lawson's Landing, which is accurate. Prior to the 2011 CDP you could build a fire anywhere you wanted at the Landing.

## Large Pipes Near Unpermitted Well

When: February 2019

The Story: I don't know what they did with these because they yell at people for walking back there, but they went somewhere. Perhaps this will be part of the well CDP, or maybe it should be part of the Restoration Plan.



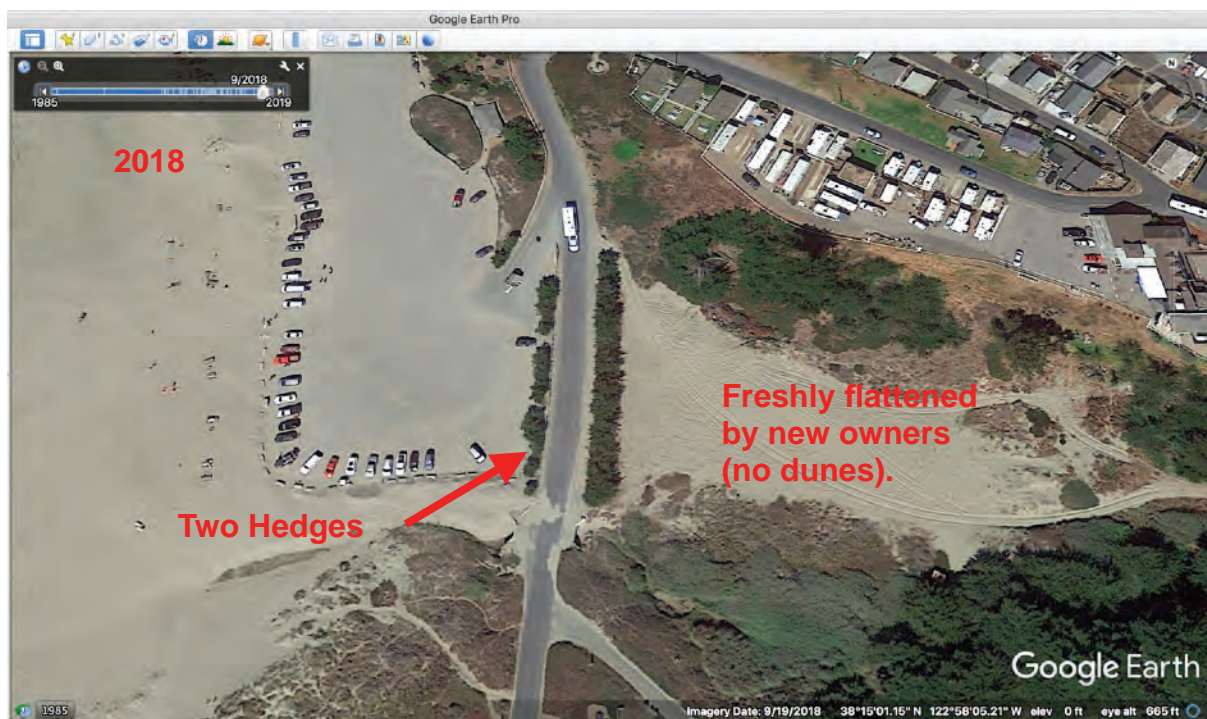
## Hedgerow along Cliff St.

When: About 2001

The Story: The Clines planted two cypress hedges along Cliff St. to block the wind. These cause the wind to slow and drop sand into the roadway, rather than continuing east. This deprivation of sand, along with regular mechanical flattening, has destroyed what was once ESHA. Restoration plans should include the removal of these sand-blockers.



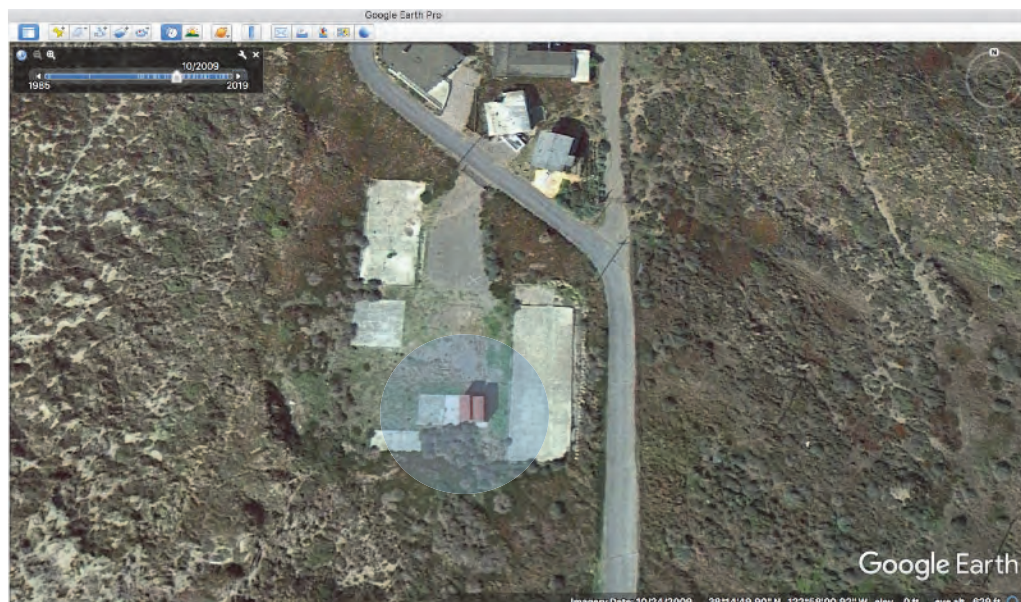
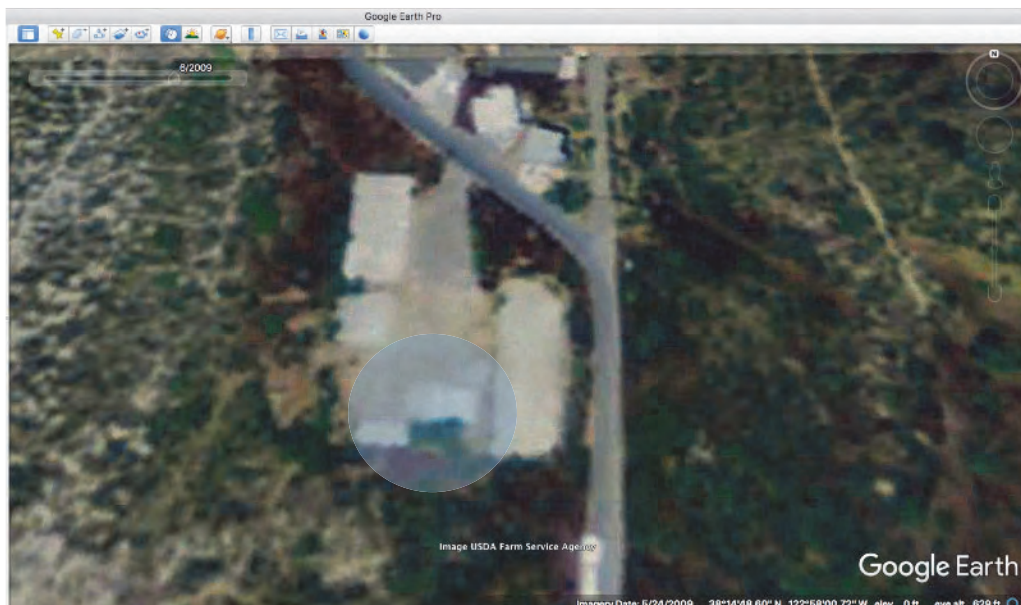




## Unpermitted Storage Facilities

When: October 2009

The Story: The storage units at the Marine Lab arrived in October 2009. Presumably they will be removed since they are not included in this CDP and because storing supplies a half-mile away from where they are used is inconsistent with Section 30253(d) of the Coastal Act.





Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

February 5, 2021

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Re: Application # 2-20-0018 (Dillon Beach Resort)

Dear Commissioners and Staff,

I do not believe in "Alternative Facts" and I think spreading disinformation can have grave consequences. I documented and cataloged 26 *false or misleading statements* in the Applicant's submittals. Luckily, Staff was able to identify the vast majority and address or correct them, so I don't have to submit that letter (but I am able to furnish copies upon request). There are a couple that slipped through I just can't let slide. Because the truth matters.



**Revised CDP Application dated 7/17/2020:**

Exhibit N, page 28:

The upper photos are taken from about 50 feet in the air (from a drone?). This is a deliberate attempt to mislead the Coastal Commission. The Applicants want you to believe the protected "Important Vistas" shown in Figure 6-15 of the Certified Community Plan will not be blocked.

*Do you know any members of the public that are 50 feet tall? I don't.*

In addition to this attempted sleight of hand, spaces 1 and 12 are empty in the "after" photo. Cottage number 12 will block the protected view the most (from ground level where we humans exist).

**Supplemental Information dated 11/2/2020:**

Figure 1, page 2: The Applicant claims there are 36 parking spaces. *There are not.* There are 28 parking spaces, hiding under the 36 drawn-in rectangles. While there may be no laws about drawing red rectangles on top of a picture of a parking lot, there *are* laws regarding the size of *real* parking spaces and *real* cars blocking *real* fire lanes. This is another deliberate attempt to mislead the Coastal Commission, by covering up the facts with a red sharpie.

If RV Spaces 1 and 12 were left empty, cars could park there and it would kill two birds with one stone (bad choice of words if you saw my dog letter). It would turn two alternative facts into one reality. There would be more space for cars and the protected view would remain protected (except for when a Sprinter Van parks there temporarily).

Staff has done a commendable job filtering out the B.S. that infected the application materials. I'd say they have achieved over 90% efficacy.

They have also shown an incredible amount of patience and tolerance. Some of us would have thrown the whole application in the trash after identifying just a handful of the two dozen falsehoods.

Sincerely,

Scott Miller

P.S. Page 41 of the Revised Application shows a "Previously Permitted Fence Plan".

A copy of the permit should have been included (if there is one).

Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

February 2, 2021

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Re: Application # 2-20-0018 (Dillon Beach  
Resort)



Hey kids, want to build a gravel castle?

Dear Staff and Commissioners,

I am writing you on Groundhog Day about Gas-Powered Sisyphus.

For over a decade I have watched Dillon Beach Resort fight nature, specifically the ocean and the wind. Guess who's winning?

Dillon Beach is very unique compared to other beaches in the area, and sand does not move the same way it moves on other beaches. It is the only beach I have been to that has experienced "coastal accretion" rather than coastal erosion over the last several decades. Standard BMP's are not necessarily BMP's in this unique setting.

Sand dispersal in the designated areas by both the Clines and the Applicants resulted in day after day of "Gas-Powered Sisyphus". The tractor would put the sand out on the beach all morning. The wind would put most of it back before day's end, and finish the job late into the night. It is entertaining and mesmerizing to watch the ocean put things back where it wants them. It's entertaining but annoying to see, hear, and smell the tractor out the next morning, rolling that rock back up the hill. After a really good wind event it would take weeks to clear the lot. Then it would get windy again.

The amount of sand blowing into the parking lot is exacerbated by the tractor itself. Once the wind strips the loose sand down to "hard pan" very little moves after that. When the tractor drives on the "hard pan" it loosens and churns it up, causing sand to blow into the lot that otherwise would have stayed put.

This constant placement and replacement of sand on the beach by the tractor results in the "Incidental Paving" of the beach. Because they consistently drag the scoop of the tractor on the surface of the gravel lot, each scoop contains not just sand, but a small amount of aggregate. The scoop gets dumped on the beach, the sand blows back into the lot, and all that's left on the beach is the aggregate. It's only a small amount, but even at 0.5% gravel, 200 scoops from the lot equals one scoop of gravel on the beach. Over time this adds up, and there are parts of the beach and dunes that look and feel like they have been paved. These should be restored to sand.

Restoration of the area east of Cliff St. will require re-establishing natural sand replenishment that was cut off by the cypress hedgerow planted by the Clines. This may require removing the hedgerow. The sand Management Plan needs to be developed *in conjunction* with the Restoration Plan for the area east of Cliff St.

"Restoring" the dunes west of the parking lot might be a misnomer, as they were built by the Clines using plastic, hay bales, and even construction debris, which constitutes unpermitted development in ESHA. The old plastic sheeting is currently turning into micro-plastics and likely entering the ocean. The new owners dumped a bunch of gravel from the RV park out there. It's the crushed red lava rock like my grandma's neighbor had in Hayward (grandma had tan speckled).

The sand dispersal areas shown in the Sand Management Plan do not appear to be above the Mean High Tide Line. There's no way to know for sure. The State Lands Commission considers this line ambulatory. The Applicants will need to hire a licensed surveyor with expertise in water boundaries before they can figure out where the dispersal areas are allowed.

## Why do I care?

I began studying the ocean in 1982, eventually dropping out of UCSC in 1991 to pursue this vocation full time. Wave action and sand movement were my focus, with only rudimentary calculations for wind (onshore vs. offshore). In 2001 I began to study the wind in much more detail as I learned to harness it's power to my benefit. Turns out it's much more complicated and three-dimensional that I previously thought. (Did you know sand can travel *upwind* if the dunes are shaped just right?)

In 2004 I began studying sand movement in both the water and air exclusively at Dillon Beach. It is *amazing* to watch hundreds of cubic yards of sand migrate through the air in a single day. It is *amusing* to watch a winery owner try to "fix" this and impose his will upon the ocean, building sand dunes where he thinks they should be and flattening them where he does not want them.

When the Applicants bought the Resort, they not only continued, but amplified this failed experiment in taming the ocean. With ownership comes responsibility. The responsibility to clean things up.

I am elated that there will be a plan going forward with the sand management. I do not think what has been described is the *best* plan, but any plan is better than no plan.

Before it is finalized I hope there will be a chance for an ocean enthusiast like myself to provide information to help guide the decisions. I've got 15 years of disorganized data and observations (100% accurate, but it will take some time to organize).

Sincerely,

Scott Miller

The picture below was taken on December 8, 2020 about 1 hour after high tide. The high tide mark is clearly visible at the base of the dunes. The height was 5.3 at the golden gate, 4.6 at Tomales Bay Entrance. Mean High Tide for Tomales Bay Entrance is 4.5. The visible tide line is 1.2 inches above the Mean. The dispersal areas are below the line by more than that (blue ellipse).



## Rexing, Stephanie@Coastal

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**From:** wvogler99 <wvogler@gmail.com>  
**Sent:** Wednesday, February 10, 2021 10:29 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Fwd: Comments re: Friday item 13b, February 2021 Application No. 2-20-0018

----- Forwarded message -----

From: **wvogler99** <[wvogler@gmail.com](mailto:wvogler@gmail.com)>  
Date: Tue, Feb 9, 2021 at 4:16 PM  
Subject: Comments re: Friday item 13b, February 2021 Application No. 2-20-0018  
To: <[sara.pfeifer@coastal.ca.gov](mailto:sara.pfeifer@coastal.ca.gov)>, Manna, Jeannine@Coastal <[Jeannine.Manna@coastal.ca.gov](mailto:Jeannine.Manna@coastal.ca.gov)>

Hello,

In regard to item F13-b, Lawson's Landing supports the redevelopment of the Dillon Beach Resort to increase their visitor-serving abilities. The tiny homes are reminiscent of the rental cabins of Dillon Beach in the first half of the last century. We appreciate Coastal Staff's hard work.

With regard to traffic flow, we wanted to let you know that Lawson's Landing looks forward to paying our fair share towards the erection of an electronic traffic sign in Tomales. We will continue our traffic management measures that have been approved by your Commission and supported by the Concerned Citizens of Dillon Beach. When we no longer have drive-up day parking available we turn around vehicles queued at our entrance which do not have reservations to enter. This was difficult to implement initially but has grown easier over time.

--

Carl "Willy" Vogler  
Lawson's Landing Inc.  
137 Marine View Dr.  
Dillon Beach, CA 94929  
(707)878-2443

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Carl "Willy" Vogler  
Lawson's Landing Inc.  
137 Marine View Dr.  
Dillon Beach, CA 94929  
(707)878-2443

## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Thursday, January 28, 2021 9:46 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach)

Hi Stephanie

Here is a  
Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach)

~~Public Comment~~



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**From:** MICHELE BARTOLI <mbartoli@comcast.net>  
**Sent:** Wednesday, January 27, 2021 7:28 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach)

Hello,

I have stayed at Dillon Beach Resort on a few occasion and fell in love with it! It is clean, well managed, community minded, and gives Dillon Beach a positive reputation.

I am an avid environmentalist and would never promote development on such a beautiful stretch of nature if I thought for a minute that the owners/developers would be irresponsible and do anything to harm the beauty or environment in any way.

All evidence I have seen from the management of Dillon Beach supports my hypothesis that they will continue to be responsible to both the environment and the community. They clearly demonstrate values that put the environment and community above self-serving profit margins, which is rare and should be a welcomed business in any community.

My only regret is that I am not a local and cannot enjoy this wonderful asset that your North Central Coast is fortunate to have more often.

Sincerely yours,

Michele Bartoli



## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Friday, January 29, 2021 11:42 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach)

-----Original Message-----

From: Meg Guild <megguild35@gmail.com>  
Sent: Thursday, January 28, 2021 3:47 PM  
To: NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
Subject: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach)

Hello,

I have worked at Dillion Beach Resort since august and I have thoroughly enjoyed my time here. They value their customers and locals that regularly shop at the general store. The general store supports local businesses and accommodates the needs of their customers by regularly adding new products into the store. They have handled this pandemic very well following safety precautions in order to keep the General Store, The Coastal Kitchen, and the tiny homes open. Dillion Beach Resort has been a great place to work and I have seen how impactful it has been to the people who visit.

Thanks for you time

## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Friday, January 29, 2021 5:53 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

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**From:** Kelsey Fernandez <kelseyfernandez@yahoo.com>  
**Sent:** Friday, January 29, 2021 3:47 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

Dear Coastal Commission,

I am writing in support of Dillon Beach Resort.

I started visiting Dillon Beach a couple years ago because I heard it was THE best dog-friendly beach and it is a beautiful short drive from our home in San Anselmo. I truly love everything about it. Easy parking, clean, open, friendly vibe and well-maintained restrooms.

My kids and I love getting take out at the restaurant and the convenience of the store for coffee, ice cream and provisions.

The staff is always friendly and accommodating.

I feel so fortunate that we have this amazing outdoor space with all the perks - especially during Covid.

Sincerely,  
Kelsey Fernandez

## Rexing, Stephanie@Coastal

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**From:** Chris Fernandez <chrisf3br@gmail.com>  
**Sent:** Saturday, January 30, 2021 8:26 AM  
**To:** Padilla, Stephen@Coastal  
**Cc:** Rexing, Stephanie@Coastal  
**Subject:** Dillon Beach Letter

Dear Stephen Padilla,

I am writing to express my support for Dillon Beach Resort and the ownership of the property. It is my understanding that ownership is applying for some sort of permit and I would like to say that they are currently managing the beach and property exceptionally well.

I am a long time Marin resident and frequent the beach with my family on weekends. Up until a couple years ago or so I was unaware of Dillon Beach and friends started telling me about what a great place it is to visit. The new resort is such a great addition to the northern California beach destinations. The beach is clean, safe and well maintained and you can tell that the resort takes pride in keeping the beach clean. This is now my family's beach experience.

In addition the resort has such great accommodations with the general store and restaurant that make it so fun and easy to stay and play at the beach all day. And the staff is always so friendly and accommodating.

Our last trip we noticed the new lodging units that look amazing and I can't wait to stay in one of those for a weekend getaway.

Please help Dillon Beach Resort in their efforts to keep doing what they are doing for our community.

Sincerely,  
Marin Co Resident.

## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Monday, February 1, 2021 10:57 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

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**From:** Walker <walkerghi@gmail.com>  
**Sent:** Saturday, January 30, 2021 8:16 AM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

Dear Coastal Commission,

I am writing to say please consider approving Dillon Beach Resort for their application. DBR provides a great, dog-friendly experience for me and my family and friends. It is a safe and friendly environment for us to come and the store and restaurant serve great food. DBR offers free coffee and ice cream as well to those who pick up trash, which is a great incentive for people to keep the coastline clean!

Thanks,  
Walker

## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Monday, February 1, 2021 10:57 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Dillon Beach/Feb 12

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**From:** Tanja Schulte-Irwin <tanjaschulte@gmail.com>  
**Sent:** Saturday, January 30, 2021 1:15 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Dillon Beach/Feb 12

Dear Coastal Commission,

I am writing in support of Dillon Beach Resort.

I started visiting Dillon Beach this past summer. My friend brought me out there and I immediately fell in love with the beach. The drive from San Anselmo is beautiful and not too long. Since it is a dog-friendly beach I appreciate this beach even more. There is easy parking and the well-maintained restrooms are a big plus! There is always an opportunity to find good gifts at the general store/restaurant.. yummy food, ice cream, and drinks. The staff is so friendly. My family feels so fortunate to have access to such a great beach and we have fond memories of spending time at Dillon Beach this past summer. During these hard Covid times, we were able to enjoy seeing friends, go for walks, talk and we had an opportunity to process last year's events in a safe, clean beautiful environment.

Sincerely,  
Tanja Schulte-Irwin



## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Monday, February 1, 2021 10:57 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

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**From:** Erin Kriessmann <erin@erinkriessmann.com>  
**Sent:** Saturday, January 30, 2021 2:00 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

Dear Coastal Commission,

I am writing in support of Dillon Beach Resort.

The owners of the store and resort have drastically improved the amenities at Dillon Beach. My family has spent a lot of time at Dillon beach over the past few years, particularly since Covid shutdown. The new owners have done a tremendous job of making the parking area and amenities 100X nicer than they were. The store and restaurant are both amazing, and a big part of the reason that we choose to go to Dillon Beach rather than any of the surrounding areas.

Sincerely,

Erin Kriessmann  
(415)407-0848

## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Monday, February 1, 2021 10:57 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

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**From:** John Bird <John.Bird@infotools.com>  
**Sent:** Monday, February 1, 2021 10:41 AM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

### Support of Dillon Beach Resort

I am writing in complete support of the Dillon Beach Resort. While I believe they had a rocky start and arrived with grand ambitions, I believe they genuinely listened to the people of Dillon Beach and acted accordingly. I also feel the Coastal Commission will keep them in line.

In general, they appreciate the history of Dillon Beach and have kept the personality of the area. I also feel they have gone above and beyond to listen and support the local community. For me, they clearly eliminated all the objectionable parts of the original application:

- All proposed special event aspects have been removed
- All development proposed on the former Marine Lab site has been removed
- All proposed food truck/beach concession aspects at the beach parking have been removed
- The proposed height of six units have been lowered by 12" to minimize view impacts
- Proposed approval of the existing well has been removed from this application following DBR owners and Coastal Commission staff agreement that a separate CDP application will be submitted.

I understand that some people do not like change, but I embrace it. Especially when we have had guests (pre Covid) and they always note how cute the store and surrounding area is. I truly believe the recent improvements to the property have been for the betterment of the entire area.

Some of the improvements I truly appreciate:

- Local variety and quality product in the store
- Unique and delicious foods in the café. My daughter requests the chowder every time she is in town.
- Friendly staff
- Clean up of the trailers – I realize many folks were displaced but it was an eyesore and I would imagine they have cleaned up septic issues
- Traffic – it has been inspirational to see them approach traffic and help mitigate the impact on the village at their expense.

Again, I am in support of the resort and all their efforts. Going forward, it will be critical to have a good working relationship with Mike and his staff, the Coastal Commission and the Dillon Beach community.

Thank you for all you do to protect our coastline!

John Bird  
52 Ocean View Avenue  
Dillon Beach, CA 94929  
510-421-1225

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## Rexing, Stephanie@Coastal

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**From:** Liz Newton <liznewt@pacbell.net>  
**Sent:** Monday, February 1, 2021 10:47 PM  
**To:** Manna, Jeannine@Coastal; Manna, Jeannine@Coastal; Rexing, Stephanie@Coastal; Rexing, Stephanie@Coastal  
**Cc:** Ginsberg, Jo@Coastal; Ginsberg, Jo@Coastal; Rhonda Kutter; Veasart, Pat@Coastal; Veasart, Pat@Coastal  
**Subject:** Fw: DBR Rent Increase Letters  
**Attachments:** 1st Rent Increase at DBR- Upper Tier.pdf; Graduated Rent Increases at DBR- Upper Tier.pdf

Ladies, I know time is short but please send this to the commissioners. These rent increases were based on permanent mobile home parks. The former trailer park owners did have restricted use. As a matter of fact somewhere in all these reams of documents that I have read there is a page from the DBR investors showing that the use of their trailers was to be no more than 20 days/month. These trailers were not considered primary residences. Please note the extremely high rate of increase in a rather short time period. The reason there was a mass exit of trailer owners is because of the rent increases. If the CCC is concerned about having rental fees that are more affordable this community of privately owned trailers with pad lease fees of \$550-\$650/month is a great loss. The fact that the tiny homes are close to a small market and a cafe does not mean that the people with lower incomes will be able to afford the current prices at the store or the cafe. Originally, when the store reopened, and let's not forget that the resort closed down a turn-key country store and moved their version of a retail "beach" store onto the beach. Permitted?? I doubt it. Point being they lost high season profits they could have made had they just sold the non-perishable goods already on their store shelves until they were ready to remodel the country store. Once the store reopened, after the remodel that happened under the cover of night, the items for sale in the store were very elite brands with very steep prices. Originally, the store carried chips I had never heard of, beer were brands that I had never seen, cans of soup were also brands that I never heard of. Yes, the grocery mix has changed, you will find more common brands on the shelves but with steep prices.

The new cafe menu was very pricey. If I want to spend \$25-\$30 for a meal I would go to another beach community. I used to eat at the former cafe when the menu was beachy: fish and chips, clam chowder, burgers and some of their rotating specials. A quick and affordable meal. Yes, the resort has changed their menu offerings and lowered their prices but only after realizing \$14/glass of wine and \$25/meal is more than the average beach going family wants to spend. But you see they don't want the average beach going people. The DBR investors want a different look and feel of their investment.

As long as this is my last shot of pointing out the resort's defects let's not forget that the resort took down 4-5 very tall trees that was between the Dillon Beach Road and their back parking lot. The trees were replaced with grass and plants that are not native to the area. Add the fact that the grass and new plants had to be placed on a sprinkler system. And, white rock was used for decorative purposes through out the resort and store area. White rock is not a native looking landscape accent. In Carmel yes. But not Dillon Beach.

I do feel that the steep rent increases was a deliberate move on the part of the investors. The pads were needed for the new tiny homes that had to have been on order before the park emptied.

I am Liz Newton and I have sent many emails to the county and to the CCC staff. I have owned a home on Cypress Avenue for almost thirty years. I have used this quaint quirky beach community for over 65 years. This community will never be the same. Becoming a rich tourist haven is what it will be. These investors have been allowed to use deceitful tactics right from the get go. They have rented their tiny homes in a park that is not permitted, has septic waste issues for almost 3 years. Escrow closed May 2018 and the investors have been able to conduct business their way because no one has shut them down. It does not matter how much money they stood to lose or how much money they say they have lost. Bottom line, the DBR investors chose the course they took and they should not be granted what they wanted

all along.

I am sorry that you will receive two of these emails. My program went screwy when I entered addresses for staff at the CCC.

Liz Newton

----- Forwarded Message -----

**From:** Debbi Ramey <rameydebbi@gmail.com>

**To:** Liz Newton <liznewt@pacbell.net>

**Cc:** Ellen Leshner <ellenlesherre@gmail.com>; Mary Kay Patton <mk.patton@gmail.com>

**Sent:** Tuesday, January 19, 2021, 10:42:18 AM PST

**Subject:** DBR Rent Increase Letters

Liz,

I was able to get my hands on the Rental Increases for one of the trailers on the upper tier. The rent increases were different, based on where the trailer is located in the park. These letters are for a trailer on the upper tier area, where we used to congregate for our get-togethers.

In the second letter, they say that the graduated increases are based on other trailer parks rents. What they didn't say is the parks they are comparing to are PERMANENT Full Time Residents, NOT vacation rentals!!!

Hope this helps...Debbi



# DILLON BEACH RESORT, LLC

Dillon Beach, CA 94929

May 25, 2018

TO:

Re: Notice of Rent Increase for RV Rental

Dear Tenant(s):

**PLEASE TAKE NOTICE** that beginning on July 1, 2018, your rent will be increased **\$150.00 per month.** Accordingly, as of July 1, 2018, **your monthly rent will be \$800.00.**

Thank you for your kind attention to this Notice.

Very truly yours,

Dillon Beach Resort, LLC

By: *Kevin Shipley*  
Owner/Authorized Agent

Dated: 5-25-18

# DILLON BEACH RESORT, LLC

Dillon Beach, CA 94929

Re: Notice of Rent Increase for RV Rental

Dear Tenant(s):

**PLEASE TAKE NOTICE** that ownership has conducted a market analysis of comparable properties and has determined that market rent for your space is \$2,000 per month. Beginning on April 1, 2019, we will be instituting a graduated rental increase per the following schedule:

<u>DATE</u>	<u>NEW RENT PER MONTH</u>
April 1, 2019	\$1,100
July 1, 2019	\$1,500
October 1, 2019	\$2,000

If you have any questions respecting your vacation rental tenancy, please contact us. Thank you for your attention to this Notice.

Very truly yours,

Dillon Beach Resort, LLC

Dated: 12/5/18

By: Karin Shipley  
Owner/Authorized Agent



## Rexing, Stephanie@Coastal

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**From:** Dennis Sarantapoulas <dennis.sarantapoulas@gmail.com>  
**Sent:** Thursday, February 4, 2021 9:49 PM  
**To:** Padilla, Stephen@Coastal; Rexing, Stephanie@Coastal; Mike@dillonbeachresort.com  
**Subject:** Dillon Beach Resort Coastal Permit # 2-20-0018  
**Attachments:** RV Park before DBR.jpg; RV Park after DBR.jpg; Bring Back the Food Truck.jpg

Dear Mr. Padilla and Ms. Rexing,

I am writing this letter in support of the improvements and upgrades that Dillon Beach Resort has made to our coastal community. My partner and I own probably the closest and most impacted property in the community. Our home at 109 Cypress Avenue sits directly across Beach Ave from the resort and our deck overlooks the entire RV Park. We bought our home in 2005 and always loved looking out at the ocean views from our home but always had to hold our nose looking over the dilapidated RV's that sat rusting away across the street. Dillon Beach Resort has made a major investment in our community by removing many old RV's that sat empty almost year round and replaced them with beautiful new units that invite many more new visitors to our small town throughout the year. Most of the old RV's were owned by families that kept their RV's at Dillon Beach for generations. Most were only used once or twice a year by the younger generations that rarely came out to the beach. Almost all of the RV's that were removed had to be crushed on-site because they were so rusted that the axles and wheels would have fallen off if they were towed out of town.

I have attached before and after pictures of the view from our deck. As you can see we have retained almost all of our panoramic ocean and bay views and the view of the RV park is improved tremendously with the modern units that look clean, modern and well maintained.

I'm not sure why many of my neighbors that don't live as close to the Resort as I do complain about the Resort. Many of them just don't like any change at all and don't want visitors coming to our town and beach. They want Dillon Beach to stay the way it was. I think the investments made by Dillon Beach Resort have improved our community and our home values have risen because of it. In addition to the RV park Dillon Beach Resort has greatly improved and modernized the store and the new Coastal Kitchen Restaurant is still putting out great food even under the strains and pains of the current Covid Pandemic.

I wish the resort was still operating their food truck down at the beach. I'm sad they removed it from their application. I loved walking down to the beach and having a crisp Chicken sandwich and ice cold Coke served right on the beach during the short time it was available. (Photo attached - Bring Back the Food Truck!). We live in our home at Dillon Beach most of the year and also rent it out often on Airbnb. Many of our guests write great reviews that often mention how convenient it is to have a nice restaurant and "hip" store right across the street from our home.

I have faith that Dillon Beach Resort will do their best to make improvements to keep their operation running smoothly and they have long term goals to be a valued part of our community. I've watched them from my deck as they have made repairs and improvements to long neglected items like paint, fencing, water, sewage and electrical. There were 2 items that I know of that the resort changed immediately when asked by myself and neighbors. The first item was early on when they first started closing the beach parking lot gate at night. We asked for a gate that we could use late at night or early in the morning to easily get to the beach. The very next day Dillon Beach Resort installed a walk through gate that remains open day and night. As a volunteer fire fighter serving Dillon Beach I told them we were concerned about fire pits they were installing near the cabins potentially causing a wild fire. The fire pits were immediately filled with stones and never used.

I know there are many quieter folks in the community that like the improvements and upgrades made by Dillon Beach Resort. I hope we don't get drowned out by the more vocal and louder group that seems to believe that any change is bad. I hope to be able to speak during your hearing on February 12, 2021.

Sincerely,

Dennis Sarantopoulos  
109 Cypress Ave  
PO Box 95  
Dillon Beach, CA 94929  
(707) 338-1510













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THEBODEGACA.COM

TB

Coca-Cola

## Rexing, Stephanie@Coastal

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**From:** Eric Davis <daviseric@comcast.net>  
**Sent:** Friday, February 5, 2021 11:02 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Dillon Beach Resort Application for Coastal Permit; Comments  
**Attachments:** Photo of RV Decks on Beach Avenue-11-24-2020.jpg; Photo of Cabins on Beach Avenue-11-24-2020.jpg; Photo of Fence Outside Cabins on Beach Avenue-11-24-2020.jpg; Photo of Fence along Cabins on Beach Avenue-11-24-2020.jpg

Dear Ms. Rexing:

As one of the owners of the property at 144 Cypress Avenue in the Village at Dillon Beach, I am writing in support of the letters submitted by Chris Skelton of Land Law on December 17, 2020, and today, February 5, 2021, opposing the Dillon Beach Resort's application for a Coastal Development Permit.

I also would like to make the following additional points:

1. **Setbacks of RV's.** The RV's now facing on Beach Avenue are much too close to the sidewalk. The decks on these RV's are within about a foot of the sidewalk edge. A pedestrian walking along the sidewalk between the RV's and Beach Avenue can literally reach up and pick up a beverage glass placed on the railing of the RV deck adjacent to the sidewalk. The Resort's placement of these RV's that close to the sidewalk is a safety hazard, as well as visual blight due to the canyon effect that it creates. There should be a reasonable setback of the RV's from the sidewalk. I could not find a specified front yard setback for the R-CRC zoned district in which this development is located, presumably because it is intended that such setbacks be set as part of the master plan process intended for such districts. However, I believe that the setback should be a minimum of 5 feet from the inside edge of the sidewalk. Historically, the trailers that were previously placed along Beach Avenue were about 5 feet from the sidewalk based upon a view of historic photos, including those in the Staff Report, although the trailer hitches were closer. In addition, the Resort's 3 existing cabins along Beach Avenue, north of the RV's, are about 5 feet away from the sidewalk, although cabin projections are closer to 3 feet from the edge of the sidewalk. I have attached photos that I took on November 24, 2020 of the setbacks of the RV's and the cabins from the edge of the sidewalk, including measuring tape photos showing the distance of the white fence outside the cabins to the inside edge of the sidewalk, and the distance of the fence from the projection on the outside of the cabins. You can see from these photos that the RV's are at least 4 feet closer to the edge of the sidewalk than the cabins. I request that the Coastal Commission require that the RV's be setback from the inside edge of the sidewalk the same distance as the walls of the cabins from the inside edge of the sidewalk, which is about 5 feet. In addition to the 5' setback of the RV's from Beach Avenue, I believe the Coastal Commission should require a similar setback for the rear row of RV's that is 5' from the rear RV lot lines close to the bluff above Dillon Creek.
2. **Traffic Congestion.** Other comments have been submitted to the Coastal Commission regarding the problem of vehicle backups from the entrance to the Resort's Beach parking lot up the road as far back as Elephant Rock during busy times. I personally have been stuck in this backup coming into the Village at least a half mile up the road, just below the residence and barn along the road coming down into Dillon Beach. I believe that having a sign at the Tomales Fire Station advising vehicle operators that the Dillon Beach parking lot being full is not enough, since persons driving from a great distance to Dillon Beach are likely to want to take their chance in getting into the Beach parking lot even if the sign says the lot is full. I think that the Coastal Commission should consider a requirement that the Resort provide a turnaround area inside the Resort's Beach parking lot or on its property close to the parking lot entrance, so that vehicles do not just queue up on the road waiting for a parking space to open up in the parking lot, but can turn around and leave the area. To discourage this queuing,



I request that the Coastal Commission also consider a requirement that the Resort arrange for the posting of “No Vehicle Queuing on Roadway” or similar signs along the beach side of the roadway above the Beach parking lot entrance, warning vehicle operators that creating a queue of 5 or more vehicles is a violation of CVC Section 21656 and subject to a fine, and fund parking enforcement by the County Sheriff or other County parking enforcement personnel during busy periods.

Thank you for your consideration.

Eric T. Davis

















## Rexing, Stephanie@Coastal

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**From:** Jamie Ginsberg <sonicallstar@gmail.com>  
**Sent:** Friday, February 5, 2021 11:21 AM  
**To:** Padilla, Stephen@Coastal; Rexing, Stephanie@Coastal  
**Subject:** Support for Dillon Beach Resort

Hello Stephen and Stephanie,

I am writing to you asking for support for Dillon Beach resort for a costal redevelopment permit to eliminate the RVs at the beach and continue to make this incredibly beautiful piece of land accessible and desirable for kids and families.

Please visit the beach if you can, it is easy to see what an amazing job this team is doing at stewarding our local resources.

Thank You,

Jamie Ginsberg

35 Berlin Ave.

San Anselmo CA. 94960

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Have you LinkedIn with me? <http://www.linkedin.com/in/jamieginsberg>

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"No Revolutionary movement is complete without its poetic expression. If such a movement has caught hold of the imagination of the masses, they will seek a vent in song for the aspirations, fears, and hopes the loves and hatreds engendered by the struggle." **-James Connolly 1907**

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Well, I ain't always right but I've never been wrong.

Seldom turns out the way it does in a song.

Once in a while you get shown the light

In the strangest of places if you look at it right.

\*\*\*\*\*

"There is a road, no simple highway

Between the dawn and the dark of night

And if you go no one may follow

That path is for your steps alone."

## Rexing, Stephanie@Coastal

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**From:** Debbi Ramey <rameydebbi@gmail.com>  
**Sent:** Friday, February 5, 2021 11:50 AM  
**To:** Rexing, Stephanie@Coastal; Manna, Jeannine@Coastal; Padilla, Stephen@Coastal; Rice, Katie@Coastal; Ainsworth, John@Coastal  
**Cc:** Eileen Hayes; Ellen Leshner; Mary Kay Patton; Liz Newton  
**Subject:** DB Resort- Pictures of Eileen Hayes' View  
**Attachments:** Eileen Hayes current view 2.4.2021.jpeg; Eileen Hayes Streetview BEFORE (2).jpg; Eileen Hayes Streetview Current View.jpg; Eileen Hayes View Before Motel Rooms.jpg; Visitors View Entering DB.jpg; Visitors View Entering DB 2.jpg

Hi All,

Eileen Hayes @ 4 Beach Avenue (across from the Dillon Beach Store Parking Lot) has asked me to send these BEFORE & AFTER pictures to you of her view.

Once two more Motel Rooms on wheels are put next to the DB Store/Cafe parking lot fence that separates the parking lot from the Trailer Park (street side and ocean side), her view will diminish from a total view of the Peninsula & Point to what she can see looking straight across to the DB Store & Cafe parking lot. That's approximately a 75% decrease in her view! The pictures you have in the Exhibits and Exparte correspondence ([Page 5 of Exparte and Exhibit 11, Page 3 of 5](#)) show the difference in the Before and After views.

**Page 5 of Exparte-** The Before and After of the Street View (NOT the Arial View) clearly shows how much taller the Motel Rooms are and the loss of view (you can see a tiny slit of ocean with the Before pic.). Imagine how that affects the homes on Cypress, with the taller wheeled rooms. **That view is what people (visitors and locals alike) are seeing when they drive (or walk along) into DB and no longer the Peninsula & Point. Were talking first impression of people as they come into DB on DB Road/Beach Ave.**

**Exhibit 11, Page 3 of 5-** This also shows the Before and After of the Street View. This picture also shows how much taller the Motel Rooms are and the loss of view.

Some of the villagers also do NOT understand why no one has come out to see the view from our point of view. Eileen Hayes was also told that it couldn't happen because of COVID. If that's the case then why was someone from the CCC able to come out a few months ago to meet outside with Mike Gobel and Steve Kinsey, if you have COVID concerns. They only show you what they want YOU to see and not what WE see. THE VILLAGE NEEDS REPRESENTATION FROM THE CCC TO LOOK AT THE VIEWS FROM OUR VANTAGE POINTS! Please don't approve the DBR Coastal Permit until after due diligence is done in the Village.

The attached pictures were taken by Eileen Hayes and are labeled accordingly. Thank you for your consideration of this matter.

Debbi Ramey  
415-730-6100









DILLON BEACH  
**GENERAL STORE**  
←  
OPEN







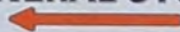
DILLON BEACH  
GENERAL STORE

OPEN





DILLON BEACH  
**GENERAL STORE**



OPEN

## Rexing, Stephanie@Coastal

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**From:** Liz Newton <liznewt@pacbell.net>  
**Sent:** Friday, February 5, 2021 1:37 PM  
**To:** Rexing, Stephanie@Coastal; Rexing, Stephanie@Coastal; Manna, Jeannine@Coastal; Manna, Jeannine@Coastal; Veasart, Pat@Coastal; Veasart, Pat@Coastal; Ginsberg, Jo@Coastal; Ginsberg, Jo@Coastal  
**Subject:** Fw: Dillon Beach Resort Coastal Permit Application  
**Attachments:** Dillion Beach Op. Ltr. (2.5.21).pdf

Hello, I am Liz Newton and support every last detail in this document. This document clearly states all the issues many of us in the Village support. Many of these points have been brought up since Feb 2019. At that time, most of the letters I sent registering grave concerns of DBR and their illegal activities to Marin County and the Supervisor office. I think it is important to review those earlier letters.

I do not support any part of F13b. Rereading the Coastal Act, was written that adequate time for review by the public should be granted. Giving the public speakers at this meeting 1-3 minutes per person is not adequate. Since May 2018 these investors have taken upon themselves to proceed as if they had a CDP. They choose this path. They choose the individual, Steve Kinsey, to help them navigate a new way to legitimize their business. But, their way should not be the way of the esteemed CA Coastal Commission.

Please attach this letter to the CCC's packet.

Liz Newton  
530-219-5347

----- Forwarded Message -----

**From:** Eric Davis <daviseric@comcast.net>  
**To:** 'Mary Kay Patton' <mk.patton@gmail.com>; "liznewt@pacbell.net" <liznewt@pacbell.net>; "beachbumsx4@gmail.com" <beachbumsx4@gmail.com>  
**Sent:** Friday, February 5, 2021, 10:40:32 AM PST  
**Subject:** Dillon Beach Resort Coastal Permit Application

Mary Kay, Liz, Dennis and Ellen:

I will be sending an email to Stephanie Rexing of the Coastal Commission before noon today in support of the attached letter that was submitted by Chris Skelton of Land Law in opposition to the Dillon Beach Resort's Coastal Permit Application that is scheduled for a public hearing on February 12. If you feel you can support his letter, please consider sending a letter to Ms. Rexing before noon today indicating your support, in addition to any other comments you have sent or will be sending her.

Thanks

Eric Davis

530-400-9899





February 5, 2021

**SENT VIA EMAIL ONLY**

*([Stephanie.rexing@coastal.ca.gov](mailto:Stephanie.rexing@coastal.ca.gov))*

Stephanie Rexing  
North Central Coast District Supervisor  
California Coastal Commission  
45 Fremont Street, Ste 2000  
San Francisco, CA 94105

**RE: Dillon Breach Resort; Costal Development Permit App. #2-20-0018**

Ms. Rexing:

Our firm continues to represent local property interests regarding the above referenced coastal development permit application. I am writing to share opposition to the project based on the inadequate and inaccurate information in the application materials as submitted. Further, the piecemealing of the project is contrary to state law and represents a fundamental flaw in this process; the current application omits the septic plan upgrade for the cabins, the retroactive permitting of the well is contemplated as a joint application in early 2021 by the water agency and property owner, and there is no baseline information regarding the traffic study for the Commission to adequately evaluate the impacts or mitigation measures necessary for a project approval. I respectfully request that the Commission deny the application, or in the alternative, continue the hearing until the entirety of the project is compiled into a single application that resolves the numerous current deficiencies.

The new "Tiny Home" RVs deviate from the 1969 permit approved by the County of Marin for travel trailers. The current application is reminiscent of 1969; at that time, the then owner of the property illegally demolished the legal conforming pre-existing cabin structures and illegally installed his preferred infrastructure to support the travel trailers, which the County reluctantly granted a retroactive permit for the non-conforming use. Similarly, the current owners commenced a series of impermissible projects only to now beg for forgiveness instead of asking for permission at the outset. The illegal work is well documented in the staff report. Just like 50 years ago, the current owner is seeking a retroactive coastal development permit to perfect the new change in use, structures, and supporting systems. Staff recommended denial of the 1969 retroactive permit for a variety of reasons. Those same reasons, and more, remain applicable to the current application, despite the reasonable attempts to confer some public benefit.

LAND LAW LLP

1010 B Street, Suite 200 San Rafael, CA 94901  
T. 415.483.0050 E. [chris@landlawllp.com](mailto:chris@landlawllp.com)  
[www.landlawllp.com](http://www.landlawllp.com)

The incomplete and/or inaccurate information includes:

1. Parking defects;
2. Septic defects;
3. Incomplete approvals from additional agencies, including the County of Marin's finding of conformance with the 1969 Use Permit and necessary master plan approval;
4. Miscellaneous additional defects including Inadequate treatment of the entire project, its impacts and potential alternatives that arise out of the piecemealing of the current application, and unreasonably vague and ambiguous special conditions of approval.

### **Parking**

Pages 47 and 48 of the staff report provide a thorough evaluation of the parking requirements to conform to the necessary findings for the CDP. Specifically, the staff report identifies that a minimum of 43 parking spaces are required based on the analogous use designation of hotel/motel. However, the staff report fails to resolve the technical requirements of Title 24 of the County Code related to parking requirements based on the following inconsistencies:

1. 24.04.335(a) requires that all parking and loading spaces shall be provided on the *same site* as the use to which they relate. At least 31 parking spaces are located off-site at APN 100-161-14 instead of on-site at APN 100-162-01. Although the parcels may share common ownership, they are different properties that serve different uses.
2. 24.04.335(f) requires all off-street parking and loading spaces to be striped and provided with wheel stops. There is nothing in the application materials that provides a site plan depicting the location, dimensions, and improvements to satisfy this requirement.
  - To the contrary, Figure 3 of Exhibit 1 to the staff report identifies "guest parking area" with an overly broad white box overlaid on a Google satellite image.
  - Exhibit 3 to the staff report includes a sheet produced by CiviKnit that identifies only 25 parking spaces on APN 100-161-14. 25 parking spaces in the applicant's own materials is less than the 31 spaces identified in the staff report. Absent an accurate site plan, these distinctions cannot be reconciled.
  - The 1969 CUP staff report and supporting documents identifies the proposed parking area as 20-22 feet wide and 200 feet long. Applying the County's minimum 8.5' parking width, only 23 parking spaces would fit in the designated area, which is even less than then 25 parking spaces presumed in the applicant's materials.
3. 24.04.335(g) requires safe circulation of vehicular and pedestrian traffic and prohibits direct backing into or out of a parking area from the street for commercial uses like this. Again, there is no accurate site plan provided in the application materials that clarifies whether the parking across Beach Avenue complies with the turnaround or backout circulation requirements under the County Code.

- The application materials fail to include a parking study or circulation evaluation from a qualified professional that clarifies the necessary dimensions for safe backout or turnin to the designated off-street parking.
4. 24.04.335(k) requires parking lots for both residential and nonresidential project to be landscaped. There is no landscape plan included in the materials to demonstrate compliance with this requirement.
  5. 24.04.360 requires designated accessible parking and related facilities in compliance with state and federal standards. Again, due to the deficiencies in the application materials regarding a comprehensive site plan/parking plan, there is inadequate information to evaluate whether the applicant is complying with this requirement under the County Code.
  6. 24.04.370 prescribes loading requirements for various uses and tiered off of overall square footage. It appears that, at a minimum, the applicant must designate one small (i.e. 12'x25') off-street loading space. Here too, there is inadequate information provided by the applicant to make a finding of compliance.
  7. To the extent that the applicant is treating APN 100-161-14 as a parking lot, then there may need to be corresponding lighting improvements pursuant to 24.04.410. Such improvements are absent from the application materials.
  8. The staff report identifies that the 12 additional parking spaces necessary to satisfy the 43 spaces required will be located at the restaurant parking lot. This proposal is fundamentally flawed since it is confirmed from the 1969 County approval that only 23 parking spaces can fit across the street in the applicant's designated parking area. Therefore, there is a minimum of an 8 parking space deficit that needs to be resolved to make the necessary findings in support of the CDP.
    - Footnote 52 to the staff report suggests that the restaurant and store currently provide 36 parking spaces whereas only 24 is required under CDP 92-059. There is no accurate site plan included in the project materials that demonstrates current compliance with the parking, circulation, and loading standards for the neighboring restaurant and store use. Further, as required by the Title 24 of the County Code, if the Applicant is suggesting utilizing that separate property to satisfy the RV parking needs, then all parking should be brought up to current compliance with County standards. See 24.04.335(j).

## **Septic**

Pages 56 and 57 of the staff report provide a comprehensive evaluation of the unpermitted past septic work in the environmentally sensitive habitat area ("ESHA") and corresponding damage that resulted from this work. The staff report also identifies the upgrades that are proposed to bring the RV park's septic into compliance with current standards, which is also detailed in the Questa Report dated March 27, 2020. However, like the parking considerations detailed above, the septic plan appears to be deficient in complying with County standards for the following reasons:

1. Section 401 of the County Regulations, adopted pursuant to Marin County Code 18.06, requires leach lines (drainfields) to be setback various distances from certain features. The following may apply and currently appear to be non-compliant based on the Questa materials:



- 5 feet from adjoining property lines – no property lines are depicted on the site plan to afford a meaningful determination of compliance.
  - 5 feet from a driveway or paved surface – there are no distances depicted on the plans to demonstrate compliance, but a rough scale of the plans suggests that the 5-foot setback is not accommodated based on the proposed design.
  - There is a semi-complicated calculation for measuring the setback required from an embankment or natural bluff, which is the condition that exists directly adjacent to the eastern drainfield. The notes for regulation 401 suggest that a minimum of 25-foot setback is required and potentially up to 100 feet. The plans fail to demonstrate compliance with this minimum condition, let alone the potentially more significant setback after properly calculating the existing features.
2. Section 603 of the County Regulations describes the restrictions that apply to reserve areas. The Questa design designates the parking along the northern side of Beach Avenue (APN 100-161-14) as “future reserve leachfield area”. Section 603(F)(2) specifically reads “Reserve areas shall meet all site suitability requirements outlined in these regulations and shall not be used for construction of buildings or roadways or other incompatible or Soil-damaging activities.” Parking, grading, paving, and other work necessary to accommodate the northern parcel for necessary RV parking qualifies as soil-damaging and incompatible activity. Therefore, it appears that the reserve area is deficient to accommodate the septic demands.

### **County of Marin Approval**

The new Tiny Home RVs are a change of use. The reasons for this conclusion are outlined in detail in the December 17, 2020 letter that was submitted in opposition to this project in advance of the originally scheduled January hearing. The same points remain applicable and the County should make its independent finding prior to the Commission approving the CDP. It is inefficient and improper to make the County’s determination a condition of approval, which is currently proposed by the staff report and resolution – see special condition 11.

Furthermore, the County requires that this project proceed through a master plan process in connection with the after-the-fact CDP. Specifically, Policy 10.1 of the Dillon Beach Community Plan requires that the owner engage in a master plan process with the County if there is a substantial improvement or new development in the Resort area. *The applicant’s past activities that are subject to this after-the-fact CDP clearly trigger the requirements in the Community Plan to engage in a master planning process. Accordingly, this CDP should be, at a minimum, suspended until that master plan has been review and approved by the County.*

Note that the Dillon Beach Community Plan reads “all Master Plan approvals will be contingent on adequate water supplies. To improve water supply efficiencies, primary Plan recommendations include conducting technical studies or existing water supplies to confirm their extent, and evaluating the feasibility of forming a communitywide service

district.” See Community Plan ES-6. In 1989 the community anticipated these issues and baked into the process the appropriate process and substantive input to make an informed decision. Unfortunately, the illegal work and after-the-fact attempt to permit the work obfuscates what would otherwise be a clean linear application process.

Further, the Community Plan describes specific objectives, goals, and policies that relate back to any necessary master plan for this property. Such objectives include: public access to Dillon Creek with Creekside trails and maintenance programs to keep the creek clear; stabilization of bank erosion and revegetation efforts, among others. These elements are absent from the current application materials and should be demonstrated as a precursor to approval. It is deficient to make these elemental aspects of the project a condition of approval, as is proposed in the resolution.

Additionally, the Community Plan reads, “due to the suspected presence of archaeological resources throughout the planning area, all Master Plan proposals shall be accompanied by archaeological and cultural resource reports and field surveys.” See EQ-10.1 of the Dillon Beach Community Plan. The trenching and grading associated with the septic systems would appear to qualify for such investigation and reports. Absent this information, it is challenging to understand how an informed decision on the merits can be made by the appropriate decisionmakers.

### **Miscellaneous Inconsistencies and Special Conditions**

There are a variety of components included in the staff report and supporting resolution that demand clarification and/or correction prior to any informed decision on the merits of the application. Such issues include:

1. The drive aisle along the southern portion of the RV park fails to satisfy the minimum 20-foot wide dimensions required by County Code. See County Code 24.04.110 and 14.04.260(c). Between the expanded travel trailers and proposed eastern leach field, it appears that this pinch point is a self-created hardship. This design defect suggests that the site is overly developed and too intensely improved to satisfy County minimum standards.
2. Page 2 of the staff report reads in part “the application is intended to resolve all of these issues and to allow the Applicant to proceed with the development and management of their property, and accommodate coastal visitors to Dillon Beach, with a clean slate moving forward.” This idyllic resolution is inconsistent with the substance of the application, which fails to resolve the cabin’s septic system (separate permit), the unpermitted well (separate permit), or reconcile the baseline understanding of traffic impacts, which are included as a special condition for future consideration. Further, as discussed above, the applicant is required to proceed through a master plan process with the County. The entirety of the project should be included in a single application so that the appropriate impacts and mitigation measures can be resolved at the same time as part of the “clean slate” process described in the staff report and sought by the owners.
3. There is no quantitative determination as to what the applicant’s “fair share” is for erection of electronic traffic sign and traffic management improvements. See special condition 7(a). Further, there is no mechanism detailed for how a dispute

about fair share should be resolved. Given the fact that this application process is nearly 2-years in the making, it seems appropriate that this information should be known now to eliminate future uncertainty and potential conflict. Additionally, it should be considered whether an electronic sign is adequate mitigation to manage the traffic impacts that are substantially created by the resort use and parking management.

4. Condition 4(f)(1) identifies that an initial five-year monitoring schedule is required for the habitat restoration plan. Please clarify that this five-year period commences upon completion of the improvements agreed to in the monitoring program. As presently conditioned, the monitoring program may not need to be prepared for up to 2-years from the date of CDP approval. There is no timeframe for implementing the improvements contemplated in the habitat restoration plan. So, the 5-year monitoring requirement could pass before the improvements are actually installed if the language in the condition is not clarified.
5. Condition 7(b) requires a traffic management plan that would include a baseline assessment. This application has been in process for over 2 years. Why has a baseline traffic assessment not been commissioned and produced in connection with the application materials for completeness review? This information is necessary for the Commission to evaluate the impacts of the CDP and assign mitigation measures and/or alternatives in connection with any approval.
  - As presently conditioned, the baseline assessment would only include traffic to/from the beach parking lot. It is appropriate to expand the traffic study and baseline assessment to include an objective evaluation of the traffic and parking demands for the restaurant/shop, as well as the RV park. As described in the staff report, the “facts” to support the findings for traffic and parking associated with these additional uses of the property are based solely on self-serving anecdotal data, which is inadequate to suggest that the parking and circulation demands are adequately met based on existing conditions.
6. Condition 8(e) allows the owner to continue the installation and rental of the RVs pending completion of the terms and conditions of a CDP approval. A question for the Commission is whether the owner/applicant should be financially rewarded for failing to comply with the Coastal Act, illegally making improvements to the property in a manner consistent with the historical management of this particular property, and potentially further incentivize this owner or other similar property owners to engage in the same pattern of behavior. To better incentivize the owner to diligently pursue the various conditions, including necessary technical studies, I suggest that the rentals be curtailed immediately and the expanded use permitted based on meeting objective milestones identified by the Commission.

## **Conclusion**

In light of above referenced application defects, the Commissioner is encouraged to deny the application as incomplete, inaccurate, and out of compliance with local and state land use regulations and standards. Although the applicant, in consultation with Coastal Commission staff, has attempted to demonstrate compliance with the Coastal Act by providing certain public benefits and amenities, the project remains too intense to satisfy



minimum development standards and requires evaluation of appropriate alternatives to bring the project into compliance with local and state law.

Thank you for your consideration.

Respectfully,



Christopher A. Skelton

cc: Sara Pfeifer ([Sara.Pfeifer@coastal.ca.gov](mailto:Sara.Pfeifer@coastal.ca.gov))

Brian Crawford ([BCrawford@marincounty.org](mailto:BCrawford@marincounty.org))

Tom Lai ([tlai@marincounty.org](mailto:tlai@marincounty.org))

02/05/2021

To: Commission Chair, Stephen Padilla  
North Coast Supervisor, Stephanie Rexing

Hello,

We, Jackie and Stephen Cato, residents at 137 Cypress Ave, Dillon Beach, CA 94929 are sending this letter to you in support of the Coastal Development Permit #2-2--0018 submitted by Dillon Beach Resort. We have lived at this address since 1997 and it is our full time residence.

We understand that Dillon Beach Resort (DBR) has applied to replace 25 pre-existing RV units with new and small compact 'tiny homes' - RV Park like models – an enhanced and esthetic improvement. We live exactly on the opposite side of the street that the proposal addresses. At first we were concerned about the potential increased traffic/impact the new RV's would bring to our neighborhood. However, after experiencing the actual reality of the situation, DBR's impact on us is nothing compared to the consequences of the Pandemic - that people are in search of open space and beaches. We get it, people need a place to go for peace of mind and Dillon has become one of those places. And, seemingly, the village of Dillon Beach has become the recipient of extreme foot and vehicle traffic.

Granted, if you build it - they will come, and DBR has vastly improved their property (general store, cabins, the restaurant, RV's, the beach), that also enhances all of our property values within the general area. DBR has always been open to discuss any of our concerns regarding neighborhood issues (they've sponsored community meetings at their expense), and they try to lessen traffic/parking issues as best they can while working with law enforcement. We feel that they have become good stewards of their properties and have enhanced the general coastal environment that assists all beach goers. Our experience is that the DBR management works toward open communication with their Dillon Beach neighbors and tries to mitigate issues before they get misconstrued --- if anyone has an issue with DBR, the management is willing to listen and rectify those concerns within their ability.

We should think that Dillon Beach Resort will continue to demonstrate responsible behavior and work toward common ground on all issues that would help to make Dillon Beach a vibrant, healthy, and safe community. One such approach would be for all stakeholders to assist in the management of traffic control for the ingress/egress of Dillon Beach and surrounding areas. This is a community issue not just DBRs.

Sincerely,

Stephen and Jackie Cato

137 Cypress Avenue  
Dillon Beach, CA 94929  
707-878-2218

Sjcato1976@gmail.com

Date: 2/6/2021

RE: DBR Coastal Development

Dear Stephanie,

I live in San Anselmo and have been surfing and fishing at Dillon Beach for many years. The beach and surrounding area is a pristine, natural treasure that should be protected and maintained for all of us to enjoy for years to come.

I understand that DBR's application for a Coastal Development Permit is a highly contentious and divisive issue in the Dillon Beach community. This is normal and to be expected. As someone who knows and loves the area, I think that the recent improvements to the DBR property have made a very positive impact on the beach vicinity:

- Beach access has been much improved by new management's regulation and maintenance of the parking lot.
- Trash is no longer an eyesore in and around the parking lot. The beach area is cleaner than ever before.
- Traffic control on pleasant sunny weekends has been seriously improved.
- The resort property generally looks cleaner, safer and better maintained than ever before. This makes the experience of being on and around the beach far more pleasurable.
- The option of renting an RV for the night opens this beautiful area up to more folks than before. This is both good and fair. Under DBR's conscientious stewardship of the property, these folks will grow to love, appreciate and protect the seashore and surrounding area.

I hope that you will grant DBR permission to continue improving and maintaining the resort property since I believe this would be good for the local community and their businesses while also serving the public interests and the environment. I appreciate that it is currently difficult for some members of the local community



to embrace this change but I hope that, in time, they see the wisdom in these proposed improvements.

Sincerely,

James Baigrie

## Rexing, Stephanie@Coastal

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**From:** Marquez, Maria Elena@Coastal  
**Sent:** Tuesday, February 9, 2021 11:47 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Fw: Application No. 2-20-0018 (Dillon Beach Resort)

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**From:** Susie Campbell <richnsusie@yahoo.com>  
**Sent:** Friday, February 5, 2021 1:18 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** RE: Application No. 2-20-0018 (Dillon Beach Resort)

Dear Commissioners:

RE: Application No. 2-20-0018 (Dillon Beach Resort)

We oppose the proposal submitted by Dillon Beach Resort for the following reasons:

1. Numerous impacts to sensitive habitat have taken place on this property.
2. Traffic issues related to use of the beach and the Dillon Beach Resort are significant.
3. There are visual impacts from the proposed units.
4. Safe and equitable public access to this well-loved beach is critical to the local community.

Note: we are in support of the proposed restoration and removal of septic lines from an Environmentally Sensitive Habitat Area.

Thank you,

Susie Campbell  
Patrick Campbell  
Andrew Campbell

4234 Brookshire Circle  
Santa Rosa

Dear Commissioners:

February 5, 2021

RE: Application No. 2-20-0018 (Dillon Beach Resort)

I am writing to voice my opposition to the proposal submitted by Dillon Beach Resort for the following reasons:

1. Numerous impacts to sensitive habitat have taken place on this property
2. The applicant failed to comply with the Coastal Act and apply for permits in a timely manner.
3. The widest opportunity for public involvement of the local community should be afforded related to the traffic Management Plan.
4. Traffic issues related to use of the beach and the Dillon Beach Resort are significant.
5. There are visual impacts from the proposed units.
6. Safe and equitable public access to this well-loved beach is critical to the local community.

Note: I am in support of the proposed restoration and removal of septic lines from an Environmentally Sensitive Habitat Area.

Thank you for your careful consideration of this vitally important matter.

Kindest Regards,

Loretta Vanderveen

22 Bay Drive, Dillon Beach

## Rexing, Stephanie@Coastal

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**From:** Marquez, Maria Elena@Coastal  
**Sent:** Tuesday, February 9, 2021 12:14 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Fw:

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**From:** David Bawolski <dbawolski@hotmail.com>  
**Sent:** Friday, February 5, 2021 12:34 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:**

Dear Commissioners:

February 5, 2021

RE: Application No. 2-20-0018 (Dillon Beach Resort)

I am writing to voice my opposition to the proposal submitted by Dillon Beach Resort for the following reasons:

1. Numerous impacts to sensitive habitat have taken place on this property
2. The applicant failed to comply with the Coastal Act and apply for permits in a timely manner.
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Note: I am in support of the proposed restoration and removal of septic lines from an Environmentally Sensitive Habitat Area.

Thank you for your careful consideration of this vitally important matter.

Kindest Regards,

David

dbawolski@hotmail.com



## Rexing, Stephanie@Coastal

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**From:** Marquez, Maria Elena@Coastal  
**Sent:** Tuesday, February 9, 2021 12:15 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Fw: Application No. 2-20-0018 (Dillon Beach Resort)

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**From:** Susie Campbell <richnsusie@yahoo.com>  
**Sent:** Friday, February 5, 2021 1:18 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** RE: Application No. 2-20-0018 (Dillon Beach Resort)

Dear Commissioners:

RE: Application No. 2-20-0018 (Dillon Beach Resort)

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1. Numerous impacts to sensitive habitat have taken place on this property.
2. Traffic issues related to use of the beach and the Dillon Beach Resort are significant.
3. There are visual impacts from the proposed units.
4. Safe and equitable public access to this well-loved beach is critical to the local community.

Note: we are in support of the proposed restoration and removal of septic lines from an Environmentally Sensitive Habitat Area.

Thank you,

Susie Campbell  
Patrick Campbell  
Andrew Campbell

4234 Brookshire Circle  
Santa Rosa

## Rexing, Stephanie@Coastal

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**From:** Marquez, Maria Elena@Coastal  
**Sent:** Tuesday, February 9, 2021 12:19 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Fw: Dillon Beach

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**From:** Gina & Dan Cullen <gdcullen@sbcglobal.net>  
**Sent:** Saturday, February 6, 2021 7:45 AM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Dillon Beach

Dear Commissioners:

February 5, 2021

RE: Application No. 2-20-0018 (Dillon Beach Resort)

I am writing to voice my opposition to the proposal submitted by Dillon Beach Resort for the following reasons:

1. Numerous impacts to sensitive habitat have taken place on this property
2. The applicant failed to comply with the Coastal Act and apply for permits in a timely manner.
3. The widest opportunity for public involvement of the local community should be afforded related to the traffic Management Plan.
4. Traffic issues related to use of the beach and the Dillon Beach Resort are significant.
5. There are visual impacts from the proposed units.
6. Safe and equitable public access to this well-loved beach is critical to the local community.

Note: I am in support of the proposed restoration and removal of septic lines from an Environmentally Sensitive Habitat Area.

Thank you for your careful consideration of this vitally important matter.

Regards,  
Gina Cullen  
Concerned Citizen

## Rexing, Stephanie@Coastal

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**From:** Marquez, Maria Elena@Coastal  
**Sent:** Tuesday, February 9, 2021 12:15 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Fw: Application No. 2-20-0018 (Dillon Beach Resort)

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**From:** Jack Cullen <jpcullen20@gmail.com>  
**Sent:** Friday, February 5, 2021 1:48 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** RE: Application No. 2-20-0018 (Dillon Beach Resort)

Dear Commissioners:

I am writing to voice my opposition to the proposal submitted by Dillon Beach Resort for the following reasons:

1. Numerous impacts to sensitive habitat have taken place on this property
2. The applicant failed to comply with the Coastal Act and apply for permits in a timely manner.
3. The widest opportunity for public involvement of the local community should be afforded related to the traffic Management Plan.
4. . Traffic issues related to use of the beach and the Dillon Beach Resort are significant.
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6. Safe and equitable public access to this well-loved beach is critical to the local community.

Note: I am in support of the proposed restoration and removal of septic lines from an Environmentally Sensitive Habitat Area.

Thank you for your careful consideration of this vitally important matter.

Kindest Regards,

Jack Cullen

## Rexing, Stephanie@Coastal

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**From:** Marquez, Maria Elena@Coastal  
**Sent:** Tuesday, February 9, 2021 12:20 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Fw: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

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**From:** Geraldine Owens <ganunowens@mac.com>  
**Sent:** Saturday, February 6, 2021 11:13 AM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

To California Coastal Commission Members,

As a homeowner of a home at Dillon Beach, I am strongly opposed to the application submitted by Dillon Beach Resort.

Although some of the improvements to the resort have been positive, i.e.. the remodeling of the general store and remodeling of the existing three units from previous owners, I believe that the owners of Dillon Beach Resort are not in compliance of basic rules the county has put forth for those requiring building and upgrades to property. Case in point: after the fact forgiveness for 12 tiny homes that were placed in the RV portion of their property. The county of Marin has very strict rules concerning permits and they were not followed by the owners of Dillon Beach Resort. **Can we now assume that anyone can build on their property, ask for after the fact forgiveness regardless how it will affect other property owners in the area?**

**This should not be allowed nor should the permit to have more tiny homes be issued.**

The owners of Dillon Beach Resort are slowly going to find ways to get what they want in order to make money and this will be at the cost of the town of Dillon Beach. We are a small community and we have seen huge changes just in the last year with hundreds of people creating traffic jams on the two lane road which leads to the beach. The cars stretch for over a mile just to get to the parking lot on some days. The owners I am sure are elated by the fact that now they can charge whatever price they want for parking because most people will pay whatever amount after waiting in line just to get in. The overflow parking is a nightmare for some residents who have to deal with congested side streets and illegally parked cars.

**In closing, I am hopeful that the Commission will not allow the permit as requested for the addition tiny homes. A fine should be enforced for the after the fact permit of the existing tiny homes.**

Thank you for your attention in this matter,  
Geraldine GaNun



## Rexing, Stephanie@Coastal

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**From:** NorthCentralCoast@Coastal  
**Sent:** Tuesday, February 9, 2021 5:50 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** FW: Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

**From:** Alexander Homs <alexanderhoms@gmail.com>  
**Sent:** Monday, February 1, 2021 10:05 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Public Comment on February 2021 Agenda Item Friday 13b - Application No. 2-20-0018 (Dillon Beach Resort, Dillon Beach, Marin Co.)

Dear Coastal Commission-

I have been a long-time visitor to Dillon Beach, having grown up in Marin and spent many weekends roaming the beach with my family and later with my dog. I've seen a dramatic transformation over the last few years as the parking lot has been cleaned up, the accommodations have improved, and the amenities (restaurant, market, bathrooms) have become better cared for. If the current operators continue to operate the way that they have been, then I fully support any additional improvements they propose in the service of visitors to the beach and the surrounding environment.

Thank you,

Alex Homs

--

Alex

415-290-4745

[Alexanderhoms@gmail.com](mailto:Alexanderhoms@gmail.com)

Sent from Gmail Mobile

**From:** Melissa Campbell <[melissaandhank@gmail.com](mailto:melissaandhank@gmail.com)>  
**Sent:** Wednesday, February 3, 2021 4:44 PM  
**To:** NorthCentralCoast@Coastal <[NorthCentralCoast@coastal.ca.gov](mailto:NorthCentralCoast@coastal.ca.gov)>  
**Subject:** Dillon Beach Resort hearing 2/12/21 comments

Please find attached a letter sent April 2020 to Stephanie regarding the impact of DBR on the community and culture of Dillon Beach. After 10 months my point of view has not changed although my view of the ocean has.

April 5, 2020

Dear Ms. Pfeifer,

This letter is to share my concerns, as a member of DBNG, regarding the impact of Dillon Beach Resorts' non-transparent, unprecedented, and unpermitted "improvements" at Dillon Beach.

Let's begin at the beginning... My grandparents vacationed at Dillon Beach over 100 years ago. In the early 1930's my grandfather, William Rominger, purchased the 129 Cypress Ave. property. Since then, 6 generations of our family have enjoyed this uniquely remote, bucolic village. This home, and a century of memories, have passed down to me. I submit this letter in support of the culture, solitude, and unique character of the Dillon Beach village and community. Please help our village defeat DBR's threat of expansion, development and urbanization. They will not protect or enhance this coastal resource or our well-being. The previous 2 owners over the past 100 years made improvements according to needs of operation and maintained harmony with the community.

DBR's past actions and future plans demonstrate the depth of their indifference towards the people of Dillon Beach. For example, units are occupied during this covid-19 shelter in place order! We are witnessing people entering and leaving units with suitcases. We took a picture of a "tiny home guest" parking permit which was displayed on the dashboard and valid 4/1-4/3.

The following list explains the effects of DBR's development:

**Tiny Homes & Cabins:**

~ Obstructed view of beach:

Former trailers were 8' vs. tiny homes at 13' 10"

Trees between the cabins are 10 feet above the roof line and growing.

~ Metal roofs create extreme bright glare to homes above.

~ The interior and exterior LED lighting creates excessive light pollution, which the window treatments do not mitigate. In addition, placement of the units have the picture windows, glass doors and porches facing the village, exacerbating the light issue. (The front porch & large windows should face the ocean as does every home in the village)

**Occupancy impact:**

~Historic occupancy in the trailer park was single owner, long term rental at 2 weeks maximum stay.

~DBR's current 2 nights minimum occupancy is a significant change of usage which impacts the solitude and culture of the village through the additional traffic, car alarms, slamming doors, car lights, and loud conversations. Transient lodgers create a constant cycle of disruption.

**Traffic Concerns:**

~ Increased fees for beach parking have resulted in visitors entering into the village neighborhood and causing road congestion, unsafe speeding, emergency vehicle gridlock, and parking in front of our homes which limits our parking spaces. This creates further animosity.

We want you to know how DBR's development will impact the people who have paid taxes, maintained our homes, supported our community, and hold this unique and special place in our hearts. Help us preserve the character and history of Dillon Beach as a gift to the next 6 generations.

As DBR pursues development of Dillon Beach with little challenge, restraint, or legality we fear the worst is yet to come. Will the coastal commission advocate for the people of Dillon Beach as we navigate the regulations, power structures, and politics of this situation?

I will send photos in a separate email. They include 6 generations of family at Dillon Beach, tiny home issues, and occupancy evidence. Thank you for your attention to this matter.

Sincerely,  
William H. Campbell  
(406)314-8304

**Rexing, Stephanie@Coastal**

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**From:** Jim Diego <jim@diegobrosinc.com>  
**Sent:** Tuesday, February 9, 2021 7:25 PM  
**To:** Steven.Padilla@coastal.ca.gov; Rexing, Stephanie@Coastal  
**Subject:** Dillon Beach

Dear Commissioners - I want to tell you how very pleased I am with the new property owners at Dillon Beach Resort. They have taken that old, run down, even Toxic RV Park and turned it into a very desirable place to spend the weekend. The Beach is cleaner than it's ever been, due to the hard work of the staff. The traffic, especially on the weekends, has improved dramatically. That is due to the Owners paying close attention to where and how the cars are parked. The General Store has been nicely remodeled and stocked to fit the needs of the residents of the area. The Café is also much improved. If I were a homeowner at Dillon Beach I would be ecstatic. The Property Values have increased with the new ownership.

I realize you Commissioners are very busy, but if you haven't been out to see all the improvements you should make an effort to do so.

Thanks for taking the time to hear me out.

**JIM DIEGO**

*Diego Bros. Inc.  
124 Paul Drive, Suite 1  
San Rafael, CA 94903  
(415) 472-5967 Office  
(415) 672-2680 Cell  
(415) 492-1143 Fax  
[jim@diegobrosinc.com](mailto:jim@diegobrosinc.com)*



January 18, 2021

From: Liz Newton

Owner: 108 Cypress Ave

This doc is a response to a letter from DBR investor Mike Goebel distributed to those people who look favorably at approving DBR's latest application revision. When you read the request on how to respond and what to respond to you will see Mike Goebel feels that he and his investors have been upfront, transparent, good community members and a good steward to the community of Dillon Beach. This instruction sheet is nothing more than a "wish list". I do not agree for these reasons and more:

1. The current owners have changed the whole concept of a park providing an independent small community of trailer owners. The former trailer owners leased a pad from the previous resort owners, the Lawsons and the Clines, by the month and signed a lease for one year. The amount of use was not stipulated by the Lawsons or Clines. But their use of their trailers was restricted and directed by the County. These trailers could not be used every single day. The trailers were not considered to be a permanent residence.
2. The nightly use of the Tiny Homes is much different. Currently on-line you will find the minimum length of stay and the maximum length. But the actual use of the Tiny Homes could still be 365 days a year per Tiny Home. With constant turnover the community of Dillon Beach would experience additional new trip/travel times as compared to the former trailers. The appeal to these tiny homes is that of a San Francisco culture. Which could be 30-40ish age, probably no kids, accustomed to eating out regularly and not interested in cooking. And, have more disposable income than most visitors to the area.
3. A DBR representative has mentioned that their Tiny Homes, at a minimum of \$199/night, is the best deal around. That representative cites several rental homes in the Dillon Beach area that cost more per night than renting a Tiny Home. The Tiny Homes do not have all the additional charges such as deposits, cleaning fees etc. Some big differences between renting a Tiny Home or renting a vacation home is usually the overall size. In the Village a 1 bedroom rental has room for 4 people and has a full working kitchen. The kitchen in the Tiny Homes has limited access to preparing a full meal. And just like the Tiny Homes, renting in the Village you can walk to the beach or walk to the cafe.
4. To address Mike Goebel's statement in his DBR handout that he and his partners have worked diligently to ensure a "good neighbor policy" with their neighbors, the Village. DBR has not been concerned with the uncontrollable traffic impacts on the Village's narrow streets. DBR staff at the entrance gate to the beach has for 2 years directed beachgoers to our Village to park when the beach parking lot is full or the parking price is too high.

5. The resort owners have not addressed the issues of lost views due to the placement of their Tiny Homes. As a homeowner in the Village for almost thirty years the Tiny Homes have reduced our "shoreline vista" by over 50%. We have pictures showing what our view was before the placement of those motel rooms! Having a "shoreline vista" was one of the main reasons my family bought this particular home. My neighbor across the street has lost almost 100% of her view! This neighbor has repeatedly requested staff from our County and staff from our CCC to have an on-site walk through to see and feel the impacts.
6. Now, let's talk about the beach: beach parking fees are the highest in the area. When the investors took ownership of the beach the day use rate for cars went up to \$20/car. The investors tried to charge walk-ins and bike riders a use fee. It is my understanding that the County and/or the CCC staff told them "no" you may not charge walk-ins or bike riders. The investors declare that along with the gate fee they do not charge for use of the bathrooms, fire pits or picnic tables!

There have been many times during this pandemic that the beach litter has been staggering. A fellow who basically was born and raised here, is now raising his own family here. He posted on Nextdoor that DBR staff said "the owners couldn't afford the extra staff needed to keep our beach clean and clear". There comes a time, as a business owner that when "you" feel that you cannot spend the extra money, you pick up the slack. If that means picking up trash - - then pick up the trash!! I have used this beach for over 65 years and I can say there have been recent times when the litter in the parking lot and on the beach have been horrible. The worst litter problem is the dog feces that neither the dog owner or beach staff want to address.

7. And, speaking of dogs on the beach, the population of dogs and dog owners has dramatically increased since the DBR investors started advertising. Dogs are welcome to run free at Dillon Beach. The last beach in the area to allow dogs off leash. A lot of dog owners don't pay to park. They park on the streets of the Village. Irresponsible dog owners allow their dogs off leash in our Village. Running unattended on our streets. There are many local beaches that pay to advertise their beaches are to be respected and expect the dog owners to follow "Dog Etiquette".
8. The DBR investors are so proud of the way they will abide by the rules re: sand management. But that will only happen in the future. The DBR investors had repeatedly misused our beach and dunes. How many chances should these "stewards of our community" be given. How irresponsible is it when their tractors deliberately dump dirty contaminated sand onto our beach. How much sand needs to be removed by the investors before they are given a stop order that they actually STOP. Yes, this did happen. Staff members and community members have pictures of these deeds. How many times should our coastal protection agencies have to hear "we are simply . . ." before these investors are held accountable for all their intended violations. Did these

investors think that they were special, that they could make their own rules, that they could continue telling our protective agencies how our rules don't apply to them. I guess so - - because that is exactly what they have done.

9. The time is now to tell the DBR investors how they will follow the rules and regulations that everyone else would have to do. They will not be able to bring additional tiny homes to 25 because that is what the former owners had. We are not talking about the former owners. We are talking about a group of investors that have used agencies to their advantage. They chose the path that they have taken. And, on that path they committed many misdeeds!!