

# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

**SARAH BERNSTEIN JONES, DIRECTOR**

## NOTICE OF FINAL ACTION

Pursuant to Coastal Act Section 30603(d), California Code of Regulations Section 13571, and the Marin County Local Coastal Program, Coastal Zoning Code Section 20.70.090.

February 8, 2024

***Sent via certified mail***

**California Coastal Commission  
455 Market Street, Ste 228  
San Francisco, CA 94105**

Attention: Coastal Planner

Applicant: Medium Plenty  
Applicant Contact: Ian Read and TuAnh Ta  
1729 Telegraph Ave., 3rd floor  
Oakland, CA 94612  
[ian@mediumplenty.com](mailto:ian@mediumplenty.com)  
[tuanh@mediumplenty.com](mailto:tuanh@mediumplenty.com)

Owner: Trustees of the Perry Klebahn 2006 Trust  
Owner Contact: Annie and Perry Klebahn  
62 5<sup>th</sup> Avenue  
San Francisco, CA 94118  
[anniebdk@gmail.com](mailto:anniebdk@gmail.com)

Project Name and Number: Perry Klebahn 2006 Trust Coastal Development Permit (P4227)  
Project Description: The applicant requests Coastal Development Permit approval to remove an existing septic system, install a new 1,500-gallon septic tank, 810-gallon sump pump, and approximately 240 feet of new leach field lines on a developed residential property located in the unincorporated community of Inverness.

Assessor's Parcel No(s): 112-050-22  
Project Address: 560 Via De La Vista, Inverness, CA 94937

County Decision-making Body: Agency/Director  
Determination: Approved, as conditioned  
Decision Date: January 31, 2024  
County Appeal Period: Ten (10) Working Days  
Local Appeals Filed: None

**Local review is now complete.**

Pursuant to Marin County Coastal Zoning Code Section 20.70.080.B.1 (attached), this permit is NOT appealable to the California Coastal Commission.

In accordance with Marin County Coastal Zoning Code Section 20.70.090, there are no interested parties that have specifically requested to receive notification and provided a self-addressed stamped envelope or other designated fee covering mailing costs for this project.

In accordance with Marin County Coastal Zoning Code Section 20.70.090(B), supporting materials may be found at the following project webpage:

[https://www.marincounty.org/depts/cd/divisions/planning/projects/west-marin/perry\\_klebahn\\_2006\\_trust\\_cp\\_p4227\\_wm](https://www.marincounty.org/depts/cd/divisions/planning/projects/west-marin/perry_klebahn_2006_trust_cp_p4227_wm)

Any correspondence concerning this matter should be directed to Joshua Bertain, Planner, at (415) 473-3171 or [joshua.bertain@marincounty.gov](mailto:joshua.bertain@marincounty.gov)

Sincerely,



Joshua Bertain  
Planner

Attachments:

1. Marin County Local Coastal Plan, Coastal Zoning Code Section 20.70.080.B
2. Administrative Coastal Permit Decision, dated January 31, 2024

Recipients of this Notice of Final Local Action:

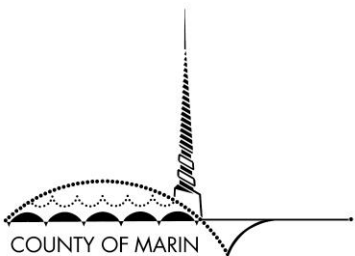
1. California Coastal Commission  
c/o North Central District  
455 Market Street, Ste 228  
San Francisco, CA 94105

## Attachment 1

### Marin County Local Coastal Program, Implementation Plan Section 20.70.080.B:


**B. Appeals to the Coastal Commission.** An action on a Coastal Development Permit, including amendments and extensions, may be appealed to the Coastal Commission by an aggrieved person, including the applicant, or two members of the Coastal Commission, as follows:

1. **Appealable Development.** For purposes of appeal to the Coastal Commission, appealable development includes the following:
  - a. Development approved between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance;
  - b. Development approved, not included in paragraph (a) above, that is located on tidelands, submerged lands, public trust lands, within 100 feet of any coastal wetland, estuary, or coastal stream, or within 300 feet of the top of the seaward face of any coastal bluff;
  - c. Development approved that is not designated as the Principal Permitted Use (PP) by Tables 5-1, 5-2, or 5-3 in Chapter 20.62 (Coastal Zoning Districts and Allowable Land Uses) (land divisions are a type of development that is not designated as the principally permitted use in any zoning district); and
  - d. Development approved or denied that constitutes a major public works project or a major energy facility.
2. **Filing.** Appeals must be filed in the office of the Coastal Commission prior to the close of business on the 10th working day after receipt by the Coastal Commission of the notice of final County action on the Coastal Development Permit that is the subject of the appeal. In the case of an appeal by an applicant or other aggrieved person as defined in Chapter 20.130 (Coastal Zoning Code Definitions), the appellant must exhaust all appeals to the County in compliance with Subsection A above (County Appeal Procedure), unless:
  - a. The County requires an appellant to appeal to more local appellate bodies than have been recognized by the Local Coastal Program as appellate bodies for permits in the coastal zone.
  - b. An appellant was denied the right of the initial local appeal by a local ordinance, which restricts the class of person who may appeal a local decision.
  - c. An appellant was denied the right of local appeal because local notice and hearing procedures for the development did not comply with the provisions of this Chapter.
  - d. The County charges an appeal fee for the filing or processing of appeals.



**MARIN COUNTY PLANNING DIVISION**  
**ADMINISTRATIVE DECISION**  
Perry Klebahn 2006 Trust Coastal Development Permit

**Decision:**                    **Approved, as conditioned**  
**Date:**                         **January 31, 2024**

Project ID No:	P4277	Applicant(s):	Ian Read and TuAnh Ta of Medium Plenty
		Owner(s):	Perry Klebahn and Annie Dittmore Klebahn
		Assessor's Parcel No(s):	112-050-22
		Property Address:	560 Via De La Vista, Inverness
		Project Planner:	Joshua Bertain (415) 473-3171 <a href="mailto:joshua.bertain@marincounty.gov">joshua.bertain@marincounty.gov</a>
		Signature:	

Countywide Plan Designation:	C-SF3 (Rural/Residential Coastal Zone)
Community Plan Area:	Inverness Ridge
Zoning District:	C-RSP (Coastal Residential Single Family Planned District)
Environmental Determination:	Categorically Exempt - CEQA Guidelines section 15303, Class 3

**PROJECT SUMMARY**

The applicant requests Coastal Development Permit approval to remove an existing septic system and to install a new 1,500-gallon septic tank, 810-gallon sump pump, and approximately 240 feet of new leach field lines on a developed residential property located in the unincorporated community of Inverness. The system would be largely located below grade, with only minor projections above grade necessary to access and maintain the system. The septic tank and sump pump would have the following setbacks: 71 feet from the southern front property line, 22 feet from the eastern side property line, more than 100 feet from the western side property line, and 83 feet from the northern rear property line. The leach field would have the following setbacks: 100 feet from the southern front property line, 25 feet from the eastern side property line, more than 100 feet from the western side property line, and 27 feet from the northern rear property line.

Various site improvements would also be entailed in the proposed development, including the removal of an existing deck and stairwell, the removal and replacement of an existing propane tank, and the removal of four trees as well as the construction of the following: new driveway improvements and associated retaining walls, a 337-square-foot addition to an existing residence, a 644 square foot detached residential accessory building, and a 451-square-foot carport that

would result in a building area of 3,850 square feet, a floor area of 3,555 square feet, and a floor area ratio of four percent on the 87,860 square foot lot.

Coastal Permit approval is required pursuant to Section 20.68.060.G (Water wells and septic systems) because the project entails the removal of an existing septic system and the construction of a new, replacement septic system.

### **INVERNESS RIDGE COMMUNITIES PLAN CONSISTENCY**

The project is consistent with the goals and policies of the Inverness Ridge Communities Plan for the following reasons:

- A. The project is consistent with the Residential Development Policies, particularly Policy 3.00(A)(1), because it entails the removal of an existing on-site wastewater treatment system and the installation of a new system that would serve existing low-density residential development.
- B. The proposed project is consistent with the Inverness Ridge Community Plan with respect to Residential Development Policy 3.00(A)(2) because the project would not result in significant impacts to the Inverness Ridge watershed or viewshed.

### **COASTAL IMPLEMENTATION PLAN AND DEVELOPMENT CODE CONSISTENCY**

#### **Mandatory Findings for Coastal Development Permit (Marin County Local Coastal Program Implementation Plan Section 20.70.070)**

- A. Coastal Access. The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Coastal Access section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.180 (Public Coastal Access). Where the project is located between the nearest public road and the sea, a specific finding must be made that the proposed project, as conditioned, is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act (commencing with Section 30200 of the Public Resources Code)**

The project is consistent with the Land Use Plan (LUP) public coastal access policies (C-PA-1, C-PA-3, C-PA-15, C-PA-16), and this finding because the subject property is not located between the sea and the first public road and is not adjacent to a coastal area identified by the Local Coastal Program, Unit II, where public access is desirable or feasible. Further, the site is not located near any tidelands or submerged lands.

- B. Biological Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Biological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.050 (Biological Resources).**

Publicly available hydrology data on file with the County of Marin suggests the presence of an ephemeral stream on the subject property. The applicant submitted documentation from Lucy Macmillan, M.S., an Environmental Scientist, who reviewed maps and data applicable to the property before conducting two separate site visits that occurred on October 24, 2023, and November 6, 2023. The biologist determined that riparian vegetation was not present on the site; therefore, terrestrial ESHA is not present on the site.

Therefore, the project is consistent with the LUP biological resources policies for the protection of natural transitions and connections associated with streams, wetlands, and coastal dunes (C-BIO-1, C-BIO-2, C-BIO-3, C-BIO-4, C-BIO-7, C-BIO-10, C-BIO-11, C-BIO-14, C-BIO-18, C-BIO-23) and this finding because the project would not substantially alter the margins along environmentally sensitive habitat areas including riparian corridors, wetlands, baylands, woodlands, or coastal dunes where none currently exist on the project site. Further, the project would not entail the irreplaceable removal of heritage vegetation.

**C. Environmental Hazards. The proposed project, as conditioned, is consistent with the applicable policies contained in the Environmental Hazards section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.060 (Environmental Hazards).**

The property is located in the residential area of Inverness. There are no natural dunes in the development area or the immediate surrounding area. The proposed project is not located within a bluff erosion zone, and it does not impact coastal access.

The project is potentially subject to geologic hazards because the property is characterized by a steep slope that exceeds 35 percent (45 percent). Thus, as conditioned below, the applicant shall be required to record a "Waiver of Public Liability" holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards." Further, the Marin County Community Development Agency, Building, and Safety Division will require that the project be constructed in compliance with the California Building Code, including applicable seismic provisions, before the issuance of a project building permit.

**D. Agriculture and Mariculture. The proposed project, as conditioned, is consistent with the applicable policies contained in the Agriculture and Mariculture sections of the Marin County Land Use Plan and the applicable agricultural and maricultural standards contained in Chapter 20.32.**

Development on this improved residential property is governed by the C-RSP (Coastal Residential Planned) zoning district and the Countywide Plan C-SF3 (Rural/Residential, Coastal Zone) land use designation, a designation for single-family residential development in areas where public services are limited and on properties where physical hazards and/or natural resources may restrict development. The project proposes installing a new 1,500-gallon septic tank, an 810-gallon sump pump, and approximately 240 feet of new leach field lines on a developed residential property in the unincorporated community of Inverness. Therefore, this finding does not apply because the project proposes residential use and does not entail agricultural or mariculture uses.

**E. Water Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Water Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.080 (Water Resources).**

The applicant provided a preliminary grading and drainage plan that the Department of Public Works reviewed and found to be acceptable. The North Marin Water District provides water service, and the applicant provided information on the proposed septic system that was reviewed by the Community Development Agency, Environmental Health Services Division and found to be acceptable.

Therefore, the project is consistent with the LUP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff that would adversely affect the quality of coastal waters (C-WR-1, C-WR-2, C-WR-3, C-WR-6).

- F. Community Design. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Design section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.100 (Community Design).**

The project site is located within a developed residential neighborhood in Inverness. Further, the project entails the removal of an existing septic tank and leach field and installing a new onsite wastewater treatment system on a developed residential property. The proposed improvements would be located underground and would not impact visual resources or ridgeline views.

- G. Community Development. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Development section of the Marin County Land Use Plan and the applicable standards contained in Chapter 20.66 (Community Development).**

The project site is located within a developed residential neighborhood in Inverness. Further, the project entails the removal of an existing septic tank and leach field and installing a new onsite wastewater treatment system on a developed residential property. Therefore, the project is consistent with LUP community development policy C-PRS-1 because the project would maintain the existing character and use of the developed residential property.

- H. Energy. The proposed project, as conditioned, is consistent with the applicable policies contained in the Energy section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.120 (Energy).**

The project would be required to satisfy all energy-saving standards required by the County's Building and Safety Division before the issuance of a related Building Permit. Therefore, the project is consistent with the LUP energy policies (C-EN-1, C-EN-2, and C-EN-3), and this finding because it would be constructed in conformance with County energy efficiency standards, as verified during the review of the Building Permit application.

- I. Housing. The proposed project, as conditioned, is consistent with the applicable policies contained in the Housing section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.130 (Housing).**

The proposed project would not result in the removal or demolition of low and/or moderate-income housing. Therefore, the project is consistent with the LUP housing policies to address low- and moderate-income housing needs in the Coastal Zone (LUP Policies C-HS-1) because the project does not entail the demolition of existing deed-restricted affordable housing and would not affect the available housing stock in the surrounding community.

- J. Public Facilities and Services. The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Facilities and Services section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.140 (Public Facilities and Services).**

The North Marin Water District (NMWD) provides water to the project site, and the NMWD will provide documentation regarding its capacity to serve the proposed development prior to the issuance of any related Building Permit. Therefore, the project is consistent with the LUP public facilities and services policies (C-PFS-1 and C-PFS-7), and this finding, because the project would be adequately served by existing public water service. Further, the Environmental Health Services (EHS) Division has reviewed the proposed septic system and determined that it is adequately sized to meet the needs of the development.

**K. Transportation. The proposed project, as conditioned, is consistent with the applicable policies contained in the Transportation section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.150 (Transportation).**

The property would continue to be accessed from Via de La Vista, a County-maintained road, and the project does not entail alterations or impacts to existing roadway facilities or public parking facilities. Therefore, the project is consistent with the LUP transportation policies (C-TR-1 and C-TR-2), and this finding because the project would not entail any alterations to existing roadway facilities or adversely impact the scenic quality of Highway One.

**L. Historical and Archaeological Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Historical and Archaeological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.160 (Historical and Archaeological Resources).**

The project site is not located within any designated historic district boundaries, as identified in the Marin County Historic Study for the Local Coastal Program. Therefore, the project is consistent with the LUP historical and archaeological resources policies (C-HAR-2, C-HAR-8), and this finding because the project site is not located within any mapped historic district boundaries and would not affect historical, archaeological, or paleontological resources.

**M. Parks, Recreation, and Visitor-Serving Uses. The proposed project, as conditioned, is consistent with the applicable policies contained in the Parks, Recreation, and Visitor-Serving Uses section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.170 (Parks, Recreation, and Visitor-Serving Uses).**

The project would occur entirely on private property within a residential zoning district. Therefore, the project is consistent with the LUP policies for parks, recreation, and visitor-serving uses (C-PK-1 and C-PK-3), and this finding because the project is proposed entirely on an existing residential property that is not located within a mixed-use coastal village commercial/residential zone and does not entail any construction of development that would encroach into existing public access points to and from surrounding public parks, recreation, or visitor-serving uses.

## **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 planning permit is an entitlement to apply for construction permits, not a guarantee that they can be obtained, and it does not establish any vested rights. 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**

1. This Coastal Development Permit approval authorizes the removal of an existing septic system and authorizes the installation of a new 1,500-gallon septic tank, 810-gallon sump pump, and approximately 240 feet of new leach field lines on a developed residential property located in the unincorporated community of Inverness. The system shall be largely located below grade, with only minor projections above grade to access and maintain the system. The septic tank and sump pump shall have the following setbacks: 71 feet from the southern front property line, 22 feet from the eastern side property line, more than 100 feet from the western side property line, and 83 feet from the northern rear property line. The leach field would have the following setbacks: 100 feet from the southern front property line, 25 feet from the eastern side property line, more than 100 feet from the western side property line, and 27 feet from the northern rear property line.

Various site improvements are also entailed in the authorized development, including the removal of an existing deck and stairwell, the removal and replacement of an existing propane tank, and the removal of four trees, as well as the construction of the following: new driveway improvements and associated retaining walls, a 337-square-foot addition to an existing residence, a 644 square foot detached residential accessory building, and a 451-square-foot carport that would result in a building area of 3,850 square feet, a floor area of 3,555 square feet, and a floor area ratio of four percent on the 87,860 square foot lot.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Klebahn Residence," consisting of 29 sheets prepared by Medium Plenty, received in final form on November 9, 2023, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2023" with respect to all of the standard conditions of approval and the following special condition: 4, which states, "before issuance of a Building Permit the applicant shall record Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards."

## **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.

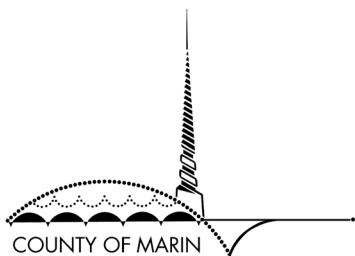
## **RIGHT TO APPEAL**

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 ten business days from the date of this decision (January 31, 2024).

cc: *{Via email to County departments}*  
CDA – Deputy Director of Planning Services  
DPW – Land Development  
CDA – Environmental Health Services  
North Marin Water District  
Inverness Public Utility District  
West Marin Service Area – CSA 28

### Attachments:

1. Marin County Uniformly Applied Conditions 2023
2. Inter-office memorandum, Department of Public Works, Land Development Division, dated December 6, 2023
3. Response to Community Development Agency Transmittal, Inverness Public Utility District, dated December 4, 2023
4. Interdepartmental Transmittal, Community Development Agency, Environmental Health Services Division, dated December 1, 2023
5. Email correspondence, California Coastal Commission, dated November 22, 2023
6. Plan Review Form, Marin County Fire Department, dated October 5, 2023



**MARIN COUNTY UNIFORMLY APPLIED CONDITIONS  
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS**

**2023**

**STANDARD CONDITIONS**

1. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.
2. The applicant/owner shall defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin and shall cooperate fully in the defense.
3. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.
4. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

**SPECIAL CONDITIONS**

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.

3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off-site shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the "Disclosure Statement Concerning Agricultural Activities," as required by Section 23.03.050 of the Marin County Code.
6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.
7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A

report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.
11. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building's finished floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.
12. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in "Exhibit A" unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
13. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.
14. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California's Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.
15. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all the approved and required landscaping has been completed and that any necessary irrigation has been installed.
16. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.
17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and

compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

### CODE ENFORCEMENT CONDITIONS

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

**PLANNING APPLICATION REVIEW**

## DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - Second Transmittal

DATE: 12/6/23DUE: 12/4/23TO: Joshua BertainFROM: Maurice ArmstrongAPPROVED: RE: Perry Klebahn 2006 Trust CostalPermit P 4227APN: 112-050-22ADDRESS: 560 Via De La Vista, Inverness**TYPE OF DOCUMENT** DESIGN REVIEW COASTAL PERMIT LAND DIVISION VARIANCE USE PERMIT ADU PERMIT ENVIRONMENTAL REV. OTHER:

Department of Public Works Land Use Division  
has reviewed this application for content and:

 Find it **COMPLETE** Find it **INCOMPLETE**, please submit items listed below Find it **NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM**

Comments Included (Inc.) or  
Attached (Att.) from other DPW  
Divisions:

 Traffic Flood Control Other: \_\_\_\_\_**Merit Comments****Prior to Issuance of a Building Permit:****Driveways:**

1. **Grading & Drainage Plans:** Provide the following information on the drainage and grading plans:
  - a. Plan shall show and label the limit of disturbance. Provide the total area to be disturbed
  - b. Indicate means of restoring all disturbed areas.
  - c. Add a note on the plans indicating that the plan preparer shall certify to the County in writing upon the completion of work that all grading and drainage improvements were installed in accordance with the approved plans and field direction. Be aware that a DPW Engineer will need to inspect and accept work after receipt of certification letter. Certification letters shall reference building permit number or numbers for specific work being certified, the address of the property and the Assessor's Parcel Number (APN), and shall be signed and stamped by the certifying professional.
2. **Geotechnical Review and Acceptance:** The plans must be reviewed and approved by the soils engineer. Certification shall be either by his/her stamp and original signature on the plans or by a stamped and signed letter. Certification shall reference plans reviewed, specifying site, structural, and drainage plans with date of drawings, and verify that plans address any recommendations previously offered.
3. **Construction Management Plan:** Provide a construction management plan, including at a minimum the following:

- a. Provide a site plan showing areas where grading and construction will take place, soils will be stockpiled, storage area for material delivery, parking for construction workers, and temporary facilities such as portable toilets.
- b. Dust reduction plan.
- c. A traffic control plan.
- d. Construction phasing and the timing during any given year when the various components of construction will occur, such as grading, tree and vegetation removal, loud external noise-making work, etc.

-END-







## Inverness Public Utility District

Fire Department • Water System

Post Office Box 469

Inverness, CA 94937-0469

50 Inverness Way No. • (415) 669-1414 • Fax (415) 669-1010 • [admin@invernesspubd.org](mailto:admin@invernesspubd.org)

### RESPONSE TO COMMUNITY DEVELOPMENT AGENCY TRANSMITTAL

December 4, 2023

To: Joshua Bertain, Planner

Re: **Perry Klebahn 2006 Trust Coastal Permit. (November 7, 2023 Resubmittal)**  
**560 Via de la Vista**  
**AP 112-050-22**

Date of Transmittal: November 9, 2023

#### Inverness Fire Department

1. The application appears to be complete for Fire Department purposes.
2. **Interior residential fire sprinklers** will be required per Marin County Code.

#### Inverness Water System

3. The application is complete for Water System purposes.
4. Subject property is currently served by the Inverness Water System (Acct. No. 928-20-10).
5. In the event installation of fire sprinklers requires a larger meter than the currently installed 5/8×3/4-inch service, property owner will be required to enter into an agreement with the Water System to upgrade the property's meter and connection to the main.

James K. Fox  
Chief of Operations  
Inverness Public Utility District

cc: TuAnh Ta [tuanh@mediumplenty.com](mailto:tuanh@mediumplenty.com)  
Ian Read [ian@mediumplenty.com](mailto:ian@mediumplenty.com)

Board of Directors: **Kenneth J. Emanuels**, President • **Dakota Whitney**, Vice President  
**Kathryn Donohue**, Treasurer • **Brent Johnson** • **David Press**



**Shelley L Redding**, Administrator

**James K. Fox**, Chief of Operations (Fire Chief, Water System Superintendent)

**INTERDEPARTMENTAL TRANSMITTAL  
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES  
ROOM 236, 415-473-6907**

<b>DATE:</b>	December 1, 2023	<b>TYPE OF DOCUMENT</b>
<b>TO:</b>	Joshua Bertain, Planner	DESIGN REVIEW
<b>FROM:</b>	Becky Gondola, REHS	LAND DIVISION
<b>RE:</b>	Perry Klebahn 2006 Trust Coastal Permit (P4227)	USE PERMIT
<b>AP#:</b>	112-050-22	VARIANCE
<b>ADDRESS:</b>	560 Via De La Vista, Inverness	MASTER PLAN
		x COASTAL PERMIT
		LOT LINE ADJ.
		OTHER

**THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:**

WATER	x	<b>SEWAGE</b>	SOLID WASTE
POOLS		HOUSING	FOOD ESTABLISHMENT

**THIS APPLICATION IS FOUND TO BE:**

- FIND IT COMPLETE.
- FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.
- FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.
- RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.

1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency's standards.

**Yes, the application is complete.**

2. If the application does not contain enough information for you to determine whether the project can readily comply with your agency's standards, please list the information that you will need to make this determination.

N/A

3. If the application contains sufficient information for your review, please indicate whether the project is feasible as proposed or needs substantial modifications to comply with your agency's standards.

**The project is feasible as proposed, with minor modifications to be made in the building permit process.**

4. If the project needs to be substantially modified to comply with your agency's standards, please describe the scope of those modifications.

N/A

## Joshua Bertain

---

**From:** Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>  
**Sent:** Wednesday, November 22, 2023 11:11 AM  
**To:** Joshua Bertain  
**Cc:** KoppmanNorton, Julia@Coastal; Martinez, Erik@Coastal  
**Subject:** RE: Planning Division Transmittal (2nd) - Perry Klebahn 2006 Trust Coastal Permit (P4227)

Hi Joshua,

Given this proposal is sited on a parcel with average slopes of around 40%, Commission staff suggests the County incorporate all the recommendations of the Bauer Associates, Inc. Geotechnical Investigation as required permit conditions. In addition, given Marin Hazards LUP policies regarding development proposed on slopes greater than 35%, the County should require as a condition of permit approval that this applicant sign a waiver of liability exempting the County from liability for any personal or property damage caused by natural hazards on such properties.

Please let us know if you have questions or want to discuss. Thanks!

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Stephanie R. Rexing  
District Manager  
North Central Coast District  
California Coastal Commission  
(415)-904-5260

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**From:** KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>  
**Sent:** Tuesday, November 14, 2023 4:59 PM  
**To:** Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>; Martinez, Erik@Coastal <erik.martinez@coastal.ca.gov>  
**Subject:** RE: Planning Division Transmittal (2nd) - Perry Klebahn 2006 Trust Coastal Permit (P4227)

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**From:** Joshua Bertain <[Joshua.Bertain@MarinCounty.gov](mailto:Joshua.Bertain@MarinCounty.gov)>  
**Sent:** Tuesday, November 14, 2023 1:20 PM  
**To:** Rexing, Stephanie@Coastal <[Stephanie.Rexing@coastal.ca.gov](mailto:Stephanie.Rexing@coastal.ca.gov)>; KoppmanNorton, Julia@Coastal <[julia.koppmannorton@coastal.ca.gov](mailto:julia.koppmannorton@coastal.ca.gov)>; Martinez, Erik@Coastal <[erik.martinez@coastal.ca.gov](mailto:erik.martinez@coastal.ca.gov)>  
**Subject:** RE: Planning Division Transmittal (2nd) - Perry Klebahn 2006 Trust Coastal Permit (P4227)

Good afternoon,

The Perry Klebahn 2006 Trust Coastal Permit (P4227) application was resubmitted to the Planning Division on November 9, 2023. I have attached the most recent transmittal and plan set to this email for review. Also attached are technical reports provided by the applicant.

Please let me know if you have any questions.

Thank you,

**Joshua Bertain**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308

San Rafael, CA 94903  
415 473 3171 T  
415 473 7880 F  
[joshua.bertain@marincounty.gov](mailto:joshua.bertain@marincounty.gov)

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**From:** Bertain, Joshua  
**Sent:** Monday, August 21, 2023 4:20 PM  
**To:** 'Montano, Honora@Coastal' <[Honora.Montano@coastal.ca.gov](mailto:Honora.Montano@coastal.ca.gov)>; 'KoppmanNorton, Julia@Coastal' <[julia.koppmannorton@coastal.ca.gov](mailto:julia.koppmannorton@coastal.ca.gov)>  
**Subject:** Planning Division Transmittal - Perry Klebahn 2006 Trust Coastal Permit (P4227)

Good afternoon,

The Perry Klebahn 2006 Trust Coastal Permit (P4227) application was submitted to the Planning Division on August 16, 2023, and has been assigned to me for review. The Planning Division's transmittal and the applicant's project plan set are attached for review. Please let me know if you have any questions.

Thank you,

**Joshua Bertain**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903  
415 473 3171 T  
415 473 7880 F  
[jbertain@marincounty.org](mailto:jbertain@marincounty.org)

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

## Joshua Bertain

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**From:** FireSubmittals  
**Sent:** Tuesday, December 19, 2023 11:16 AM  
**To:** Joshua Bertain  
**Subject:** RE: Planning Division Transmittal (2nd) - Perry Klebahn 2006 Trust Coastal Permit (P4227)

Hi Joshua,

My previous comments on this project stand...They provided a driveway profile, but a section of the driveway is over our maximum of 18%. Also, the driveway width is less than half our required width in some sections.

Let me know if you have questions.

Regards,

**Scott D. Alber**, PE, EFO, CFO, FM, MIFireE  
BATTALION CHIEF/FIRE MARSHAL

Marin County Fire Department  
PO Box 518/33 Castle Rock Avenue  
Woodacre, CA 94973  
415.473.6566 T  
415.473.4246 F  
415.717.1520 M  
CRS Dial 711  
scott.alber@marincounty.gov

Follow us on Facebook and Twitter



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**From:** Joshua Bertain <Joshua.Bertain@MarinCounty.gov>  
**Sent:** Tuesday, November 14, 2023 1:14 PM  
**To:** FireSubmittals <firesubmittals@marincounty.org>  
**Subject:** RE: Planning Division Transmittal (2nd) - Perry Klebahn 2006 Trust Coastal Permit (P4227)

Good afternoon,

The Perry Klebahn 2006 Trust Coastal Permit (P4227) application was resubmitted to the Planning Division on November 9, 2023. The Planning Division's transmittal is attached for review. The transmittal, plan set, and stormwater control plan and other documents are available at the following link (S-Drive): <S:\Planning Applications\Perry Klebahn 2006 Trust CP P4227 Inverness>

Please let me know if you have any questions.

Thank you,

**Joshua Bertain**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903  
415 473 3171 T  
415 473 7880 F  
[joshua.bertain@marincounty.gov](mailto:joshua.bertain@marincounty.gov)

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**From:** Bertain, Joshua  
**Sent:** Monday, August 21, 2023 4:17 PM  
**To:** FireSubmittals <[firesubmittals@marincounty.org](mailto:firesubmittals@marincounty.org)>; [admin@invernesspud.org](mailto:admin@invernesspud.org)  
**Subject:** Planning Division Transmittal - Perry Klebahn 2006 Trust Coastal Permit (P4227)

Good afternoon,

The Perry Klebahn 2006 Trust Coastal Permit (P4227) application was submitted to the Planning Division on August 16, 2023. The Planning Division's transmittal is attached for review. The transmittal, plan set, and stormwater control plan are available at the following link (S-Drive): <S:\Planning Applications\Perry Klebahn 2006 Trust CP P4227 Inverness>

Please let me know if you have any questions.

**Joshua Bertain**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903  
415 473 3171 T  
415 473 7880 F  
[jbertain@marincounty.org](mailto:jbertain@marincounty.org)



# Marin County Fire Dept

Occupancy: **Klebahn Residence**  
Occupancy ID: **P 112-050-22**  
Address: **560 Via De La Vista Inverness CA 94937**

Inspection Type: **Plan Review**  
Inspection Date: **10/5/2023** By: Alber , Scott D (10003211)  
Time In: **14:00** Time Out: **15:32**  
Authorized Date: **10/05/2023** By: Alber , Scott D (10003211)

Form: MCFD Plan Review  
Form

## Inspection Description:

Based on the currently adopted California Building and Fire Codes, along with current Marin County Fire Department Standards.

## Inspection Topics:

### Planning/Building Division Review

#### Automatic Residential Fire Sprinkler System Is Required per NFPA 13D

An automatic residential fire sprinkler system is required to be installed in all new residences including garages conforming to NFPA Std. 13D, Fire Protection Standard #401, and as modified by the Fire Marshal. Plans and hydraulic calculations shall be submitted to the Fire Marshal for review prior to installation. If the residence is supplied by a public water supply, contact the local water purveyor (as applicable) should an upgrade for the domestic water meter be needed. Additional sizing may be required due to available pressures and fire flow. The above requirement may be waived provided the new and existing remodel and addition does not exceed 50% of the total existing floor area.

**Status: Condition of Approval**

**Notes: See above, and "Substantial Remodel" discussion below. The AFS plans and calculations are a deferred submittal under separate permit.**

#### Fire Hydrants Required. (Upgrade)

The existing fire hydrant nearest the structure and located by the Fire Marshal shall have the body upgraded to have at least one 4 and one half inch and one 2 and one half inch outlet. Installation shall conform to the specifications of the local water/public utility district (as applicable).

**Status: Condition of Approval**

**Notes: Provide location, flow and pressure information for the nearest fire hydrant.**

#### Fire Hydrants Installed, Tested and Operational.

Fire hydrants shall be installed in accordance with the applicable standard, tested and operational prior to framing.

**Status: Condition of Approval**

**Notes: See above.**

#### Roadways and Driveways, Grade.

Proposed roads and driveways shall not exceed 18% grade.

**Status: Condition of Approval**

**Notes: Provide a driveway profile.**

#### Roadway and Driveway Minimum Clearance.

Roadways and driveways shall have a minimum clearance of not less than 20-ft. horizontal by 15-ft. vertical clearance. No object or vegetation shall encroach into this horizontal and vertical plane.

**Status: Condition of Approval**

**Notes: See above.**

#### Roadways and Driveways Minimum Requirements (Prior to Lumber Delivery or Framing).

Roadways shall be not less than 20 feet wide and driveways not less than 16 feet wide capable of accommodating a 70,000 lb. GVW, all weather surface (AC Paving or concrete), unobstructed, and shall be installed prior to lumber delivery or framing.

**Status: Condition of Approval**

**Notes: See above.**



### Driveway Minimum Width. (One-Two Family Dwellings)

Driveways shall be not less than 12 feet wide (16-ft in the Wildland-Urban Interface) capable of accommodating 60,000 GVW and conform to MCFD Standards. For driveways serving 2 to 5 homes, the minimum driveway width is 16-ft. (18-ft. for homes located in the Wildland-Urban Interface).

**Status:** Condition of Approval

**Notes:** The existing driveway appears to be sub-standard in regards to width and surface.

### Fire Apparatus Turn Around Required

An approved fire apparatus turn around shall be designed and installed at the end of driveways 300 feet or greater in length (150 feet or greater in length for parcels located within the Wildland-Urban Interface) and shall be capable of accommodating MCFD apparatus. The turnaround shall be recorded, dedicated, and clearly delineated on the subdivision map as 'Dedicated Fire Apparatus Turnaround'.

**Status:** Condition of Approval

**Notes:** See above.

### Fire Apparatus Turnout Required.

Approved fire apparatus turnout(s) shall be designed and installed at the mid-point of driveways exceeding 150-ft. in length. For driveways exceeding 800-ft. in length turnouts shall be installed at intervals not exceeding 300 feet and capable of accommodating MCFD apparatus. The turnout shall be recorded, dedicated, and clearly delineated on the subdivision map as 'Dedicated Fire Apparatus Turnout'.

**Status:** Condition of Approval

**Notes:** See above.

### Vegetation Management Plan - Fuels Management Plan Required.

An irrigated greenbelt Vegetation Management Plan (VMP) Fuels Management Plan conforming to the standards of the Marin County Fire Department shall be prepared and implemented at the site. The VMP-Fuels Management Plan shall conform to MCFD Standard #220. The plan shall be incorporated into the landscape plan for the project and submitted to the Fire Marshal for review prior to implementation. The plan shall be implemented prior to building final.

**Status:** Condition of Approval

**Notes:** See above. The VMP is a deferred submittal to MCFD under separate permit.

### Project In A Wildland-Urban Interface Area.

This project is located in a wildland-urban interface area and must meet all applicable California Building Code requirements. See CBC Chapter 7A. These code provisions are enforced by Building & Safety.

**Status:** Condition of Approval

**Notes:** See above.

### Substantial Remodel Calculation

#### Existing square footage prior to remodel:

See Below:

**Status:** Acceptable as Submitted

**Notes:** 1254 sq. ft.

#### Additional square footage added to the structure:

See Below:

**Status:** Acceptable as Submitted

**Notes:** 1729 sq. ft.

#### Square footage modified by the remodel:

See Below:

**Status:** Acceptable as Submitted

**Notes:** 1254 sq. ft.

#### Total square footage of remodel and additions:

See Below:

**Status:** Acceptable as Submitted

**Notes:** 2983 sq. ft.

Total percentage of remodel and additions to the structure:

See Below:

**Status:** Acceptable as Submitted

**Notes:** 2983/1254 = 2.4 (240%)

**Substantial Remodel Defined.**

Substantial Remodel shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area, which exceeds fifty percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in the computing floor areas for the purpose of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings. See Below:

**Status:** Acceptable as Submitted

**Notes:** See above.

**Additional Time Spent on Inspection:**

Category	Start Date / Time	End Date / Time
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**Notes:** No Additional time recorded

**Total Additional Time: 0 minutes**

**Inspection Time: 92 minutes**

**Total Time: 92 minutes**

**Summary:**

**Overall Result:** Plan Review-Complete

**Inspector Notes:**

**Inspector:**

Name: Alber , Scott D  
Rank: Fire Marshal BC