



MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
ALEX HINDS, DIRECTOR

**STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR
REITTER COASTAL PERMIT AND DESIGN REVIEW**

Item No:	C1	Application No:	CP 09-23 and DR 09-42
Applicant:	William W. Kirsch	Owner:	Tom Reitter and Brenda Balanda
Property Address:	11815 State Route One Point Reyes Station	Assessor's Parcel:	119-182-27
Hearing Date:	April 16, 2009	Planner:	Veronica Corella- Pearson

RECOMMENDATION:	Approved with Conditions
APPEAL PERIOD:	5 working days to the Planning Commission
LAST DATE FOR ACTION:	May 17, 2009

PROJECT DESCRIPTION:

The applicant, William Kirsch, has applied on behalf of the owners, Tom Reitter and Brenda Balanda, requesting approval for the construction of a 2,448 square foot two-story single family residence on a vacant 0.8 acre property located on State Route One, north of Point Reyes Station (created as Lot 5 of the Bar-Or Subdivision, approved December 2006). The proposed residence would attain a maximum height of approximately 22 feet 10 inches above grade and would maintain the following setbacks from surrounding property lines: 53 feet, 8 inches from the front (east) property line, 25 feet from the north side property line, 25 feet from the (west) rear property line, and over 150 feet from the south side property line. Potential sites for a future garage and accessory structure have been indicated on the plans. However, specific building designs have not been submitted and these structures are not proposed for approval at this time. Exterior materials for the residence include stained cedar siding with tan trim, doors and windows in blue, and weathered copper roofing. Although the property is governed by conventional C-R-A:B-3 zoning, Design Review approval is required by conditions of approval of the Bar-Or Subdivision.

GENERAL INFORMATION:

Countywide Plan:	C-RA:B3 (Coastal, Residential Agricultural, Minimum lot area 20,000 sq.ft)
Zoning:	C-SF4 (Coastal, Single-family Residential, 1-2 units/acre)

Lot size: 34,758 square feet
Adjacent Land Uses: Residential
Vegetation: Grassland
Topography and Slope: Gently sloping
Environmental Hazards: None identified

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 15303, Class 3 of the CEQA Guidelines because it entails construction of a single family residence on a vacant lot, that would not impact sensitive species habitat, or listed species, and requires a minimal amount of grading.

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 600 feet of the subject property. As of the date of this report, no correspondence has been received in response to the public notice.

PLAN CONSISTENCY:

The proposed project is consistent with the goals and policies of the Marin Countywide Plan and the Point Reyes Station Community Plan. Please refer to the plan consistency findings contained in the attached resolution.

PROJECT ANALYSIS:

The subject property is a vacant lot created by the Bar-Or Subdivision, approved in 2006, which designated building envelopes for the subject property so that future development would be sited within the least visually and environmentally sensitive location. The proposed project is located within the designated envelope and maintains setbacks of 53 feet, 8 inches from the front (north) property line and 25 feet from the side (west) property line, with the leachfield located east of the residence. The plans have been designed to be in keeping with the rural, agricultural character of the community, and incorporate colors and materials that are earth toned, and would blend into the natural environment, and are similar to others in the vicinity. The Point Reyes Station Association has reviewed the project and has found it acceptable. In addition the project includes a landscape plan which incorporates a large number of trees, and the use of native grasses in drainage swales, which will aid in treating storm water runoff. The leachfield has been reviewed by Environmental Health Services and meets the location requirements of the Bar-Or Subdivision and has received a sewage disposal permit. In addition the North Marin Water District has reviewed the project, and has indicated that water service is available, subject to the project meeting the requirements of its water conservation measures.

The proposed plans show the location of a future garage and accessory dwelling, yet no plans were provided for these structures, therefore they are not considered part of this Coastal Permit and Design Review approval and are not approved as part of this Coastal Permit and Design Review application. Based on staff's analysis of the Countywide Plan, Point Reyes Station Community Plan, and the Marin County Local Coastal Program - Unit II, staff concludes that with the conditions of approval the project is minor in scope, and therefore would not result in significant impacts.

CONCLUSION

Staff finds that the proposed single-family residence has been designed to be architecturally compatible with the surrounding environment, and utilizes exterior building materials and colors that blend into the natural environment. The proposed residence has been sited to not adversely affect views, light or privacy of adjoining properties, and conforms to the requirements of the Bar-Or Subdivision.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution conditionally approving the Reitter Coastal Permit and Design Review.

Attachments:

1. Proposed Resolution recommending approval of the Reitter Coastal Permit (CP 09-23) and Design Review (DR 09-42)
2. CEQA Exemption
3. Cover Sheet
4. Site Plan
5. Basement Floor Plans
6. Main Floor Plans
7. Upper Floor Plans
8. East and West Elevations
9. West and South Elevations
10. Roof Plan
11. Section
12. Landscape Plan
13. Planting List
14. Septic Plan
15. Septic Plan Details
16. Exterior Colors and Materials Sample
17. Environmental Health Services – Sewage, transmittal dated 1/23/09
18. Department of Public Works, Land Development, memorandum dated 02/02/09
19. Point Reyes Station Village Association, letter dated 2/2/09
20. North Marin Water District, letter dated 1/28/09

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION _____

A RESOLUTION APPROVING THE REITTER COASTAL PERMIT (CP 09-23) AND DESIGN
REVIEW (DR 09-42)
ASSESSOR'S PARCEL 119-182-27
11815 STATE ROUTE ONE, POINT REYES STATION

SECTION I: FINDINGS

- I. WHEREAS the applicant, William Kirsch, has applied on behalf of the owners, Tom Reitter and Brenda Balanda, requesting approval for the construction of a 2,448 square foot two-story single family residence on a vacant 0.8 acre property located on State Route One, north of Point Reyes Station (created as Lot 5 of the Bar-Or Subdivision, approved December 2006). The proposed residence would attain a maximum height of approximately 22 feet 10 inches above grade and would maintain the following setbacks from surrounding property lines: 53 feet, 8 inches from the front (east) property line along State Route One, 25 feet from the north side property line, 25 feet from the (west) rear property line, and over 150 feet from the south side property line. Potential sites for a future garage and accessory structure have been indicated on the plans. However, specific building designs have not been submitted and these structures are not proposed for approval at this time. Exterior materials for the residence include stained cedar siding with tan trim, doors and windows in blue, and weathered copper roofing. Although the property is governed by conventional C-R-A:B-3 zoning, Design Review approval is required by conditions of approval of the Bar-Or Subdivision. The subject property is located at 11815 State Route One, Point Reyes Station, and is further identified as Assessor's Parcel 119-182-27
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on April 16, 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 15303, Class 3 because it entails construction of a single family residence on a vacant lot, that would not impact sensitive species habitat, or listed species, and requires a minimal amount of grading.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the **Marin Countywide Plan** for the following reasons:
 - A. The project as conditioned is consistent with CWP natural systems policies requiring the enhancement, protection, and management of native habitats and the protection of woodlands, forest, and tree resources (CWP Policies BIO-1.1 and BIO-1.3).
 - B. The project as conditioned is in conformance with Policy BIO 1.7 and complies with natural systems policies supporting vegetation and wildlife disease management

programs and promoting the use of native plant species (CWP Policies BIO-1.4, BIO-1.5, BIO-1.6 and BIO-1.7).

- C. The project will not result in impacts to special-status species (CWP Policies BIO-1.1, BIO-2.1, and BIO-2.2).
 - D. The project will not significantly impact the ecotones on the project site, or natural transitions between habitat types on the project site and those ecotones on the private open space adjacent to the project site, or impact corridors for wildlife movement (CWP Policies BIO-2.3 and BIO-2.4).
 - E. No wetlands or stream conservation areas will be affected by the project (CWP Policies BIO-3.1 and CWP BIO-4.1).
 - F. The project has been reviewed by the Department of Public Works and will not result in significant stormwater runoff to downstream creeks or soil erosion and discharge of sediments into surface runoff (CWP Policies WR-2.1, WR-2.2, WR-2.3, and WR-2.4).
 - G. The project avoids hazardous geological areas and will be designed to County earthquake standards through review of the Building Permit application (CWP Policies EH-2.1, EH-2.3, and CD-2.8).
 - H. The project design and improvements will be reviewed during the Building Permit process to ensure compliance with applicable sections of the Uniform Building Code pertaining to fire protection (CWP Policy EH-4.1), removal of hazardous vegetation (CWP Policy EH-4.2), water for fire suppression (CWP Policy EH-4.c), defensible space and compliance with Marin County fire safety standards, construction of fire sprinklers and fire-resistant roofing and building materials (CWP Policies EH-4.d, EH-4.e, EH-4.f, and EH-4.n), and clearance of vegetation around the proposed structure (CWP Policy EH-4.h).
 - I. The project has been designed in conformance with the Bar-Or Subdivision and is consistent with local design and scale and does not detract from the open character of the surrounding landscape or public open space (CWP Policy DES-1.2).
 - J. The project will require energy efficient standards for exterior lighting, reducing excessive lighting, light pollution, light trespass, and glare. (CWP Policy DES-1.h).
 - K. The project will preserve visual quality and protect scenic quality and views of the natural environment from adverse impacts related to development (CWP Policy DES-4.1).
 - L. The project will comply with the Marin County Single-Family Dwelling Energy Efficiency Ordinance (CWP Policy EN-1.c).
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the policies contained in the Point Reyes Station Village Association Plan due to the following factors.
- A. The proposed project would minimize disturbance of the natural environment by locating all new development within the area approved in the Bar-Or Subdivision.
 - B. The project would not be located in an area that would block existing views of major visual resources.

- C. The project would provide adequate setbacks to all property lines and would preserve sun light, views and privacy of adjacent properties.
- D. The project is designed to be in keeping with the existing rural community character and does not exceed the primary building height of 25 feet, and is less than 4,000 square feet in size.
- E. The project entails a landscape plan which includes the use of native plants and does not propose invasive species.

VI. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve the **Coastal Permit** (Section 22.56.130I of the Marin County Code) because this project would meet the requirements and objectives of the Local Coastal Program, Unit II as specified below:

A. Water Supply

The North Marin Water District is currently providing domestic water service, but a condition of approval requires the project to comply with the mandatory water conservation measures.

B. Septic System Standards

The Marin County Department of Environmental Health Services has reviewed the application and has found the project acceptable as shown and the applicant has obtained a sewage disposal permit for a 4 bedroom alternative mound septic system.

C. Grading and Excavation

The proposed project is located on a relatively level to moderately sloping lot, and will not require an excessive amount of grading. The project will minimize runoff created by the development of the project by implementing dry creeks and pervious surfaces, and integrating native grass and vegetation in compliance with the mitigation measures of the Bar-Or Subdivision.

D. Archaeological Resources

The Bar-Or Subdivision established the existing building envelopes, so that future development would not be located within an area of archeological importance, and the proposed project would be located within the approved building envelope, and therefore will not disturb any archeological resources. However, conditions of approval require that, in the event that cultural resources are uncovered during site preparation, all work shall be stopped immediately, and the services of a qualified consulting archaeologist be engaged to assess the value of the resource and to develop appropriate protection measures.

E. Coastal Access

The subject property is not located between the sea and the first public road or located where public access is desirable or feasible. During routine field inspection, staff found no evidence of historic public use of this site, and found that the site is not located near any tidelands or submerged lands subject to the public trust doctrine.

F. Housing

The proposed project entails the construction of a new residence which would add the the housing stock in Point Reyes Station.

G. Stream Conservation Protection

This finding is not applicable. The 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 or near any ephemeral or intermittent streams.

H. Dune Protection

This finding is not applicable. The 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 and the California Natural Diversity Data Base, prepared by the State Department of Fish indicates that the property is not located in an area potentially containing listed wildlife species. In addition, the Bar-Or Subdivision established the existing building envelopes, so that future development would not be located within an area of sensitive habitat or impact listed species, and the proposed project would be located within the approved building envelope, and therefore would not disturb any wildlife species or sensitive habitat.

J. Shoreline Protection

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

K. 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.

L. Public Works Projects

This finding is not applicable. The proposed project does not entail expansion of public roads, flood control projects, or utility services.

M. Land Division Standards

The subject parcel is a legal lot of record. No land division or property line adjustment is proposed as part of this project.

N. Visual Resources

The height, scale and design of the proposed single-family residence are compatible with the character of the surrounding environment. The proposed development would be sited so that it would not obstruct public views from roads or adjacent properties.

O. Recreation/Visitor Facilities

This finding is not applicable. The proposed project would not provide commercial or recreational facilities, and the project site is not governed by VCR (Village Commercial Residential) zoning regulations, which require a mixture of residential and commercial uses.

P. Historic Resource Protection

The project site is located outside of the historic preservation boundaries identified in the Marin County Historic Study for the Local Coastal Program, and does not entail impacts to any historic resources.

VII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the following mandatory findings to approve a Design Review application (Marin County Code Section 22.82.040) for the following reasons:

A. The project is consistent with the countywide plan and local coastal program:

The proposed project is consistent with the Marin Countywide Plan, Local Coastal Program – Unit II, and the Point Reyes Station Community Plan as outlined in Sections IV, V, and VI above.

B. The proposed development will properly and adequately perform or satisfy its functional requirements without being unsightly or creating incompatibility/disharmony with its locale and surrounding neighborhood;

The project is consistent with this finding because the new residence would result in a structure with a height, mass, and bulk proportionately appropriate to the site and neighboring development, and complies with the design requirements of Title 22I's C-RA:B3 zoning district, the Point Reyes Station Community Plan and the Bar-Or Subdivision.

C. The proposed development will not impair, or substantially interfere with the development, use, or enjoyment of other property in the vicinity, including, but not limited to, light, air, privacy and views, or the orderly development of the neighborhood as a whole, including public lands and rights-of-way;

The project would maintain large setbacks from all property lines, and would be located in the recorded Building Envelope identified in the Bar-Or Subdivision, and would not result in the loss of light or privacy to adjacent neighbors. In addition all development will be contained within the parcel and would not impact development on public lands or rights-of-way.

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

The proposed project is located entirely within the subject parcel and as conditioned would not result in development which would impact future improvements to the surrounding properties.

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

The proposed project is located on a vacant parcel, that is primarily grassland, and would plant numerous California native plants, trees and shrubbery, which would provide future habitat for wildlife.

F. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design, or placement. 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 proposed residence is located within the designated building envelope and meets all size requirements of the Point Reyes Community Plan, the MCC size requirements for structures within the C-R-A:B-3 zoning district, and is constructed of colors and materials that are in keeping with the natural environment and the surrounding community.

2. Drainage systems and appurtenant structures;

All conceptual plans have been reviewed by the Department of Public Works and are in conformance with Title 24 requirements. In addition, the project will minimize runoff created by the development of the project by implementing dry creeks and pervious surfaces, and integrating native grass and vegetation in compliance with the mitigation measures of the Bar-Or Subdivision.

3. Cut and fill or the reforming of the natural terrain, and appurtenant structures (e.g., retaining walls and bulkheads);

The residence and driveway will require a minimum amount of grading and does not require the construction of retaining walls or bulkheads.

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

The proposed project is located entirely on the subject parcel and would not be located within rights-of-way or affect the movement of people or vehicles.

5. Other developments or improvements which may result in a diminution or elimination of sun and light exposure, views, vistas and privacy:

As noted in B above, the project would not result in the loss of light, views, or privacy to adjacent residences.

G. The Project 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 applicant is proposing construction which would meet the highest Green Building Rating of "Platinum," and the project would be required to meet Title 24 and Ordinance 3492.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Reitter Coastal Permit (CP 09-23) and Design Review (DR 09-42) subject to the following conditions:

Marin County Community Development Agency, Planning Division

1. Pursuant to Chapters 22.56 (Coastal Permit) and 22.82 (Design Review) of the Marin County Code, the Reitter Coastal Permit and Design Review is approved for the construction of a 2,448 square foot two-story single family residence on a vacant 0.8 acre property located on State Route One, north of Point Reyes Station (created as Lot 5 of the Bar-Or Subdivision, approved December 2006). The approved residence shall attain a maximum height of approximately 22 feet 10 inches above grade and shall maintain the following setbacks from surrounding property lines: 53 feet from the front (east) property line along State Route One, 25 feet from the north

side property line, 25 feet from the (west) rear property line, and over 150 feet from the south side property line. Potential sites for a future garage and accessory structure have been indicated on the plans. However, specific building designs have not been submitted and these structures are not approved at this time. Exterior materials for the residence include stained cedar siding with tan trim, blue windows and doors, and weathered copper roofing. The subject property is located at 11815 State Route One, Point Reyes Station, and is further identified as Assessor's Parcel 119-182-27.

2. Plans submitted for a building permit shall substantially conform to plans entitled, "Reitter/Balanda Residence," consisting of 13 sheets, prepared by William W. Kirsch, Architect, dated December 30, 2008, and received January 5, 2009, and on file in the Marin County Community Development Agency.
3. Approved exterior materials shall substantially conform to the color board identified as "Exhibit B" entitled, "Material Sample," received January 5, 2009 by the Community Development Agency.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the first sheet of the office and job site copies of the Building Permit plans to list these Coastal Permit and Design Review Conditions of Approval as notes.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide documentation from the North Marin Water District, that all of their requirements have been meet.
6. BEFORE FINAL INSPECTION, the applicant shall install all landscaping and an automatic drip irrigation system. The landscaping shall be installed in conformance with Sheets L1 and L2 of "Exhibit A." The applicant shall call for a Community Development Agency staff inspection of the landscaping at least five working days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection and imposition of hourly fees for subsequent reinspections.
7. All construction activities shall comply with the following standards:

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 and the following holidays (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day). Loud noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) can be maintained, operated, or serviced at the construction site from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Minor jobs (e.g., painting, hand sanding, sweeping) with minimal or no noise impacts on the surrounding properties are exempted from the limitations on construction activity. At the applicant's request, the Community Development Agency staff may administratively authorize minor modifications to these hours of construction.

8. 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, historic, or prehistoric resources are discovered during construction, construction activities shall cease, and the Community Development Agency staff shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State and Federal law. A registered archeologist, chosen by the County and paid for by the applicant, shall assess the site

and shall submit a written report to the Community Development Agency staff advancing appropriate measures to protect the resources discovered. No work at the site may recommence without approval of the Community Development Agency staff. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Community Development Agency staff. If the report identifies significant resources, amendment of the permit may be required to implement protection measures. Additionally, the identification and subsequent disturbance of an Indian midden requires the issuance of an excavation permit by the Department of Public Works in compliance with Chapter 5.32 (Excavating Indian Middens) of the County Code.

10. 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.
11. The owners 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 an approval of the Reitter Coastal Permit and Design Review for which action is brought within the applicable statute of limitations.
12. 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. Construction involving modifications that do not substantially comply with the approval, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications are obtained by the applicant.

Department of Public Works, Land Development

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

13. Provide a note on the plans 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. Also note that driveway, parking, and other site improvements shall be inspected by a Department of Public Works engineer.
14. Provide a note on the plans depicting the requirement for the Geotechnical Engineer to be onsite during foundation excavation work, as per the Geotechnical Report of August 28, 2008 by Torikian Associates.
15. The plans shall be reviewed and approved by Registered Civil Engineer with soils engineering expertise or a Registered Geotechnical Engineer. Certification shall be either by the engineer's stamp and signature on the plans, or by stamp and signed letter.
16. Revise the drainage plans to incorporate recommendations in the Geotechnical Report of August 28, 2008 by Torikian Associates. Note that all surface and/or subsurface drainage systems shall remain within property lines and shall be designed in a manner so as to prevent any flooding or erosion damage to adjacent properties.
17. Surface drainage away from the foundation shall slope a minimum of 5% for 10-feet [2007 CBC §1803.3].

18. Submit Erosion and Siltation Control plans for the construction phase of the project.
19. Provide a copy of a Cal-Trans Encroachment Permit for all work within the road right-of-way of State Highway-1.
20. Provide the location of utility hookups from the existing JUP and water meter to the proposed dwelling.
21. Provide the location for the propane tank and hookup connection from the tank to the proposed dwelling.

North Marin Water District

22. The project must meet conform to District 17 – Mandatory Water Conservation Measures. Final permit approval shall not be granted until compliance with water conservation measures can be verified.

SECTION III: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Reitter Coastal Permit (CP 09-23) and Design Review (DR 09-42) approval by obtaining a Building Permit for the approved work and substantially completing all work before **April 16, 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 Deputy Zoning Administrator approves it. An extension of up to four years may be granted for cause pursuant to Sections 22.56.120I and 22.82.130I of the Marin County Code.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Marin County Planning Commission. A Petition for Appeal and a \$600 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 April 23, 2009**.

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 16th day of April, 2009.

JOHANNA PATRI, AICP
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
Deputy Zoning Administrator Secretary