

MINUTE ITEM

This Calendar Item No. 14 was approved by the Commission on 1/25/79 at its meeting.

CALENDAR ITEM

14.

DENIAL OF PERMIT

1/79
W 21412
Atkins

BACKGROUND:

On June 30, 1977 the State Lands Commission considered an application for Mr. Robert Cassel for the construction of a single family residence on a parcel of partially filled patented tidelands in Tomales Bay. Shown as Parcel A on Exhibit "B". Mr. Cassel has an option to purchase the property in question.

The Commission at its meeting on June 30, 1977, decided that additional information in the form of a comprehensive development plan for Tomales Bay would be needed in order to make a decision on this project. The Commission's staff has undertaken a comprehensive planning effort with the County of Marin and North Central Regional Coastal Commission to develop a plan for appropriate uses within Tomales Bay. Other contributors to this plan have included the California Department of Fish and Game, Parks And Recreation and the National Park Service as well as others. This effort has been proceeding toward a completion date of April, 1979. The development plan would then be presented to the agencies involved for approval.

Mr. Cassel has applied to the County of Marin for a tidelands permit. A negative declaration was approved by that county on February 18, 1977, however, the county has denied the tidelands permit. Mr. Cassel has appealed the denial to the Board of Supervisors. The project will also require approval by the Coastal Commission. The applicant has placed no improvements on the subject property.

CURRENT SITUATION:

Assembly Bill 884 has directed certain processing time limits on State agencies involved in the permitting process. Although AB 884 may not apply to this permit application because of the prior Commission action,

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CALENDAR ITEM NO. 14. (CONTD)

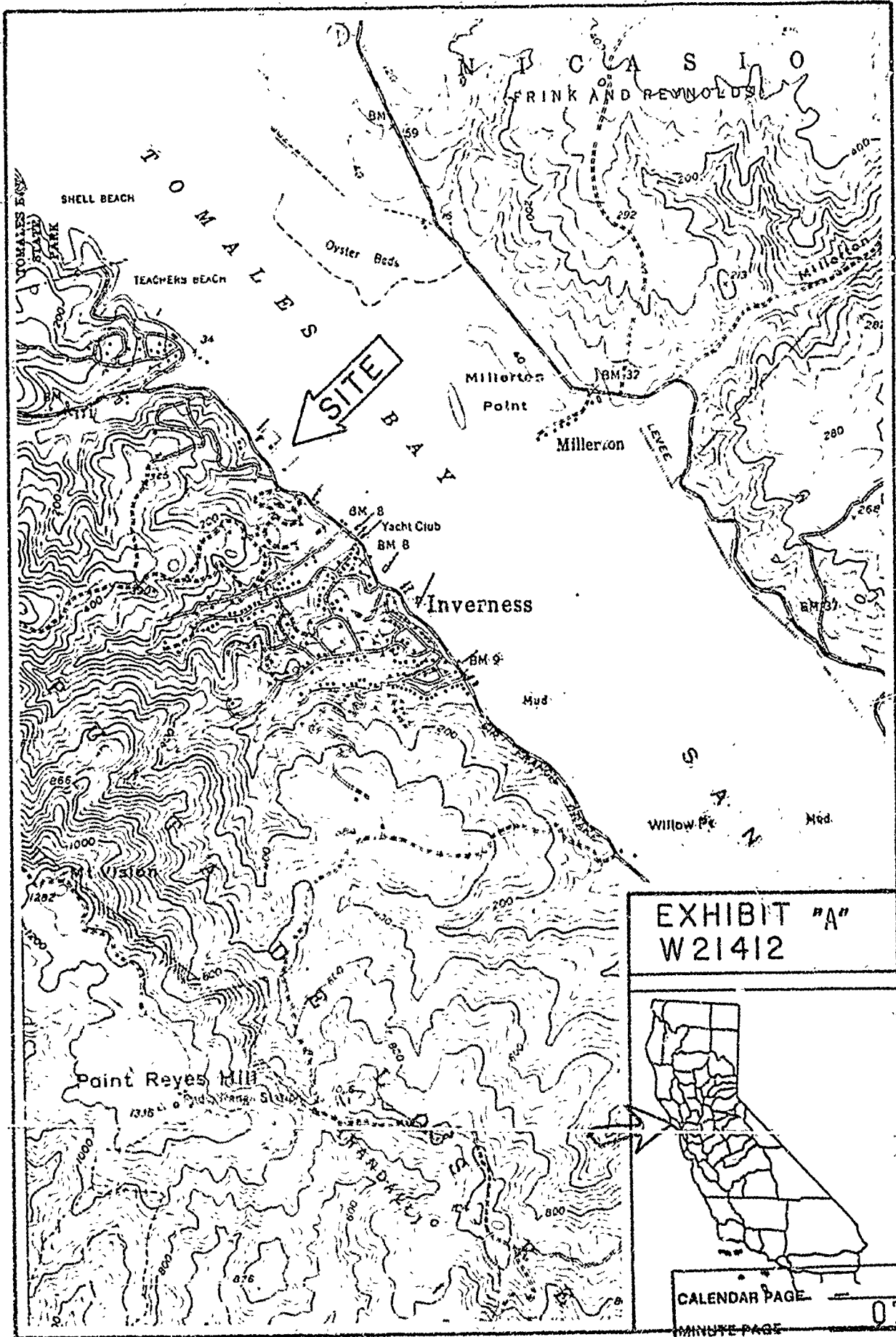
the Commission should act upon Mr. Cassel's permit by January 26, 1979 or it may be deemed approved. The staff recommends denial at this time. However, any denial should be without prejudice to re-application by Mr. Cassel.

EXHIBITS: A. Location Map. B. Parcel Map.

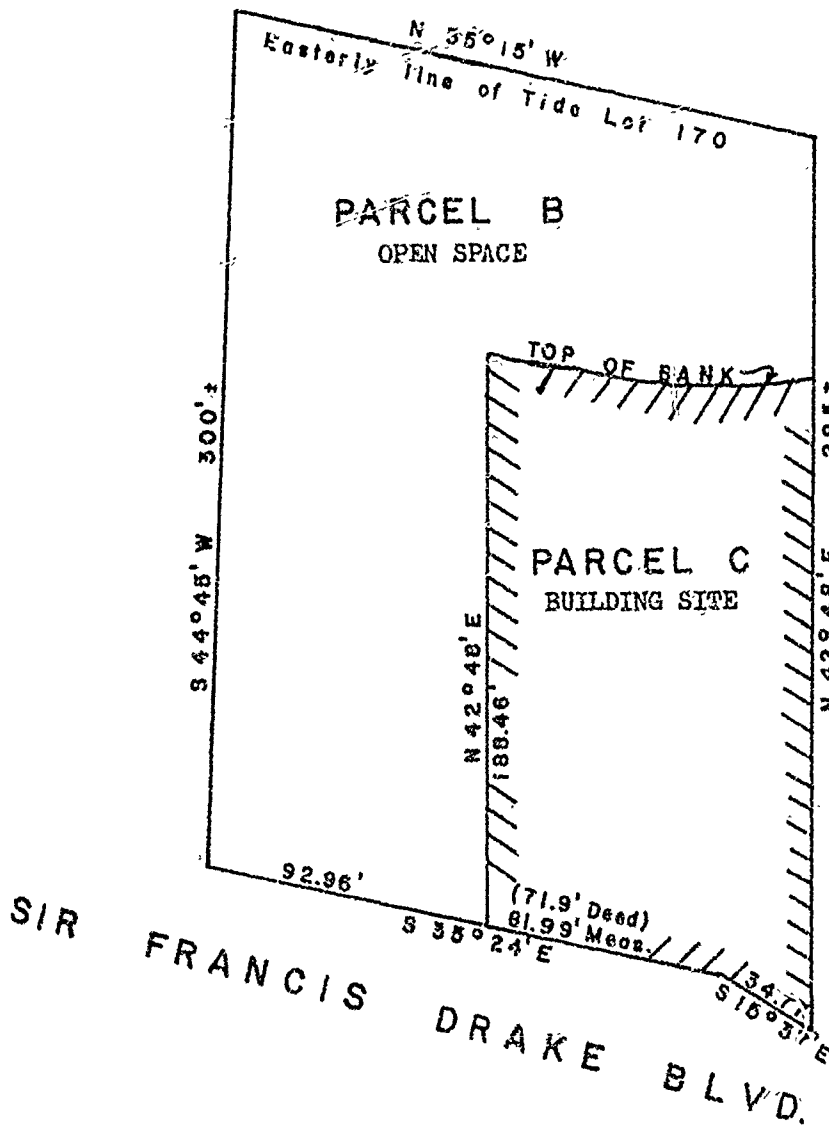
IT IS RECOMMENDED THAT THE COMMISSION:

1. DENY, WITHOUT PREJUDICE, MR. CASSEL'S APPLICATION TO BUILD A SINGLE FAMILY DWELLING ON A PARCEL OF FILLED PATENTED TIDELANDS, SHOWN ON EXHIBIT "B" AS PARCEL A.

2. AUTHORIZE THE COMMISSION'S STAFF TO ACCEPT ANOTHER APPLICATION FROM MR. CASSEL FOR THIS PROJECT AFTER COMPLETION AND ADOPTION OF THE COMPREHENSIVE PLAN FOR TOMALES BAY.



TOMALES BAY



PARCEL A = B + C



SCALE 1" = 60'

EXHIBIT "B"

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