



**STAFF REPORT TO THE MARIN COUNTY
PLANNING COMMISSION
Oona Ratcliffe Appeal of the Morning Phase LLC
Coastal Development Permit and Coastal Variance**

Recommendation: Deny the Appeal and Uphold the
Coastal Development Permit
and Variance Approval
Hearing Date: August 31, 2026

Application No(s):	P5981	Owner(s):	Morning Phase LLC
Agenda Item:	5	Assessor's Parcel No(s):	193-114-02
Last Date for Action:	August 31, 2026	Property Address:	40 Cliff Road, Bolinas
		Project Planner:	Megan Alton
		Signature:	<i>Megan Alton</i>
Countywide Plan Designation:	C-SF5 (Coastal, Single Family 2-4 units/acre)		
Community Plan Area:	Bolinas Community Plan		
Zoning District:	C-RA-B2 Coastal, Residential, Agricultural - 10,000 sq. ft minimum lot area)		
Environmental Determination:	Exempt per CEQA Guidelines section 15301-Class 1 and 15303-Class 3		

PROJECT SUMMARY

The applicant is requesting Coastal Development Permit approval to construct an 800 square foot detached Accessory Dwelling Unit, remove one heritage tree (Oregon ash), and construct modifications to an existing pre-1930 residence on a developed lot in Bolinas. The applicant is also requesting a Coastal Variance to install an electrical platform within the front yard setback.

The 800 square feet of proposed development would result in a floor area ratio of 28 percent on the 4,938 square foot lot. The proposed Accessory Dwelling Unit would reach a maximum height of 15 feet above surrounding grade and the exterior walls would have the following setbacks: 18 feet, 10 ½ inches from the eastern front property line; over 75 feet from the southern side property line; 4 feet from the northern side property line; and 4 feet from the western rear property line.

The electrical platform would be 4 feet 6 inches long by 4 feet 8 inches wide (9.2 square feet) in area, and the structure would reach a maximum height of 11 feet from surrounding grade. The platform is proposed at the front property line (0-foot front setback).

Various site improvements would also be entailed in the proposed development, including a firepit, a bench, new exterior stairs and railings, new pavers, and a new water feature.

The Accessory Dwelling Unit and the modifications to the existing structure are subject to Coastal Development Permit approval pursuant to Marin County Coastal Code Sections 20.68.060.F and M. A Coastal Variance approval is required because the electrical platform structure is proposed in the front setback, pursuant to Marin County Coastal Code Section 20.70.150.

PROJECT SETTING

Characteristics of the site and surrounding area are summarized below:

Lot Area: 4,938 square feet

Adjacent Land Uses: Residential

Topography and Slope: Sloping from west to east

Existing Vegetation: Ornamental

Environmental Hazards: Alquist-Priolo earthquake hazards zone

The irregularly-shaped, 4,938 square foot lot at 40 Cliff Road is long and narrow, with the long axis oriented north south, and the eastern side fronting on Cliff Road. The lot slopes up steeply from west to east, with Cliff Road sitting almost above the height of the existing structure on the property. The existing structure sits at the far southern end of the property with a portion of the existing structure extending over the southern side property line. The structure is located in a quasi-rural setting of small-scale residences and is set in moderate proximity to neighboring houses. The yard is surrounded by a grape stake fence. A garden shed is located at the far north end of the lot and low retaining walls made of lava rock run the length of the yard.

BACKGROUND

The applicant submitted a Coastal Development Permit application to the Planning Division on November 7, 2025. Upon receipt, the application was transmitted to the California Coastal Commission, Department of Public Works - Land Development Division, Bolinas Fire Protection District for review and comments. Responses from the agencies can be found in Attachments 3 through 5. A notice was posted on the project site on January 15, 2026. The application was deemed incomplete for various items on December 5, 2025, and February 27, 2026, and the applicant was informed that a Variance was required for a proposed electrical platform. On April 1, 2026, the applicant submitted a Coastal Variance application for the proposed electrical platform. After all the required materials were received, the application was deemed complete on April 30, 2026.

The Community Development Agency provided public notice on June 9, 2026, identifying the applicant, describing the project and its location, and providing the hearing date for when the project was scheduled to go before the Deputy Zoning Administrator (June 25, 2026). A public notice for the project was mailed to all property owners within a 300-foot radius of the subject property and published in the Marin Independent Journal.

On June 25, 2026, the Deputy Zoning Administrator conditionally approved the project.

The applicant has provided the following reports:

- Historic Resources Evaluation and Local Coastal Program Analysis, prepared by Left Coast Architectural History, dated November 2025
- Geotechnical Investigation, prepared by Murry Engineers Inc, dated August 10, 2022
- Supplemental letter to the Geotechnical Investigation, prepared by Murry Engineers Inc, dated December 3, 2022, and March 24, 2026
- Private Easement Agreement, recorded with the Marin County Records Office, December 14, 2010
- Boundary and Topographic Survey, Record of Survey, recorded with the Marin County Recorder's Office, April 17, 2023.

The Historic Resources Evaluation and Local Coastal Program Analysis prepared by Left Coast Architectural History estimated that the existing primary residence was built between 1924 and 1931. The structure was constructed in the Gothic Revival architectural style and has been altered over the years. The existing structure was found to not be of significant importance, and therefore not eligible for listing on the California Register of Historical Resources.

A Geotechnical Investigation was prepared by Murry Engineers Inc., dated August 10, 2022, evaluated the soil and geologic conditions at the site to identify the relevant geotechnical design constraints as well as potential geologic hazards that may affect the proposed work. The report provided recommendations and design parameters for the geotechnical aspects of the proposed work.

As indicated above, two supplemental letters to the Geotechnical Investigation were prepared by Murry Engineers Inc. The first, dated December 3, 2022, added recommendations for the basement area under the Accessory Dwelling Unit. The supplemental letter dated March 24, 2026, was prepared to address the slope failure that occurred 230 feet north/upslope of the property along Cliff Road in January of 2026. The letter notes that the slope failure and debris flow deposit does not extend onto the property at 40 Cliff Road and would not affect the project site. The letter concluded that the proposed system of terraced retaining walls on drilled pier foundations located along the east property line, parallel to Cliff Road in front of the property, would serve to stabilize the roadway.

Sheet A1.07 of the plan set contains a private easement agreement recorded on APN 193-102-26 (known as 87 Brighton Avenue) and APN 193-114-02 (known as 40 Cliff Road), the subject project site. The easement acknowledges the presence of an encroachment and grants the continued use, maintenance and repair of the structure in the affected area. The easement agreement places the maintenance and repair of the existing structure solely on the owner of 40 Cliff Road. The private easement agreement was executed by the subject property owners at the time, and was recorded with the Marin County Recorder's Office on December 14, 2010.

Sheets A1.00 – A1.06 include Boundary and Topographic Surveys, recorded with the Marin County Recorder's Office on April 17, 2023. The survey shows that a portion of the existing residence encroaches over the property line.

Appeal

On July 8, 2026, Oona Ratcliffe submitted a timely appeal of the Morning Phase LLC Coastal Development Permit and Coastal Variance approval. The appellant asserts that the proposed project lacks analysis and compliance with the California Building Standard Code (California Building Code) for compliance with standards related to fire code compliance and non-conforming structures. The appellant also asserts modifications to the existing structure are violating a private easement agreement between the appellant's property and the subject project site.

Compliance with the California Building Standard Code would be conducted by the County's Building and Safety Division once the applicant has applied for project building permits.

The Coastal Development Permit is a discretionary planning permit that is processed by the County's Planning Division in accordance with the California Coastal Act and the Marin County Local Coastal Program. For the purposes of processing, evaluating and rendering decisions on a Coastal Development Permit and Coastal Variance application, the Planning Division relies on the Marin County Local Coastal Program, which includes the Marin County Coastal Code, Title 20.

Private agreements are a civil matter between the parties involved and are not enforced or regulated by the County. Additionally, contractual agreements including private easement agreements and boundary disputes are a civil matter because they involve private property rights, land ownership claims and financial disputes between private individuals rather than a violation of criminal law or public safety regulations. Local governments, including the County, are not party to easement conflicts because such disputes require legal interpretation of private deeds and land titles.

The Community Development Agency provided public notice of the pending appeal before the Planning Commission on August 14, 2026; the notice described the project and provided information regarding the August 31, 2026 Planning Commission hearing date. The notice was mailed to all property owners within a 300-foot radius of the subject property and published in the Marin Independent Journal.

The Staff Report was made available to the public on or before Monday, August 24, 2026, on the Planning Commission webpage and the project webpage.

RECOMMENDATION

Staff recommends that the Planning Commission review the administrative record, conduct a public hearing, and deny the Appeal thereby sustaining the Deputy Zoning Administrator's decision conditionally approving the Morning Phase LLC Coastal Development Permit and Coastal Variance.

Attachments:

1. Recommended resolution
2. Petition for Appeal
3. CEQA exemption
4. DZA Staff Report with Approved Resolution, transmittals and public comments
5. Supplemental Memo to the DZA
6. Project plans