



**MARIN COUNTY PLANNING DIVISION  
ADMINISTRATIVE DECISION**  
Murad Design Review

**Decision:** **Approved with conditions**  
**Date:** **February 10, 2021**

Project ID No:	P2966	Applicant(s):	Thomas Biggs
		Owner(s):	Ezra Murad and Tam Le
		Assessor's Parcel No(s):	038-122-17
		Property Address:	4720 Paradise Drive, Tiburon
		Project Planner:	Michelle Levenson, (415)473-3615; mlevenson@ marincounty.org
		Signature:	<i>Michelle Levenson</i>
Countywide Plan Designation:	SF6 (Single family, residential)		
Zoning District:	BFC-RSP4.36 (Residential, single-family, planned)		
Environmental Determination:	Categorically exempt, Section 15303, Class 3		

**PROJECT SUMMARY**

The applicant requests Design Review approval to construct 330 square feet of additions to a single family residence on a development lot in Tiburon. The proposed development would result in a floor area ratio of 19.37-percent on the 13,818 square foot lot. The proposed additions would reach a maximum height of 11.16 feet above surrounding grade and the exterior walls of the addition would have the following setbacks: 58 feet from the west front property line; 9 feet 8 inches feet from the south side property line; 90 feet from the north side property line; and 90 feet from the east rear property line.

Design review approval is required pursuant to Marin County Code Section 22.42.020.A as the project involves the addition of floor area otherwise not exempted from Design Review.

**COUNTYWIDE PLAN CONSISTENCY**

The proposed project is consistent with the Marin Countywide Plan (CWP) for the following reasons:

- A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.
- B. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide habitat for special-status species of plants or animals.
- C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, baylands, or woodlands.
- D. The project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and CWP BIO-4.1) because the proposed development would not encroach into any Stream Conservation Areas or Wetland Conservation Areas.
- E. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.
- F. The project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during review of the Building Permit application and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.
- G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during review of the Building Permit application.
- H. The project is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines and the natural environment from adverse impacts related to development.
- I. The project is consistent with CWP residential design policies and programs (DES-3.b and DES-4c) because it would fit within the context of the neighborhood, minimize the perception of mass and bulk, and comply with the Single-family Residential Design Guidelines.

## **DEVELOPMENT CODE CONSISTENCY**

### **Mandatory Findings for Design Review (Marin County Code Section 22.42.060)**

The project is consistent with the mandatory findings for Design Review approval for the reasons discussed below.

- A. The proposed development is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources and the character of the local community. Further, the exterior materials proposed for the development would complement the project design and the surrounding area.

The project site is located in the Bayfront Combining District (BFC). The project has been designed to comply with those development standards for the BFC District (Section 22.14.060 of the Marin County Development Code) as the project would not result in the removal of vegetation, and the additions have been sited to the rear of the residence within the existing footprint of the structure thereby visual access to the Bay shoreline would not be affected by the project.

- B. The proposed architectural design, massing, and scale of the project are compatible with the site surroundings and the community. Further, a standard condition of approval requires that exterior lighting installed for the project be unobtrusive to surrounding properties.
- C. The proposed site layout and design avoids eliminating sunlight, blocking primary views, or invading the privacy enjoyed on surrounding properties.
- D. The proposed development would not encroach into any streets or pathways and would not detract from the appeal of the streetscape.
- E. The proposed development would provide appropriate separation between buildings, retain healthy native vegetation and other natural features, and be adequately landscaped consistent with fire safety requirements.

## **ACTION**

The project described in condition of approval 1 below is authorized by the Marin County Planning Division and is subject to the conditions of project approval.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

## **CONDITIONS OF PROJECT APPROVAL**

### **CDA-Planning Division**

This Design Review authorizes the construction of 330 square feet of additions to a single family residence on a development lot in Tiburon. The development shall result in a floor area ratio of 19.37-percent on the 13,818 square foot lot. The additions shall reach a maximum height of 11.16 feet above surrounding grade and the exterior walls of the addition shall have the following setbacks: 58 feet from the west front property line; 9 feet 8 inches from the south side property line; 90 feet from the north side property line; and 90 feet from the east rear property line.

1. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Murad Residence Renovation" consisting of 8 sheets prepared by Biggs Group, received in final form on November 24, 2020 and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

2. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2021" with respect to all of the standard conditions of approval.

### **VESTING**

Unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within three years of the date of the approval shall expire and become void. The permit shall not be deemed vested until the permit holder has actually obtained any required Building Permit or other construction permit and has substantially completed improvements in accordance with the approved permits, or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval.

### **RIGHT TO APPEAL**

This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision (February 23, 2021).

cc: *{Via email to County departments and Design Review Board}*  
CDA – Assistant Director  
CDA – Planning Manager  
DPW – Land Development

Attachment:

1. Marin County Uniformly Applied Conditions 2021