



MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

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

Item No:	C1.	Application No:	CP 10-28 and DR 10-61
Applicant:	Douglas Haner and Bonnie Tank	Owner:	Douglas Haner and Bonnie Tank
Property Address:	65 Mesa Road, Point Reyes Station	Assessor's Parcel:	119-122-19
Hearing Date:	May 13, 2010	Planner:	Scott Greeley

RECOMMENDATION:	Approve with Conditions
APPEAL PERIOD:	May 20, 2010
LAST DATE FOR ACTION:	June 21, 2010

PROJECT DESCRIPTION:

The applicant is requesting Coastal Permit and Design Review approval to construct a new one story, 902 square foot garage/workshop, a 63 square foot cedar deck, and legalize a previously unpermitted 400 square foot detached shed. The garage/workshop will reach a maximum height of 15 feet above grade and would have the following minimum setbacks: 1) 62 feet from the northwesterly front property line; 2) 67 feet from the southeasterly rear property line; 3) 27 feet from the westerly side property line; and 4) 102 feet from the easterly side property line. The garage/workshop is proposed to be constructed of cedar shingle, along with a shingle roof. The detached shed achieves a maximum height of 12 feet and has the following setbacks: 1) 91 feet 6 inches from the northwesterly front property line; 2) 60 feet from the southeasterly rear property line; 3) 131 feet from the westerly side property line; and 4) 2 feet 6 inches from the easterly side property line. Coastal Permit approval is required because the project is within the Coastal zone. Design Review approval is required because the project is within a planned zoning district.

GENERAL INFORMATION:

Countywide Plan:	C-AG3 (Coastal, Agricultural, 1 dwelling unit per 1-9 acres)
Zoning:	C-ARP-1 (Coastal, Agricultural-Residential, Planned, 1 acre minimum lot size)
Community Plan Area:	Point Reyes Station
Lot size:	1.49-acres
Adjacent Land Uses:	Residential
Vegetation:	Native and ornamental trees and shrubs and mixed grasses
Topography and Slope:	Flat to moderately sloping towards the rear of the yard

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Environmental Hazards: N/A

ENVIRONMENTAL REVIEW:

The Environmental Coordinator has determined that this project is Categorical Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 15303, Class 3(e) of the CEQA Guidelines because it entails the construction of a new garage and legalizes an existing shed, which are incidental to the primary residence and will not result in substantial grading, vegetation removal or other potentially significant impacts to the environment.

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and the date of the public hearing. This notice has been mailed to all property owners within 600 feet of the subject property. No comments, adverse or otherwise have been received by staff in response to the public notice for the proposed project.

PLAN CONSISTENCY:

The proposed project is generally consistent with the goals and policies of the Marin Countywide Plan, the Point Reyes Station Community Plan, the Local Coastal Program, and Titles 22 (Zoning) and 24 (Development Standards) of the Marin County Code, because it will not result in tree removal, significant grading, or other adverse impacts on the environment and surrounding property owners. Please refer to the plan consistency findings contained in the attached resolutions for more information.

PROJECT ANALYSIS:

The applicant is proposing to construct a 902 square foot detached garage. The 1.49-acre property is primarily flat on the front of the property where the existing residence, shed and proposed garage/workshop are to be located, with a gentle to moderate slope towards the rear of the property. The site consists of native and ornamental trees and shrubs and mixed. The applicant has applied for Design Review for the garage because it is a new structure in a C-ARP-1 zone, which is a planned zoning district. Coastal Permit approval is required because the project is in the coastal zone. The legalization of the shed, which has been on the site for over 10 years, is also being considered as part of the Coastal Permit and Design Review.

The project includes two permitted accessory uses to the primary residence for the C-ARP-1 zoning district. As outlined in the attached resolution, the proposed garage and shed comply with the design standards found in the Countywide Plan and Point Reyes Station Community Plan.

The Department of Public Works, North Marin Water District, Environmental Health Services, Marin County Fire Department, have reviewed, commented, and provided conditions of approval with regards to the full scope of the project, which are identified in the attached resolution.

Based on these factors, the proposed project, as conditioned in the attached resolution, would not result in adverse impacts to the public welfare or surrounding properties, and the Coastal Permit and Design Review findings can be made.

RECOMMENDATION:

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

- Attachments:**
1. *Recommended Resolution approving the Haner Coastal Permit and Design Review*
 2. *CEQA Exemption*
 3. *Assessor's Parcel Map*
 4. *Project Plans*
 5. *Vegetation Management Plan*
 6. *Marin County Department of Public Works Memo, dated March 9, 2010*
 7. *Marin County Fire Department Memo and Hold, dated February 2, 2010*
 8. *Environmental Health Services Memo, dated January 26, 2010*
 9. *North Marin Water District Memo, dated January 26, 2010*

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 10-
A RESOLUTION APPROVING THE HANER COASTAL PERMIT AND DESIGN REVIEW
65 MESA ROAD, POINT REYES STATION
ASSESSOR'S PARCEL 119-122-19

SECTION I: FINDINGS

- I. WHEREAS, Douglas Haner and Bonnie Tank, are seeking Coastal Permit and Design Review approvals to construct a new 902 square foot garage/workshop, a 63 square foot cedar deck, and legalize a previously unpermitted 400 square foot detached shed. The garage/workshop will reach a maximum height of 15 feet above grade and would have the following minimum setbacks: 1) 62 feet from the northwesterly front property line; 2) 67 feet from the southeasterly rear property line; 3) 27 feet from the westerly side property line; and 4) 102 feet from the easterly side property line. The garage/workshop is proposed to be constructed of cedar shingle, along with a shingle roof. The detached shed achieves a maximum height of 12 feet and has the following setbacks: 1) 91 feet 6 inches from the northwesterly front property line; 2) 60 feet from the southeasterly rear property line; 3) 131 feet from the westerly side property line; and 4) 2 feet 6 inches from the easterly side property line. Coastal Permit approval is required because the project is within the Coastal zone. Design Review approval is required because the project is within a planned zoning district. **The subject property is located at 65 Mesa Road in Point Reyes Station, and is further identified as Assessor's Parcel 119-122-19.**
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly-noticed public hearing May 13, 2010, 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(a) of the CEQA Guidelines because it entails construction of a new garage and legalizes an existing shed, which are incidental to the primary residence and will not result in substantial grading, vegetation removal or other potentially significant impacts to the environment..
- 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 would be consistent with the C-AG3 (Coastal, Agricultural, 1-9 acre minimum lot size) land use designation;
 - B. The project will comply with CWP policies minimizing air, water, and noise pollution and comply with applicable standards for air quality. The project will cause less than significant short-term increases in construction-related emission and short-term construction-generated noise impacts will be minimized by limiting the hours of construction to the hours of 7:00a.m. and 5:00p.m., Monday through Friday, and between the hours of 9:00a.m. and 4:00p.m. on Saturday. (CWP Policies Noise Policies NO-1.1, NO-1.3);

- C. The project has been designed and conditioned to avoid hazards from erosion, landslide, floods, and fires, and will result in a built environment which is healthful, safe, quiet, and of good design both functionally and aesthetically. (CWP Policies, Environmental Hazards Policies, EH-2.3, EH-3.1, EH-4.1, EH-4.2, Community Design Policies DES-1.1 DES-1.2, DES-4.1, DES-4.c, DES-5.1);
 - D. The project will comply with Marin County development standards related to parking, grading, drainage, flood control, and utility improvements as verified by the Department of Public Works. (CWP Policies, Biological Policy, BIO-4.20);
 - E. The project site is not within a sensitive habitat and does not support special status species and will therefore not result in impacts to special-status species (CWP Policies Biological Resources, BIO-1.1 and BIO-2.1);
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the pertinent Residential Development Design Review Guidelines and Natural Resources policies of the Point Reyes Station Communities Plan for the following reasons:
- A. The scale and design of the project is compatible with other structures found in the community (Point Reyes Station Community Plan, Planning Area Policy, PA-3.7).
 - B. The project is consistent with new residential development criteria outlined in the community plan (Point Reyes Station Community Plan, Residential Land Use Policies, RL-3.1, RL-3.2a, RL-3.2c, RL-3.2d, RL-3.3b, RL-3.3c, RL-3.3h, and RL-3.4).
- VI. 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 22.56.130l of the Marin County Code) as specified below.

A. Water Supply

The project has been reviewed by the North Marin Water District. The water district has found that the applicant must comply with the District's Mandatory Water Conservation Ordinance, as well as possibly upgrade the existing service meter and water lateral may be necessary if fire sprinklers are required by the Marin County Fire Department. This is being required by the fire department and will be addressed at the building permit stage. A final "will serve" letter, stating final project approval, will go out from the water district after the necessary water service upgrades are made and it has been demonstrated that the standards outlined in the District's Mandatory Water Conservation Ordinance have been met. Therefore, the project is consistent with this finding.

B. Septic System Standards

The project has been reviewed and accepted by the Environmental Health Services Division. The project has been conditioned to install (Septic Design) Permit #07-85 prior to final inspection of the building permit. In addition, the applicant must ensure that all required setbacks to all components of the septic system have been met during project construction. Therefore, the project is consistent with this finding.

C. Grading and Excavation

The proposed garage/workshop and the existing shed, are located on flat sloped areas on the property, which will keep grading to a minimum. Therefore, the project is consistent with this finding.

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. Therefore, the project is consistent with this finding.

E. Coastal Access

The project site is not located adjacent to the shoreline and will therefore have no impact upon coastal access. Therefore, the project is consistent with this finding.

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 involve removing any existing housing stock. Therefore, the project is consistent with this finding.

G. Stream and Wetland Resource Protection

The proposed project is located outside the vicinity of any recognized sensitive streams or creeks subject to streamside conservation policies of the Local Coastal Program. Therefore, the project is consistent with this finding.

H. Dune Protection

The proposed project is not located in the Dune Protection area identified by the Local Coast Plan and would not disturb natural dunes. Therefore, the project is consistent with this finding.

I. Wildlife Habitat

Based on review of the California Natural Diversity Database and the Local Coastal Program natural resource maps, this region of Point Reyes Station does not contain any recognized wildlife habitat or special-status wildlife species. Therefore, the project is consistent with this finding.

J. Protection of Native Plant Communities

Based on review of the California Natural Diversity Database, this region of Point Reyes Station is potentially suitable habitat for the Marsh microseris, a perennial flowering herb. Marsh microseris is known to exist in vernal moist to saturated sites in coastal terrace prairies or along the coast. The site conditions are not appropriate for the presence of the plant because there are no wetlands or coastal terrace prairie evident on the property. Therefore, the project is consistent with this finding.

K. Shoreline Protection

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone. Therefore, the project is consistent with this finding.

L. Geologic Hazards

The project site is located outside of the Alquist-Priolo Special Study Zone and is not in an area containing geologic hazards. In addition, the Marin County Community Development Agency – Building and Safety Division will determine seismic compliance with the Uniform Building Code and as a condition of project 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. Therefore, the project is consistent with this finding.

M. Public Works Projects

The proposed project will not affect any existing or proposed local public works projects in the area. Therefore, the project is consistent with this finding.

N. Land Division Standards

No land division or property line adjustment is proposed as part of this project. Therefore, the project is consistent with this finding.

O. Visual Resources

The project as proposed is inconsistent with this finding due to the proposed garage/workshop's exposure and lack of screening along the applicants westerly property line. The project is therefore being conditioned to include a minimum of 3 15-gallon, native trees to be located along the westerly property line to provide adequate visual screening. Therefore, as conditioned, the project is consistent with this finding.

P. Recreation/Visitor Facilities

The project will not have any impact upon recreation or visitor facilities because of its location along the rural residentially developed part of Mesa Road and does not infringe on access to any nearby local visitor facilities. Therefore, the project is consistent with this finding.

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 1930. Therefore, the project is consistent with this finding.

VII. Whereas, the Marin County Deputy Zoning Administrator finds that the Mandatory Findings for a Design Review per Section 22.82.040I of the Marin County Zoning Code can be made. The proposed project is within the intent and objectives for Design Review, based on the following findings:

A. **It is consistent with the Countywide Plan and any applicable community plan and Local Coastal Program;**

The proposed project entails the construction of a 902 square foot garage/workshop, deck space, and the legalization of an existing 400 square foot shed. As noted above in Section I: Findings, subsections IV and V, the proposed project complies with the C-AG3 policies of the General Plan and the Point Reyes Station Community Plan. Therefore, the project is consistent with this finding.

B. **It will properly and adequately perform or satisfy its functional requirements without being unsightly or creating substantial disharmony with its locale and surroundings;**

The project is inconsistent with this finding due to a lack of adequate screening of the proposed garage/workshop along the westerly side property line. The project is therefore being conditioned to include a minimum of 3 15-gallon, native trees to be located along the westerly property line to provide adequate visual screening. The project is or otherwise has been designed to be consistent with the design, color, scale, and material commonly found in the surrounding community. Therefore, the project is consistent with this finding.

C. **It will not impair, or 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;**

The proposed project entails the construction of a 902 square foot garage/workshop, deck space, and the legalization of an existing 400 square foot shed in a rural, residentially developed community. In particular, the proposed garage/workshop, as it is located and designed is inconsistent with applicable development standards and would potentially have an impact on the enjoyment by existing neighbors due to inadequate screening of the structure. As such, the project has been conditioned to include 3 or more, 15-gallon, screening trees along the westerly side yard to eliminate potential impacts. Therefore, the project would be consistent with this finding.

D. **It 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;**

The proposed project, will not limit potential development on neighboring properties and should not have an impact on further investment or improvements on this or any other properties in the area due to the proposed design, location, and the conditioned screening of the garage/workshop. This will allow for development which meets applicable development standards and also addresses potential negative impacts which could otherwise result from the garage/workshop. Therefore, the project would be consistent with this finding.

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

The proposed project will not result in the removal of any trees or protected vegetation. In addition, the project has been conditioned to include new tree plantings at the westerly side of the yard to help screen the proposed residence from neighbors of the property. Therefore, the project would be consistent with this finding.

F. It 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 proposed project entails the construction of a 15-foot tall, 902 square foot garage/workshop with deck and the legalization of an existing 12-foot tall, 400 square foot shed. The structures have been designed to be consistent with the scale, size, and design of other structures found in the surrounding community and, as noted above in Section I: Findings, subsections IV and V, the proposed project complies with the C-AG3 policies of the General Plan and the Point Reyes Station Community Plan.

2. Drainage systems and appurtenant structures,

The project has been reviewed and accepted by the Department of Public Works and the project has been conditioned so that a drainage plan be submitted and considered for ordinance compliance prior to Building Permit issuance.

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

The sites on which the proposed accessory structures are or are to be located are situated on relatively flat slopes and the amount of necessary cut and fill will be minimal.

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

The project is entirely upon the owner's property and will not result in an increase in overall traffic and should have no impact on pedestrian, animal, or vehicular access.

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

The proposed project entails the construction of a 15-foot tall, 902 square foot garage/workshop with deck and the legalization of an existing 12-foot tall, 400 square foot shed. The project as designed and conditioned is consistent with the policies of the General Plan, Tamalpais Area Community Plan, Interim Zoning Code, and is otherwise consistent with the general height and bulk of other accessory structures found in the community. The proposed project as designed, situated, and conditioned would not result in impacts upon sun and light exposure, views, vistas and privacy presently enjoyed by neighboring properties.

Therefore, the project would be consistent with this finding.

G. It 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 proposed project entails the construction of a 15-foot tall, 902 square foot garage/workshop with deck and the legalization of an existing 12-foot tall, 400 square foot shed in a planned, Residential-Agricultural zoning district. The materials, coloring, design, and scale are consistent with the existing residence as well as others found in the surrounding community. The project will also need to satisfy all energy saving standards required by the Building Division prior to issuance of building permit. Therefore, the project would be consistent with this finding.

SECTION II: CONDITIONS OF PROJECT APPROVAL

Marin County Community Development Agency, Planning Division

1. Pursuant to Chapters 22.56I (Coastal Permit), and 22.82I (Design Review) of the Marin County Interim Zoning Code, the Haner Coastal Permit and Design Review is approved to allow the construction of a new 902 square foot garage/workshop, a 63 square foot cedar deck, and legalizes a previously unpermitted 400 square foot detached shed. The garage/workshop shall reach a maximum height of 15 feet above grade and would have the following minimum setbacks: 1) 62 feet from the northwesterly front property line; 2) 67 feet from the southeasterly rear property line; 3) 27 feet from the westerly side property line; and 4) 102 feet from the easterly side property line. The garage/workshop shall be constructed of cedar shingle, along with a shingle roof. The detached shed shall achieve a maximum height of 12 feet and have the following setbacks: 1) 91 feet 6 inches from the northwesterly front property line; 2) 60 feet from the southeasterly rear property line; 3) 131 feet from the westerly side property line; and 4) 2 feet 6 inches from the easterly side property line. The subject property is located at **65 Mesa Road, Point Reyes Station** and is further identified as **Assessor's Parcel 119-122-19**.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as "File Copy," entitled, "PROPOSED TANK/HANER GARAGE & SHOP," consisting of six sheets, and received on February 24, 2010, with revisions received on May 3, 2010 and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. All flashing, metal work, and trim shall be treated or painted an appropriately subdued, non-reflective color.
4. 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.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a revised landscaping plan which provides a minimum of 4 additional native screening trees along the rear of the residence. The landscaping shall be a minimum of 3 15-gallon size and subject to staff approval.
6. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide staff with a "will serve" letter from the North Marin Water District.
7. Exterior lighting shall be located and/or shielded so as not to cast glare on nearby properties.
8. 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 mitigations 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 mitigations to protect resources. 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.
9. All construction activities shall comply with the following standards:
 - a. 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

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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.

- 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.
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. BEFORE FINAL INSPECTION, the applicant shall submit a written confirmation from the Marin Municipal Water District or North Marin Water District confirming that the installed landscaping complies with the District's Water Conservation Ordinance.
12. 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 Haner Coastal Permit and Design Review, for which action is brought within the applicable statute of limitations.
13. 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.

Comment [TL2]: Use this is served by MMWD or NMW state's model water efficient la (See Condition 5.)

Marin County Public Works Department, Land Development Division

14. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall 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.
15. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a preliminary soils report based upon adequate test borings and prepared by a registered geotechnical engineer to include seismic design site criteria.
16. BEFORE ISSUANCE OF A BUILDING PERMIT, 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.
17. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide more detail for the drainage plan. Specifically, provide permanent erosion control measures for the roof downspouts and more detail on the drainage swale design. Surface drainage away from the foundation shall be at 5% slope for a minimum of 10-ft [2007CBC §1803.3]. The

drainage and grading plans shall be designed by either a registered Engineer or Architect with signature and wet stamp on the plans.

18. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit Erosion and Siltation Control plans for the construction phase of the project.
19. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall show the entire width of the Mesa Road right-of-way on the site plan.
20. BEFORE ISSUANCE OF A BUILDING PERMIT, an encroachment permit shall be required for any work within the Mesa Road right-of-way.

Marin County Community Development Agency, Environmental Health Services

21. BEFORE ISSUANCE OF A BUILDING PERMIT, the existing septic system will need to be inspected and a hydraulic test must be conducted during the **wet season**. EHS records indicate the system was tested over 10 years ago and that system was found to be operating poorly and could fail in the future. Applicant can contact EHS for any questions.

Marin County Fire Department

22. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide confirmation to the Planning Division that the Fire Marshal has approved the Vegetation Management/Defensible Space Plan and that the project complies with all applicable fire safety requirements.
23. BEFORE FINAL INSPECTION, the applicant shall provide confirmation from the Fire Marshal that all requirements of the Marin County Fire Department have been met.

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 May 13, 2012, 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 22.88.050I 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 **May 20, 2010**.

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 13th day of May 2010.

JOHANNA PATRI
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary

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