



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

## STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR

### MARCOTTE/MAGAN PARTNERSHIP COASTAL PERMIT AND DESIGN REVIEW

Item No:	C2	Applications:	CP 09-8 and DM 09-23
Applicant:	George R. Magan	Owners:	Alex and Vic Marcotte, and Ginny and George Magan
Property Address:	98 First Street, Tomales	Assessor's Parcel:	102-071-04
Hearing Date:	March 12, 2009	Planner:	Neal Osborne

<b>RECOMMENDATION:</b>	<b>Approve With Conditions</b>
<b>APPEAL PERIOD:</b>	<b>Five working days to the Planning Commission</b>
<b>LAST DATE FOR ACTION:</b>	<b>April 13, 2009</b>

#### PROJECT DESCRIPTION:

The project is a proposal to convert the existing historic (circa 1915) Tomales Garage structure to a woodworking shop – for George R. Magan Stair Builders (License 459058). The historic structure will be retained predominately in its original condition. The only design change would be for a new window and door added to the front (south) elevation along First Street (Dillon Beach Road). The design of the window and door would match the existing design of the historic windows and doors. The existing building has 3,300 square feet of floor area on the 6,360 square foot lot. The structure is located on the northeast corner lot at the intersection of First Street and Valley Avenue with zero setbacks from the front and side property lines. The structure is setback 45.5 feet from the rear (north) property line and 39.5 feet from a well in the rear yard area. The structure has a maximum height of 20.5 feet above finished exterior grade.

The project site is located on property within the historic district boundaries of the Town of Tomales.

The County of Marin's decision on the Coastal Development Permit could be appealed to the California Coastal Commission pursuant to Marin County Code Section 22.56.010I.

#### GENERAL INFORMATION:

Countywide Plan  
 Land Use Designation: Coastal, Neighborhood Commercial/Mixed Use, one to 20 units per acre (C-NC)

Zoning: Coastal, Village Commercial Residential District, 6,000 square feet minimum lot size (C-VCR:B1)  
Lot size: 6,360 square feet  
Adjacent Land Uses: Single-family residential and commercial  
Vegetation: none  
Topography and Slope: Less than 10% downslope to the east  
Environmental Hazards: Proximity to the San Andreas and Hayward Fault Zones

### **ENVIRONMENTAL REVIEW:**

The Environmental Coordinator has determined that this project is Categorically Exempt from the requirements of the California Environmental Quality Act pursuant to Section 15301, Class 1(a) of the CEQA Guidelines.

### **PUBLIC NOTICE:**

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and giving the earliest possible decision date in accord with California Government Code requirements. This notice has been mailed to all property owners within 300 feet of the subject property.

### **PLAN/ZONING CONSISTENCY:**

The proposed project is generally consistent with the goals and policies of the Marin Countywide Plan, the Local Coastal Program, Unit II, and the Tomales Community Plan (refer to Sections IV, V, and VI in Attachment 1).

### **PROJECT ANALYSIS:**

#### *Introduction*

The project is a proposal to remodel and restore the historic Tomales Garage structure and convert the use to a commercial woodworking shop. The proposed use would normally be considered a Conditionally Permitted use pursuant to Marin County Code Section 22.57.123(6)I. However, it was determined by that the conversion of the historic grandfathered use as a commercial garage that would otherwise be considered a conditionally permitted use, to a less intensive woodworking shop use, would be considered a Permitted Use. The intensity of use for the proposed woodworking shop would be functionally equivalent but less intensive than the historic use of the site for an automobile repair shop and consequently the requirement for a Use Permit was waived. The Coastal Permit and Design Review were determined to be adequate entitlements for the proposed use, with ample opportunity for the Tomales Design Review Board, County staff, and the public to scrutinize the proposed intensity of use, the potential effects to the public health, safety, and welfare, aesthetics, and community compatibility.

#### *The Proposed Use*

The proposed woodworking shop would specialize in the manufacture of custom hardwood stairs for a variety of developments off site. Two or three employees would utilize the shop facilities from 7:00 A.M. to 5:30 P.M. Monday through Thursday. No loud machinery or noise generating tools would be used before 8:00 A.M. All fabrication materials would be stored within the shop to protect them from the elements.

### *Historic Resource Preservation*

The subject property is located within the Tomales Historic Preservation District and the circa 1915 building on the site was in use as the Tomales Garage. In 1941, an addition in the same architectural style and materials was constructed on the front and east side of the original building. This addition included a metal roll-up door for vehicular access on the front façade with a different style than the existing wooden sliding door built in 1915 for vehicular access into the automobile repair shop.

The Local Coastal Program Unit II policy regarding historic resources requires that all new construction in historic areas such as the Tomales shall conform in scale, design, materials and texture with the surrounding community character. Alterations to any structure built before 1930 shall require a Coastal Permit; except that maintenance or repair to restore any pre-1930 structure to its original architectural character shall be exempt from a Coastal Permit. Alterations or additions to any pre-1930 structure shall retain the scale and original architectural feature of the structure, especially for the front façade.

All projects shall be reviewed in accordance with the "Design Guidelines for Construction in Historic Areas and for pre-1930 Structures", and "The Historic Review Checklist".

Staff finds that the subject building is not an architecturally significant structure worthy of registration. However, the structure is substantially intact from a period greater than 50 years ago, and is therefore historic and should be preserved to the maximum extent feasible. Staff finds the project to be consistent with the goals and policies for restoration and preservation of historic structures pursuant to the Countywide Plan, the Local Coastal Program Unit II, the Tomales Community Plan, and the zoning code in Title 22 Interim. The minor design modifications to replace the circa 1941 metal roll-up door with windows that match the existing circa 1915 windows and an entrance door would be consistent with the original architectural character of the building. A condition has been added to require the new door and window to be of insulated glass and framed with different materials than the existing windows, providing enough change from the actual historic windows to preserve the historic integrity of the building. The project would conform to the scale, design, materials, and texture of the historic building and the surrounding community. Staff finds the project in conformance with the "Design Guidelines" and "The Historic Review Checklist" (refer to Attachment 22).

### *Americans with Disabilities Act*

As a commercial project, the project is subject to the Americans with Disabilities Act (ADA) for parking, path of travel to the entrance of the building, signs, all weather surfacing, and proper slope. In consultation with Pat Balderama in the Department of Public Works, the applicant prepared an ADA compliant parking and access plan for the project with one paved van accessible parking space and path of travel from the rear parking lot to the rear entrance door of the shop.

Whether additional modifications to the interior of the building will be required has yet to be determined by the Building Official. The applicant submitted an Application for Unreasonable Hardship Exception pursuant to Section 1134B of the California Building Code to request a waiver of the requirements due to the relatively low cost of the remodeling and restoration work proposed (\$12,700), and the claim that the ADA compliant improvements (\$5,000) would be an excessive financial burden in relationship to the full cost of the project. Please refer to Attachment 11 for the Application for Unreasonable Hardship Exception, and Attachment 14 for the preliminary response from Larry Grace in the Building and Safety Division.

### *Public Comments*

The Tomales Design Review Board recommends approval of the proposal (refer to Attachments 16 and 19). No additional comments have been received from neighbors or the general public in response to the public notice.

## *Conclusion*

Staff finds that Coastal Permit and Design Review findings can be made for the proposed project because no detrimental effects to the surrounding neighborhood or coastal resources would result from use of the existing commercial facility as a woodworking shop. Staff recommends approval of the Coastal Permit and Design Review.

## **RECOMMENDATION:**

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and approve the Marcotte/Magan Coastal Permit and Design Review based on the findings contained in the attached resolution.

- Attachments:
1. Proposed Resolution recommending approval of the Marcotte/Magan Coastal Permit and Design Review
  2. Environmental Determination
  3. Location Map
  4. Assessor's Parcel Map
  5. Site Plan
  6. Floor Plan and Proposed South Elevation
  7. Existing Elevations
  8. Historic Photographs with Architectural Details and Construction Records
  9. Access and Parking Details
  10. Pat Balderama, DPW Land Use and Water Resources memorandum, 2/9/09
  11. George Magan letters, 1/27/09, 1/5/09, 11/18/08, 10/21/08, 6/11/08
  12. Pat Balderama et al. e-mails, 12/23/08
  13. Larry Grace et al. e-mails, 12/19/08
  14. Larry Grace, CDA Building and Safety memorandums, 12/19/08, 12/17/08
  15. Jock Smith, CDA Environmental Health Services memorandum, 12/3/08
  16. Bruce Bramson, Tomales Design Review Board e-mail, 11/25/08
  17. Scott Callow, CDA Environmental Health Services memorandum, 10/10/08
  18. Stair Builders (George Magan) e-mail, 10/30/08
  19. Blair Fuller, Tomales Design Review Board letter, 10/22/08
  20. Neal Osborne, CDA Planning e-mail, 10/22/08
  21. Drew McIntyre, North Marin Water District letter, 10/6/08
  22. Local Coastal Program Historic Review Checklist

**MARIN COUNTY DEPUTY ZONING ADMINISTRATOR**

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION APPROVING THE MARCOTTE/MAGAN PARTNERSHIP  
COASTAL PERMIT AND DESIGN REVIEW**

**ASSESSOR'S PARCEL 102-071-04**

**98 FIRST STREET, TOMALES**

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**SECTION 1: FINDINGS**

I. WHEREAS George R. Magan, on behalf of Alex and Vic Marcotte, and George Magan Partnership, submitted the Marcotte/Magan Coastal Permit and Design Review application proposing to convert the existing historic (circa 1915) Tomales Garage structure to a woodworking shop – for George R. Magan Stair Builders (License 459058). The historic structure will be retained predominately in its original condition. The only design change would be for a new window and door added to the front (south) elevation along First Street (Dillon Beach Road). The design of the window and door would match the existing design of the historic windows and doors. The existing building has 3,300 square feet of floor area on the 6,360 square foot lot. The structure is located on the northeast corner lot at the intersection of First Street and Valley Avenue with zero setbacks from the front and side property lines. The structure is setback 45.5 feet from the rear (north) property line and 39.5 feet from a well in the rear yard area. The structure has a maximum height of 20.5 feet above finished exterior grade.

The subject property is located at 98 First Street, Tomales, and is further identified as Assessor's Parcel 102-071-04.

II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on March 12, 2009 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 15301, Class 1(a).

IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin Countywide Plan because it would:

- A. Provide a commercial woodworking shop in the Coastal Recreation Corridor without adversely affecting agricultural areas or public open space in the project vicinity.
- B. Comply with Marin County standards for flood control, geotechnical engineering, and seismic safety, and include improvements to protect lives and property from hazard.
- C. Result in development which conforms to the governing standards related to building height, size and location.

- D. Comply with governing development standards related to roadway construction, parking, grading, drainage, flood control and utility improvements as verified by the Department of Public Works.
  - E. Not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services.
  - F. Provide consistency with the land use designation of Coastal Neighborhood Commercial/Mixed Use, one to 20 units per acre (C-NC).
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is generally consistent with Tomales Community Plan policies because it would:
- A. Preserve the appearance of an existing historic structure built in 1915 and within the historic preservation district of the Tomales community. The project would be consistent with the goals and policies for restoration and preservation of historic structures. The minor design modifications to replace the circa 1941 metal roll-up door with windows that match the existing circa 1915 windows and an entrance door would be consistent with the original architectural character of the building. The project would conform to the scale, design, materials, and texture of the historic building and the surrounding community. The project conforms to the “Design Guidelines” and “The Historic Review Checklist”
  - B. Comply with the policies that provide for commercial development within the C-VCR:B1 zoning district with the use of an existing commercial garage for a commercial woodworking shop.
  - C. Involve the use of a developed infill property that would not adversely affect adjacent residential and commercial areas, or agricultural areas, open space, or sensitive coastal resources in the vicinity.
- VI. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve a Design Review (Section 22.82.040I of the Marin County code), as specified below.
- A. The proposed development will properly and adequately perform or satisfy its functional requirements without being unsightly or creating incompatibility/disharmony with its locale and surroundings.  
  
The remodeling and restoration of the historic Tomales Garage to a woodworking shop would improve the appearance of the somewhat dilapidated structure compatible with the surrounding neighborhood and locale. The project would result in modest changes to the appearance of the front façade, with windows of similar character but not absolute matches to the other historic windows on the front façade. A circa 1941 metal roll-up door would be replaced with a front entrance door to the shop office. The exterior materials would be off-white siding and darker unobtrusive trim colors. The proposed exterior lighting (five new lights) of the rear façade would be of minimal lumen intensity for safety purposes only, and would be directed downward and hooded.
  - B. The proposed development will not impair, or substantially interfere with the development, use, or enjoyment of other property in the vicinity, or the orderly and pleasing development of the neighborhood as a whole, including public lands and rights-of-way.

Construction of remodeling and restoration of the historic Tomales Garage to a woodworking shop would restore the appearance of the somewhat dilapidated structure compatible with the surrounding neighborhood and locale. The project would not interfere with development, use, or enjoyment of other property, including right-of-way, in the vicinity and would conform to permitted uses in the C-VCR:B1 zoning district that governs the subject property.

- C. The proposed development will not directly, or in a cumulative fashion, impair, inhibit, or limit further investment or improvements in the vicinity, on the same or other properties, including public lands and rights-of-way.

Construction of remodeling and restoration of the historic Tomales Garage to a woodworking shop would not directly or cumulatively impair, inhibit, or limit further investment or improvements in the vicinity, including public lands and rights-of-way.

- D. The proposed development will be properly and adequately landscaped with maximum retention of trees and other natural material.

Construction of remodeling and restoration of the historic Tomales Garage to a woodworking shop would improve the appearance of the somewhat dilapidated structure compatible with the surrounding neighborhood. The site has not been landscaped historically, but the applicant proposes to plant native shrubs along the rear parking lot fences in the Spring of 2009 to improve the landscaping of the site in the only location with available soil.

- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design, or juxtaposition. Adverse effects may include, but are not limited to, those produced by the design and location characteristics of:

1. The scale, mass, height, area, and materials of buildings and structures.

The project would minimize potential adverse visual impacts because it would be constructed of building materials that match the historic appearance of the building that would blend into and compliment the surrounding natural and built environments. The project would not modify the scale, mass, height, area, and materials of the existing building.

2. Drainage systems and appurtenant structures.

The project would have no appreciable change to the existing drainage and would minimize drainage alterations with roof runoff dispersion areas downslope of the building.

3. Cut and fill, or the reforming of the natural terrain, and structures appurtenant thereto such as retaining walls and bulkheads.

The project would result in no cut and fill, reforming the natural terrain, or involve retaining wall or bulkhead construction.

4. Areas, paths, and rights-of-way for the containment, movement or general circulation of persons, animals, vehicles, conveyances, and watercraft.

The project would result in improvements to the access driveway with the installation of permeable pavers for 30 feet to access the gravel parking lot. One disabled parking space with path of travel to the rear entrance door would be paved with asphaltic concrete. The project would not result in adverse physical or visual effects.

5. Will not result in other developments or improvements which may result in a diminution or elimination of sun and light exposure, views, vistas, and privacy.

The design of the proposed improvements, as modified by conditions of approval, would be compatible with other commercial and residential buildings in the vicinity, would respect the surrounding natural environment, and would not adversely affect views from other properties in the vicinity. The building height and footprint would not be modified for the woodworking shop and would not impact the existing light or privacy of surrounding residences. The maximum building height would remain at 20.5 feet above existing grade.

- F. The project design may contain roof overhang, roofing material, and siding material that are compatible both with the principles of energy-conserving design and with the prevailing architectural style in the neighborhood.

The 3,300 square foot woodworking shop would be in a building of historic design and construction. Proposed construction would restore the building while preserving its historic integrity, with a new window on the front façade (south) allowing passive solar heating and natural light into the office portion of the building. A new three phase electricity supply has been installed recently with Electrical Permit 118972 to provide efficient power supply for the woodworking equipment. The workshop portion of the building would not be heated and would be illuminated with efficient T-8 fluorescent bulbs. New work proposed for remodeling and restoration of the building shall comply with the energy efficiency standards in the California Energy Code (Title 24) as reviewed during any subsequent Building Permit review and approval process.

- VII. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve a Coastal Permit (Section 22.56.130I of the Marin County Code) for the reasons specified below:

- A. Water Supply:

The Community Development Agency, Environmental Health Services Division staff determined that the project has an approved independent water supply (well) for the facility. The projected water demand of the woodworking facility would likely not result in any incremental increase in water demand in comparison to the historic water use at the site for a commercial garage.

- B. Septic System Standards:

The project site is currently connected to the North Marin Sanitary Sewer District and would likely not result in any incremental increase in wastewater generation in comparison to historic uses of the commercial garage.

- C. Grading and Excavation:

No grading is proposed with the project.



D. Archaeological Resources:

Review of the Marin County Archaeological Sites Inventory indicates that the subject property is located in an area of high archaeological sensitivity. Conditions of project approval would require that in the event that cultural resources are discovered during site preparation or construction of this project, all work shall immediately be stopped and the services of a qualified consulting archaeologist shall be engaged to assess the value of the resource and to develop appropriate mitigation measures to meet Local Coastal Program requirements.

E. Coastal Access:

The site is located approximately one mile from the shoreline of Tomales Bay and consequently development and use of the site would not affect public access to the coastline. Coastal access through the site is not desirable or feasible within the coastal area identified by the Local Coastal Program, Unit II. The site is not located on any tidelands or submerged lands subject to the public trust doctrine.

F. Housing:

The proposed project would not result in the removal of a residential building which provides housing opportunities for people of low or moderate income, and would not affect the availability of housing stock in the rural West Marin area.

G. Stream Conservation Protection:

This project site is not situated in an area subject to the streamside conservation policies as identified on the National Resources Map for Unit II of the Local Coastal Program.

H. Dune Protection:

This project site is not located in a dune protection area as identified by the Natural Resources Map for Unit II of the Local Coastal Program.

I. Wildlife Habitat:

The Natural Resources Map for Unit II of the Local Coastal Program indicates that the subject property is not located in an area of sensitive wildlife resources. A review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that no threatened, rare, or endangered animal species potentially exist within the vicinity of the subject property.

J. Protection of Native Plant Communities:

The Natural Resources Map for Unit II of the Local Coastal Program indicates that the subject property is not located in an area containing rare plants. A review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject property is not located in the habitat area for rare, threatened, or endangered plant species.

K. Shoreline Protection:

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

L. Geologic Hazards:

The project site is not located in an area of geologic hazards as indicated on Geologic Hazards Map for Unit II of the Local Coastal Program and is not located within the delineated boundaries of the San Andreas Fault zone as identified on the Alquist-Priolo Special Studies Zone Map.

M. Public Works Projects:

This project would not involve or affect any public works projects.

N. Land Division Standards:

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

O. Visual Resources:

The height, scale and design of the existing structure would not be substantially modified and would continue to be compatible with the established character of the surrounding neighborhood.

P. Recreation/Visitor Facilities:

The project would provide improvements to an existing commercial facility with a change in use to a woodworking shop likely not having any affect to recreational and visitor facilities in the area.

Q. Historic Resource Preservation:

This project will not result in substantial modifications to an historic resource within the Tomales historic district boundaries as established for the Local Coastal Program Historic Study. The 1915 Tomales Garage structure would be maintained as an historic resource, with only modest changes proposed to the front façade, changes that would, upon examination, be distinguishable from the actual historical portions of the structure. The project is consistent with the goals and policies for restoration and preservation of historic structures pursuant to the Countywide Plan, the Local Coastal Program Unit II, the Tomales Community Plan, and the zoning code in Title 22 Interim. The minor design modifications to replace the circa 1941 metal roll-up door with windows of similar character but not precise copies of the existing circa 1915 windows, and an entrance door would be consistent with the original architectural character of the building. The project would conform to the scale, design, materials, and texture of the historic building and the surrounding community. The project conforms to the "Design Guidelines for Construction in Historic Areas and for pre-1930 Structures" and "The Local Coastal Program Historic Review Checklist".

## SECTION 2: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Marcotte/Magan Coastal Permit (CP 09-8) and Design Review (DM 09-23) subject to the following conditions:

### Marin County Community Development Agency, Planning Division

1. Pursuant to Chapters 22.56I and 22.82I of the Marin County Code, the Marcotte/Magan Coastal Permit and Design Review are approved to permit the conversion of the Tomales Garage to a wood working shop. The approval permits a woodworking shop that specializes in the manufacture of custom hardwood stairs for a variety of developments off site. Two or three employees would utilize the shop facilities from 7:00 A.M. to 5:30 P.M. Monday through Thursday. No loud machinery or noise generating tools would be used before 8:00 A.M. All fabrication materials would be stored within the shop to protect them from the elements. The approval permits the replacement of a metal roll-up door on the front façade with a window and front entrance door to the front office of the woodworking shop. The permit also requires the provision of parking for one disabled person with a paved parking space in the rear parking lot, and paved path of travel to the rear entrance door. The permit approves improvement of the driveway access from Valley Avenue with permeable pavers from the existing edge of pavement 30 feet into the project site to the gravel parking lot in the rear yard. The permit approves the installation of 5 exterior lights on the rear façade to provide a safe parking lot area and access to the rear entrance of the woodworking shop. The subject property is located at 98 First Street, Tomales, and is further identified as Assessor's Parcel 102-071-04.
2. Except as modified herein, the project shall substantially conform to plans on file in the Marin County Community Development Agency, Planning Division identified as Exhibit A, entitled, "98 First St. or 98 Dillon Beach Rd. Tomales, CA 94971", prepared by Bill Bonini and George R. Magan.
3. Fenestration in the proposed door and the windows on the front façade shall be of insulated glass, and materials used in the windows shall be different than the current windows (e.g., clad windows).
4. Five off-street parking spaces shall be provided in the rear yard area of the subject property with access from Valley Avenue. Two off-street parking spaces (parallel to the street) shall be provided along Valley Avenue on the west side of the building.
5. Any future sign(s) proposed shall be subject to the permitting requirements of Marin County Code (currently in Chapter 22.69I) before installation. Any future sign(s) shall harmonize with the historic architectural style of the structure and shall be compatible with the surrounding neighborhood.
6. Exterior lighting shall be permitted for safety purposes only, must consist of low lumen and low wattage fixtures, and must be directed downward and hooded to prevent adverse glare to adjacent properties and streets.
7. All flashing, metal work and trim shall be painted an appropriately subdued, nonreflective color that matches the historic characteristics of the site, the building, and the community.
8. 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 shall 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.

9. Any changes or additions to the project shall be submitted to the Community Development Agency, Planning Division for review and approval before the contemplated modifications may be initiated.

Marin County Community Development Agency, Environmental Health Services Division

10. Before the Building Permit is cleared, demonstrate compliance with domestic water permit requirements including water quality and water system capacity.
11. Provide a minimum of 1,000 gallons domestic water storage capacity, in addition to fire capacity.

Marin County Department of Public Works, Land Use and Water Resources Division

12. All improvements shall conform to Title 24 of the Marin County Code or as approved by DPW.
13. An encroachment permit shall be required for work within the road right-of-way.
14. No new improvements (including awnings, overhangs and eaves) shall encroach into the road right of way.
15. The proposed wheel stop shall be located within the limits of the parking space, a minimum two feet from the walkway and four feet in length.
16. All parking spaces shall be striped or distinctly marked to indicate the demarcation of each space.
17. The accessible parking sign shall include a sign that indicate fine for illegal parking in accessible parking area.
18. Note on the plans that the driveway, parking, and other site improvements shall be inspected by a DPW engineer prior to final inspection by the Building & Safety Division.

**SECTION 3: VESTING AND APPEAL RIGHTS**

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Marcotte/Magan Coastal Permit (CP 09-8) and Design Review (DM 09-23) approval by obtaining a Building Permit and substantially completing all of the approved work before March 12, 2011, 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 Director approves it.

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 March 19, 2009.**

**SECTION 4: ADOPTION**

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 12<sup>th</sup> day of March, 2009:

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**JOHANNA PATRI, AICP  
DEPUTY ZONING ADMINISTRATOR**

Attest:

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Joyce Evans  
Recording Secretary