

**MARIN COUNTY DEPUTY ZONING ADMINISTRATOR MINUTES**  
**Marin County Civic Center, Room #328 - San Rafael**  
**MEETING – November 13, 2008**

Hearing Officer      Johanna Patri, AICP

Staff Present:      Scott Greeley, Planner

Joyce Evans, Recording Secretary

Convened at 9:10 A.M.  
Adjourned at 11:08 A.M.

**November 13, 2008**

# Marin County Community Development Agency

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Brian C. Crawford, Director

## NOTICE OF DECISION

Applicant's Name: Roger Hoffman  
Application (type and number): Coastal Permit (CP 09-2)  
Assessor's Parcel Number: 119-205-01  
Project Location: 63 Lorraine Avenue, Point Reyes Station  
For inquiries, please contact: Scott Greeley, Planner  
Decision Date: November 13, 2008

**DETERMINATION: Approved with Conditions**

Minutes of the November 13, 2008, Deputy Zoning Administrator's hearing are attached specifying action and applicable conditions 1-23.

Marin County Community Development Agency

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Johanna Patri, AICP  
Hearing Officer

**C1. COASTAL PERMIT (CP 09-2): ROGER HOFFMAN**

A proposal requesting to demolish a 275 square foot garage and replace it with a 742 square foot garage/storage ~~area~~ structure. The garage/storage ~~area~~ structure will utilize materials and coloring to match the existing residence. The garage/storage ~~area~~ structure would attain a maximum height of approximately 14 feet 6 inches and would maintain the following approximate setbacks from corresponding property lines or road right of way edge: 32 feet from the southeasterly front property line, 84 feet from the northwesterly rear property line, 43 feet from the southwesterly side property line, and 35 feet from the northeasterly side property line. The subject property is located at **63 Lorraine Ave, Point Reyes Station**, and is further identified as **Assessor's Parcel 119-205-01**.

In response to the Hearing Officer, staff stated that no additional correspondence had been received since the issuance of the staff report.

The applicant was present, had read the Conditions of Approval and had no questions.

The public testimony portion of the hearing was opened and closed.

The Hearing Officer directed staff to change the project description from "garage/storage area" to "Garage/storage structure," and made the following modification to the resolution:

Condition of Approval # 5: "BEFORE ISSUANCE OF A BUILDING PERMIT FOR THE APPROVED STRUCTURE, the applicant/owner shall obtain a demolition permit from the Community Development Agency (CDA) – Building Safety and Inspection Division. BEFORE ISSUANCE OF ANY DEMOLITION PERMITS, the applicant shall comply with the items listed below:

- a. With the permit application, the applicant must submit a copy of the Bay Area Air Quality Management District (District) J# Pre-Demolition Asbestos Survey application. The applicant must comply with all District requirements relating to containment and disposal of asbestos and other hazardous materials.
- b. The applicant shall submit to CDA a Construction and Demolition Waste Recovery Plan prepared by a salvage contractor, architect, and/or qualified consultant in compliance with Marin County Board of Supervisors Ordinance 3389, Construction and Demolition Waste Recovery Ordinance with an indication as to how the demolished material will be recycled.

The Hearing Officer concurred with staff's analysis and approved the Hoffman Coastal Permit, based on the Findings and subject to the modified Conditions in the Resolution.

The Hearing Officer informed all parties of interest that this action may be appealed to the Marin County Planning Commission within five (5) working days.

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR  
RESOLUTION NO. 08-  
A RESOLUTION APPROVING THE HOFFMAN COASTAL PERMIT  
63 LORRAINE AVE, POINT REYES STATION  
ASSESSOR'S PARCEL 119-205-01

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**SECTION I: FINDINGS**

- I. WHEREAS, Robert Cain Cove Construction., on behalf of Robert Hoffman and Nancy Hopkin, is seeking Coastal Permit approval to demolish a 275 square foot garage and replace it with a 742 square foot garage/storage structure. The garage/storage structure will utilize materials and coloring to match the existing residence. The garage/storage structure would attain a maximum height of approximately 14 feet 6 inches and would maintain the following approximate setbacks from corresponding property lines or road right of way edge: 32 feet from the southeasterly front property line, 84 feet from the northwesterly rear property line, 43 feet from the southwesterly side property line, and 35 feet from the northeasterly side property line. **The subject property is located at 63 Lorraine Ave at Point Reyes Station, and is further identified as Assessor's Parcel 119-205-01.**
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly-noticed public hearing November 13, 2008, to consider the merits of the project and hear testimony in favor of and in opposition to the project.
- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15303, Class 3 of the CEQA Guidelines because it entails the construction of a new garage, which is incidental to the primary residence.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve the Coastal Permit application (Section 22.56.130I of the Marin County Code) as specified below.
  - A. Water Supply

The proposed project will have no impact upon the water supply because it is not expanding or impacting residential use.
  - B. Septic System Standards

The proposed project has been conditioned to meet septic system standards by Environmental Health Services, including having the existing septic system inspected prior to Building Permit issuance.
  - C. Grading and Excavation

The project, as designed, and the minimal sloping of the site will keep grading to the minimum amount necessary.

D. Archaeological Resources

A review of the Marin County Archaeological Sites Inventory indicates that the subject property is considered to be in an area of high archaeological sensitivity. A standard condition of approval has been applied to the project requiring that in the event cultural resources are uncovered during construction, all work shall be immediately stopped and the services of a qualified consulting archaeologist be engaged to assess the value of the resource and to develop appropriate mitigation measures.

E. Coastal Access

The subject property is not located adjacent to the shoreline and therefore will not affect coastal access.

F. Housing

The proposed project will have no impact upon the availability of affordable housing stock within the Point Reyes Station community because it does not entail the demolition or conversion of any affordable housing.

G. Stream and Wetland Resource Protection

The proposed project is not located within the vicinity of any recognized sensitive streams or creeks subject to streamside conservation policies of the Local Coastal Program.

H. Dune Protection

The proposed project entails the construction of a detached garage in Point Reyes Station and would not disturb natural dunes.

I. Wildlife Habitat

The proposed project entails the construction of a detached garage. The proposed project area is located in the residentially developed portion of Point Reyes Station. There is no evidence that the project would affect wildlife habitats

J. Protection of Native Plant Communities

Review of the California Natural Diversity Database, prepared by the State Department of Fish and Game, indicates that the property includes federally and state listed species. These species include the Point Reyes Checkerbloom (*Sidalcea calycosa* ssp *rhizomata*), the Point Reyes Horkelia (*Horkelia marinensis*), Marsh Microseris (*Microseris paludosa*), Marin Hesperian (*Vespericola marinensis*), and the Coastal Marsh Milk Vetch (*Astragalus pycnostachyus* var. *pycnostachyus*). The Point Reyes Checkerbloom is a perennial herb, native and endemic to California which occurs almost always under natural conditions in wetlands; which are not present on the property. The Point Reyes Horkelia is a perennial herb, native and endemic to California which occurs in dune and coastal habitats; which are not present on the property. Marin Hesperian is a mollusk found in moist spots in coastal brush fields and chaparral vegetation, and under leaves of cow parsnip, around spring seeps, in leaf mold, and in alder and mixed evergreen forest; none of which are present on

the property. The Coastal Marsh Milk Vetch is a perennial herb, native and endemic to California which occurs in coastal scrub, marshes, and swamps; which are not present on the property. Marsh Microseris is a perennial herb, native and endemic to California which occurs in Cisamonte woodlands, coastal scrub, and valley and foothill grassland. Due to this site and neighboring properties being of relatively small lots and residentially developed, it is unlikely this species is present. As such, no impacts are expected.

K. Shoreline Protection

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone.

L. Geologic Hazards

The project site is not located within the Alquist-Priolo Special Study Zone. In addition, the Marin County Community Development Agency – Building and Safety Division will determine seismic compliance with the Uniform Building Code. Further, as a condition of approval, the applicant shall agree to hold the County, other governmental agencies, and the public harmless of any matter resulting from the existence of geologic hazards or activities on the subject property.

M. Public Works Projects

The proposed project will not affect any existing or proposed local public works projects in the area.

N. Land Division Standards

No land division or property line adjustment is proposed as part of this project.

O. Visual Resources

The proposed project entails the construction of a detached garage. Based on the scale of the proposed project and it matching the existing community character, it should have no visual impact. Further, the proposed project has been conditioned to include additional landscaping to provide additional screening.

P. Recreation/Visitor Facilities

The project will have no impact upon recreation or visitor facilities because the proposed project is entirely upon private property and will not create barriers to accessing existing recreation/visitor facilities.

Q. Historic Resource Preservation

The subject property is not located within any designated historic preservation boundaries as identified in the Marin County Historic Study for the Local Coastal Program, and the proposed project does not entail alterations to a structure that was constructed prior to 1931.

## SECTION II: CONDITIONS OF PROJECT APPROVAL

### Marin County Community Development Agency, Planning Division

1. The applicant is requesting Coastal Permit approval to demolish a 275 square foot garage and replace it with a 742 square foot garage/storage structure. The garage/storage structure will utilize materials and coloring to match the existing residence. The garage/storage structure would attain a maximum height of approximately 14 feet 6 inches and would maintain the following approximate setbacks from corresponding property lines or road right of way edge: 32 feet from the southeasterly front property line, 84 feet from the northwesterly rear property line, 43 feet from the southwesterly side property line, and 35 feet from the northeasterly side property line. Plans submitted for a Building Permit shall substantially conform to plans identified as "Exhibit A.2," entitled, "Hoffman/Hopkins Residence - Replace Existing Garage," consisting of two sheets prepared by Cove Construction, with revisions dated September 12, 2008 and received September 18, 2008, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these Conditions of Approval as notes.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a revised landscaping plan which provides two additional screening trees on the side setback facing Manana Way and one additional native screening tree on the opposite side. The landscaping shall be a minimum 24-inch box size.
4. 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 be permitted for safety purposes only, shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts 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.
5. BEFORE ISSUANCE OF A BUILDING PERMIT FOR THE APPROVED STRUCTURE, the applicant/owner shall obtain a demolition permit from the Community Development Agency (CDA) – Building Safety and Inspection Division. BEFORE ISSUANCE OF ANY DEMOLITION PERMITS, the applicant shall comply with the items listed below.
  - a. With the permit application, the applicant must submit a copy of the Bay Area Air Quality Management District (District) J# Pre-Demolition Asbestos Survey application. The applicant must comply with all District requirements relating to containment and disposal of asbestos and other hazardous materials.
  - b. The applicant shall submit to CDA a Construction and Demolition Waste Recovery Plan prepared by a salvage contractor, architect, and/or qualified consultant in compliance with Marin County Board of Supervisors Ordinance 3389, Construction and Demolition Waste Recovery Ordinance with an indication as to how the demolished material will be recycled.

6. BEFORE FINAL INSPECTION, the applicant shall submit a Statement of Completion, signed by a certified or licensed landscape design professional, verifying that all approved and required landscaping has been installed in accordance with the approved landscape plan and Chapter 23.10 of the Marin County Code, where applicable.
7. All utility connections and extensions (including but not limited to electric, communication, and cable television lines) serving the development shall be undergrounded from the nearest overhead pole from the property, where feasible as determined by the Community Development Agency staff.
8. All construction activities shall comply with the following standards:
  - A. Except for such non-noise generating activities, including but not limited to, painting, sanding, and sweeping, construction activity is only permitted between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday. No construction shall be permitted on Sundays or the following holidays (New Year's Day, Presidents' Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving, and Christmas Day). If the holiday falls on a weekend, the prohibition on noise-generating construction activities shall apply to the ensuing weekday during which the holiday is observed. At the applicant's request, the Community Development Agency staff may administratively authorize minor modifications to these hours of construction.
  - B. It shall be the responsibility of the applicant to ensure that all construction materials and equipment are stored on-site (or secured at an approved off-site location) and that all contractor vehicles are parked in such a manner as to permit safe passage for vehicular, pedestrian, and bicycle traffic at all times.
9. If archaeological resources are discovered during grading, trenching, or other construction activities, all work at the site shall stop immediately and the project sponsor shall inform the Marin County Environmental Coordinator of the discovery. A registered archaeologist, chosen by the County and paid for by the project sponsor, shall assess the site and submit a written report to the Marin County Community Development Agency Director advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Director. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Director.
10. The applicant/owner hereby agrees to 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 approval of the Hoffman Coastal Permit, for which action is brought within the applicable statute of limitations.
11. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated.

Marin County Public Works Department, Land Development Division



12. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit an Erosion and Siltation Control Plan if grading or site disturbance is to occur between October 15 and April 15 (all construction activity constitutes disturbance).
13. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a drainage plan for the project. Grades adjacent to foundations shall slope away a minimum of 5% [2007 CBC §1803.3]. Also, provide post-construction erosion control mechanisms for roof and site runoff.
14. BEFORE ISSUANCE OF A BUILDING PERMIT, the proposed plans allow for only one vehicle to fit within the garage (9.0-feet by 20-feet) [MCC §24.04.380]. The Department of Public Works requires two onsite independently accessible resident parking spaces and two independently accessible guest spaces (the guest spaces may be in tandem to the resident spaces). The proposed width of the garage and driveway does not allow for the two resident spaces to be independently accessible. Also, if guest parking is proposed to be within the driveway, the proposed width does not allow for two independently accessible guest spaces. Plans will need to be revised to meet the above requirements.
15. BEFORE ISSUANCE OF A BUILDING PERMIT, the driveway surface shall be hardscape (concrete, asphalt or unit pavers) [MCC §24.04.300 & 310].
16. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide dimensions for the driveway gate opening, showing that it meets the minimum requirement of 12-foot clearance.
17. BEFORE ISSUANCE OF A BUILDING PERMIT, an encroachment permit shall be required for work within the road right-of-way.
18. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a note on the plans stating that the Design Engineer/Architect shall certify to the County in writing that all grading, drainage, and retaining wall construction was done in accordance with plans and field directions. Driveway, parking, and other site improvements shall be inspected by a Department of Public Works engineer prior to final inspection.

Marin County Environmental Health Services

19. BEFORE ISSUANCE OF A BUILDING PERMIT, the building plans shall indicate that the garage sink is to be plumbed to the septic tank.
20. BEFORE ISSUANCE OF A BUILDING PERMIT, the septic system shall be inspected. The inspection report shall be submitted to Environmental Health Services (EHS). The applicant can contact EHS to request a copy of the report format and list of registered service providers.
21. A deed recordation may be required.

North Marin Water District

22. If fire sprinklers are required, replacement of the ¾ -inch lateral and the 5/8-inch meter will be necessary in order to provide the flow required by the sprinkler system. If applicable, the applicant should contact the North Marin Water District to arrange for this upgrade and occupancy approval shall not be granted until the water service upgrade is complete.
23. The maximum amount of turf allowed per household will be no more than 400 square feet and shall be irrigated with multi-stream rotating sprinkler heads with uniform coverage. All non-turf landscape areas shall be irrigated with a pressure regulated drip irrigation system designed by a landscape architect or other competent person and capable of distributing water as efficiently as possible. Landscape areas shall be prepped with organic soil amendment in the amount of 10 yards per 1000 square feet, or other District approved material shall be installed. A layer of organic mulch shall be installed at a minimum of 3 –inches deep. District qualified weather-based irrigation controllers must also be installed with automatic rain shut off devices.

**SECTION III: VESTING, PERMIT DURATION, AND APPEAL RIGHTS**

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Coastal Permit and Design Review approval by complying with all conditions of approval, obtaining Building Permits for the approved work, and substantially completing approved work before November 13, 2010, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date above and the Deputy Zoning Administrator approves it. An extension of up to four years may be granted for cause pursuant to Section 22.56.120I of the Marin County Code.

The Building Permit approval expires if the building or work authorized in this does not commence within one year from issuance of such permits. A Building Permit is valid for two years during which construction is required to be completed. All permits shall expire by limitation and become null and void if the building or work authorized by such permit is not completed within two years from the date of the permit. Please be advised that if your Building Permit lapses after the vesting date stipulated in the approval, and no extensions have been granted, the Building Permit may become null and void. Should you have difficulties in meeting deadlines for completing the work pursuant for a Building Permit, the applicant may apply for an extension at least ten days before the expiration.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m. on November 20, 2008.**

**SECTION IV: ACTION**

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 13<sup>th</sup> day of November 2008.

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JOHANNA PATRI  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

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Joyce Evans DZA Secretary

**DZA Minutes**  
**November 13, 2008**  
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