

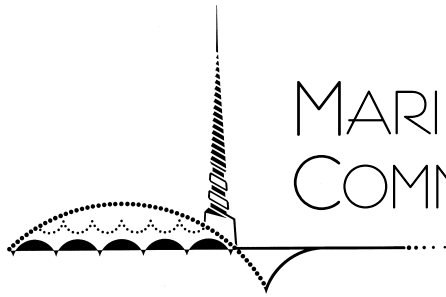
**MARIN COUNTY DEPUTY ZONING ADMINISTRATOR MINUTES**  
**Marin County Civic Center, Room #328 - San Rafael**  
**MEETING – May 13, 2010**

Hearing Officer      Johanna Patri, AICP, Consulting Planner

Staff Present:        Lorene Jackson, Planner  
                              Veronica Corella Pearson, Planner

Joyce Evans, Recording Secretary

Convened at 9:00 A.M.  
Adjourned at 9:50 A.M



MARIN COUNTY  
COMMUNITY DEVELOPMENT AGENCY  
BRIAN C. CRAWFORD, DIRECTOR

**NOTICE OF DECISION**

Applicant's Name: **RAYMOND MARCOTTE**

Application (type and number): Coastal Permit (CP 10-18) and Use Permit (UP 10-13)

Assessor's Parcel Number: 192-192-29

Project Location: 201 Elm Road, Bolinas

For inquiries, please contact: Lorene Jackson, Planner

Decision Date: May 27, 2010

**DETERMINATION: Approved with Conditions**

Minutes of the May 27, 2010, Deputy Zoning Administrator's hearing are attached specifying action and applicable conditions 1-15.

Marin County Community Development Agency

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Johanna Patri, AICP  
Hearing Officer

**C1. COASTAL PERMIT (CP 10-18) AND USE PERMIT (UP 10-13):  
RAYMOND MARCOTTE**

**LAJ**

A proposal to legalize a 200-square-foot addition to an existing 400-square-foot detached garage. The resulting one-story, 600-square-foot, 12-foot high structure would result in a 8% floor area ratio and maintain the following setbacks: (1) 9.78 feet from the easterly street side property line; (2) 107 feet from the southerly rear property line; (3) 70 feet from the westerly side property line; and (4) over 150 feet from the northerly front property line. Per Marin County Code Section 22.56.050.D2I, a Coastal Permit is required because the detached structure is over 400 square feet. A Use Permit is required for a detached accessory structure to be located within the required 10-foot setback to Fern Avenue. The zoning for this parcel C-RA:B2 (Coastal Residential, Agricultural, 10,000-square foot minimum lot area). The subject property is located at **201 Elm Road, Bolinas**, and is further identified as **Assessor's Parcel 192-192-29**.

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

The public testimony portion of the hearing was opened.

In response to the Hearing Officer, the applicant explained that the lean-to on the second unit had been removed.

The public testimony portion of the hearing was closed.

The Hearing Officer modified SECTION I: FINDINGS: "The 28,000-square foot parcel is also developed with a 600-square foot detached second unit approved by the County in 1986."

The Hearing Officer concurred with staff's analysis and recommendation and approved the Marcotte Coastal Permit and Use Permit, based on the Findings in the modified Resolution.

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

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO.10-121

A RESOLUTION APPROVING THE MARCOTTE  
COASTAL PERMIT AND USE PERMIT  
201 ELM ROAD, BOLINAS  
ASSESSOR'S PARCEL 192-192-29

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**SECTION I: FINDINGS**

- I. WHEREAS the applicant, Raymond Marcotte, is requesting Use Permit and Coastal Permit approval to legalize an as-built 200-square-foot addition to an existing 400-square-foot detached garage that is accessory to an existing 2,068-square foot single-family residence. The 12-foot high addition would match the height and materials of the existing one-story, 12-foot high garage. The 28,000-square foot parcel is also developed with a 600-square foot detached second unit approved by the County in 1986. The resulting 600-square-foot garage with storage would result in a 11.7% floor area ratio and maintain the following setbacks: (1) 9.78 feet from the easterly street side property line, where 10 feet is required by Code in the governing zoning district; (2) approximately 107 feet from the southerly rear property line; (3) approximately 69 feet from the westerly side property line; and (4) over 150 feet from the northerly front property line. A Coastal Permit is required because the detached garage with storage is over 400 square feet. A Use Permit is required for a detached accessory structure to be located within the required setbacks of the applicable zoning district. The subject property is located at 201 Elm Road, Bolinas, and is further identified as Assessor's Parcel 192-192-29.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing May 27, 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 15301, Class 1 because it entails a minor addition to an existing detached garage on a developed lot that would not result in 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 proposed project would comply with the C-SF5 (Coastal, Residential Single-Family Planned) general plan land use designation because the structure is an accessory to the single family use of the property;
  - B. The proposed 12-foot high, 400-square foot garage with 200 square feet of storage would result in development which conforms to the governing standards related to building height and size;
  - C. The proposed project would comply with governing development standards related to parking, grading, drainage, and utility improvements as verified by the Department of Public Works;

- D. The proposed project would comply with Marin County standards for flood control, geotechnical engineering, and seismic safety, and include improvements to protect lives and property from hazard;
  - E. The proposed project would not cause foreseeable significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or their services; and
  - F. The proposed project would minimize soil disturbance and maximize protection of natural vegetation.
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Bolinas Community Plan and Bolinas Gridded Mesa Plan because:
- A. The project would involve the construction of an accessory structure on a developed property, which is a permitted use.
  - B. The proposed project would not adversely impact the surrounding natural environment relative to vegetation, species habitats, and on-site drainage.
  - C. The proposed project would not adversely impact the surrounding built environment relative to views from adjacent properties, privacy for the subject and surrounding properties, and building design, mass, and bulk.
  - D. The proposed project is located on an existing developed lot outside the following restricted areas defined in the Bolinas Gridded Mesa Plan: bluff erosion zone and drainage way setback area. Further, subject lot meets the residential development zone requirement of 20,000-square foot minimum lot size.
- VI. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve a Coastal Permit (Marin County Code Section 22.56.130) and finds that this project conforms to the requirements of Local Coastal Program, Unit I, as follows:
- A. Water Supply:**

The Bolinas Public Utilities District serves the subject property, received a transmittal of the project plans, and did not present opposition to the project.
  - B. Septic System Standards:**

The Bolinas Public Utilities District serves the subject property, received a transmittal of the project plans, and did not present opposition to the project.
  - C. Grading and Excavation:**

The proposed project is located on a level lot and required no grading or excavation. All excavation work would be subject to the review and approval of the Department of Public Works, Land Use and Water Resources Division, to ensure consistency with Marin County requirements.

**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. However, the site is already developed and no grading was required for the addition.

**E. Coastal Access:**

The subject property is not located between the sea and the first public road, or adjacent to a coastal area identified by the Local Coastal Program Unit 1, where public access is desirable or feasible. The site is not located near any tidelands or submerged lands subject to the public trust doctrine.

**F. Housing:**

The proposed project will have no impact upon the availability of affordable housing stock within the Bolinas community.

**G. Stream and Wetland Resource Protection:**

The proposed project is not situated in an area subject to the County stream or wetland protection policies as identified on the Natural Resources Map for Unit 1 of the Local Coastal Program or near any ephemeral or intermittent stream identified on the Inverness Quadrangle of the U.S. geological Survey Maps.

**H. Dune Protection:**

The proposed project is not located in a dune protection area as identified by the Natural Resources Map for Unit 1 of the Local Coastal Program.

**I. Wildlife Habitat:**

The project would entail construction of a minor addition on a previously developed and landscaped site, and would not remove native vegetation identified for habitat protection in the Local Coastal Plan.

The Natural Resources Map for Unit I of the Local Coastal Program indicates that the subject property is not located in an area potentially containing rare wildlife species. However, review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject property is in a potential habitat area for the special statue species Rickseckers Water Scavenger Beetle (*Hydrochara rickseckeri*). However, a site visit conducted by Planning staff revealed that the project site does not consist of tidewater, marshy, or moist environments which this species prefers; staff concluded that the proposed project is not habitat for this presumed extant species.

**J. Protection of Native Plant Communities:**

The Natural Resources Map for Unit I 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 may be in the vicinity of Coast Yellow Leptosiphon (*Leptosiphon croceus*). The Calflora website reported an observation in the literature of the plant east of Highway 101, over a mile from the project site. The proposed project is a minor addition on a residentially developed lot where suitable habitats for these rare plant species are unlikely to occur.

**K. Shoreline Protection:**

The as-built project is not adjacent to the shoreline and is located over 500 feet from the nearest bluff face, which is outside the bluff erosion area delineated in the Bolinas Gridded Mesa Plan.

**L. Geologic Hazards:**

The project site is located approximately 0.5-mile of the San Andreas Fault Zone and would be subjected to strong ground shaking during a proximate seismic event. The Marin County Community Development Agency – Building and Safety Division will determine seismic compliance with the Uniform Building Code.

**M. Public Works Projects:**

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

**N. Land Division Standards:**

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

**O. Visual Resources:**

The design of the addition is consistent with the architectural style of the existing garage, and does not exceed the 12-foot height of the existing garage. The addition is unobtrusive and matches the existing wood shingle siding, blue trim, and asphalt shingle roof of the existing garage. As conditioned, any lighting on the addition must be directed downward, located and/or shielded so as not to cast glare on nearby properties, and the minimum necessary for safety purposes. In accordance with Marin County Code §22.56.130(O), a condition of approval requires that all new utility lines serving the project site be placed underground. Finally, the design of the garage does not adversely affect the visual quality of the area because it is compatible with the surrounding natural environment and the character of the local community.

**P. Recreation/Visitor Facilities:**

The project would not have any impact upon recreation or visitor facilities.

**Q. Historic Resource Preservation:**

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

VII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory finding to approve a Use Permit pursuant to Section 22.88.020I(3) of Marin County Code for the reasons listed below.

The establishment, maintenance or conducting of the use for which a Use Permit is sought will not under this particular case, be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

1. The proposed minor addition to an existing detached garage would be compatible with surrounding residential uses and would not generate activities which are detrimental to the use and enjoyment of surrounding properties.
2. The proposed project would not impact any sensitive coastal habitat areas, and would not result in other adverse environmental or visual impacts.
3. There is no water or sanitary connection to the garage and addition.

**SECTION II: CONDITIONS OF PROJECT APPROVAL**

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Marcotte Coastal Permit (CP 10-18) and Use Permit (UP 10-13) subject to the following conditions:

**Marin County Community Development Agency, Planning Division**

1. Pursuant to Chapters 22.56I (Coastal Permit) and 22.88I (Use Permit) of the Marin County Code, the Marcotte Coastal Permit and Use Permit is approved to legalize an as-built 200-square-foot addition to an existing 400-square-foot detached garage. The 12-foot high addition is approved to match the height and materials of the existing one-story garage. The resulting 600-square-foot garage with storage is approved to maintain the following setbacks: (1) 9.78 feet from the easterly street side property line; (2) 107 feet from the southerly rear property line; (3) approximately 69 feet from the westerly side property line; and (4) over 150 feet from the northerly front property line. The subject property is located at 201 Elm Road, Bolinas, and is further identified as Assessor's Parcel 192-192-29.
2. Plans submitted for a building permit shall substantially conform to plans identified as **Exhibit A**, consisting of 1 sheet, received November 23, 2009 and **Exhibit B**, site survey entitled Garage Location prepared by Lawrence Doyle, dated May 5, 2009 and received December 29, 2009, and on file in the Marin County Community Development Agency.



BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a complete set of revised plans for review and approval by the Community Development Agency staff depicting the following changes. Once approved, the plans shall be incorporated into the approved project file as **Exhibit A-1** and shall supersede Exhibit A.

- a. Revise the site plan to include the entire parcel, all structures and the location of the septic system. Indicate floor area and correct setbacks for each structure.
3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these conditions of approval as notes.
4. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
5. 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.
6. Any exterior lighting shall be directed downward, located and/or shielded so as not to cast glare on nearby properties, and the minimum necessary for safety purposes.
7. 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 an approval of this application, for which action is brought within the applicable statute of limitations.
8. 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.

#### Code Enforcement

9. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the garage addition. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
10. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

11. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

## Department of Public Works

### PRIOR TO ISSUANCE OF A BUILDING PERMIT

12. Provide a drainage plan for the surface runoff away from the foundation and for roof runoff. 2007CBC §1803.3 requires that drainage away from foundation be at 5% slope for 10-ft minimum or rain gutters and down-spouts configured so as to meet this requirement.
13. Provide a note on the plans stating that all site improvements shall be inspected by a Department of Public Works engineer.

## Environmental Health Services

### PRIOR TO ISSUANCE OF A BUILDING PERMIT

14. Submit a passing septic inspection report for both septic systems on the parcel. A qualified service provider must perform the inspection.
15. A hydraulic load test will be required only for the older the septic system serving the main residence.

## **SECTION III: VESTING AND APPEAL RIGHTS**

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this approval by obtaining a Building Permit for the approved work and approval of a final inspection by the Building and Safety Division within the time limits specified in the conditions of approval. Requests for an extension to the time limits specified therein may be granted administratively by the Community Development Agency staff, in consultation with the Code Enforcement Section, for good cause, such as delays beyond the applicant's control. In no event may such extensions be granted beyond two years from the effective date of this approval. Time extensions to vest the approval beyond two years and up to a maximum of four years may only be granted upon the filing of an extension application with required fees pursuant to Sections 22.88.050I and 22.82.130I of the Marin County Code. Upon vesting of this approval, this Use Permit shall be valid in perpetuity upon adherence to all conditions of approval.

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 June 4, 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 27<sup>th</sup> day of May, 2010.

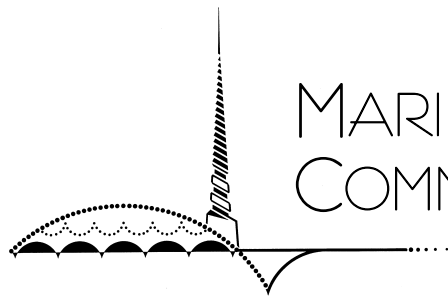
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JOHANNA PATRI  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

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Joyce Evans  
DZA Secretary



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

## NOTICE OF DECISION

Applicant's Name: **KATHLEEN AND LOUIS WILLIAMS**

Application (type and number): Coastal Permit, (CP 10-25) and Design Review (DR 10-57)

Assessor's Parcel Number: 112-220-14

Project Location: 111 Via de la Vista, Inverness

For inquiries, please contact: Veronica Corella-Pearson, Planner

Decision Date: May 27, 2010

**DETERMINATION: Approved with Conditions**

Minutes of the May 27, 2010, Deputy Zoning Administrator's hearing are attached specifying action and applicable conditions 1-48.

Marin County Community Development Agency

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Johanna Patri, AICP  
Hearing Officer

**C2. COASTAL PERMIT, (CP 10-25), DESIGN REVIEW (DR 10-57):  
KATHLEEN AND LOUIS WILLIAMS**

**VCP**

A proposal to construct the following improvements on an approximately 87,472 square foot parcel in Inverness: (1) a new, two-story, 3,210 square foot single-family residence; (2) a 537 square foot, 13.5-foot high detached garage and greenhouse (108 square foot greenhouse located on top of a garage); (3) conversion of an existing 797 square foot single-family residence into a 750 square foot second unit; (4) a new 12-foot by 24-foot in-ground pool; (5) an on-site sewage disposal system to serve the new residence; (6) an approximately 140 foot long driveway with retaining walls varying in height from 1 to 5 feet; and (7) legalization of the existing 706 square foot yurt. As proposed, the dwelling would have a maximum height of 25 feet and would maintain the following minimum setbacks from corresponding property lines and access easements: 34 feet from the northerly front property line (along Via De La Vista); 21 feet from the westerly side property line; and over 100 feet from the easterly side and southerly rear property lines. Proposed building materials include brown/olive standing seam metal roofing, tan/green cement plaster siding, and beige window and door trim. The subject property is located at **111 Via de la Vista, Inverness**, and is further identified as **Assessor's Parcel 112-220-14**.

The Hearing Officer noted for the record the conversion to a second unit will be granted administratively subsequent to the approval of the Coastal Permit & Design Review.

In response to the Hearing Officer, staff summarized the changes to the resolution as called out in her supplemental memorandum dated May 26, 2010.

The public testimony portion of the hearing was opened.

Stacy Ford, applicant, concurs with the modified resolution and understands that the yurt needs to be legalized in accordance with staff's timelines, and will not be habitable.

Clyde Fletcher, neighbor, presented letters from the neighbors with questions on the project. After receiving responses to his questions, he spoke in favor of the project.

The public testimony portion of the hearing was closed.

The Hearing Officer approved the project with modifications to Conditions of Approval # 5, #15, and #18.

The Hearing Officer concurred with staff's analysis and recommendation and approved the Williams Coastal Permit and Design Review, based on the Findings in the modified Resolution.

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

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION 10-122

A RESOLUTION APPROVING THE WILLIAM COASTAL PERMIT (CP 10-25) AND DESIGN REVIEW (DR 10-57)  
ASSESSOR'S PARCEL 112-220-14  
111 VIA DE LA VISTA, INVERNESS

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**SECTION I: FINDINGS**

- I. WHEREAS the applicant, Stacey N. Ford, is applying on behalf of the owners, Kathy and Louis Williams for Coastal Permit, Design Review, and Second Unit approval to construct the following improvements on an approximately 87,472 square foot parcel in Inverness: (1) a new two-story, 3,210 square foot single-family residence; (2) a 537 square foot, detached garage and greenhouse with a maximum height of 13.5 feet (108 square foot greenhouse located on top of a garage); (3) conversion of an existing 797 square foot single-family residence into a 750 square foot second unit (approval is through a separate ministerial permit); (4) a new 12 foot by 24 foot in-ground pool; (5) an on-site sewage disposal system to serve the new residence; (6) an approximately 140 foot long driveway with retaining walls varying in height from 1 to 5 feet; and (7) legalization of the existing 706 square foot yurt that would be used for storage. As proposed, the dwelling would have a maximum height of 25 feet above grade and would maintain the following minimum setbacks from corresponding property lines and access easements: 34 feet from the northerly front property line; 21 feet from the westerly side property line; and over 100 feet from the easterly side and southerly rear property lines. Proposed building materials include brown/olive standing seam metal roofing, tan/green cement plaster siding, and beige window and door trim and flush mounted solar collectors on the southern elevation. Also proposed is the removal of eight trees that are afflicted with Sudden Oak Death, or are senescent. The trees range in size from 10 to 18 inches in diameter at breast height and are Tan oak, Coast live oak, and California bay trees. Proposed for their replacement are 18 trees that would be Valley oak, Cork oak, California bay, and Liquid amber trees. The project would result in approximately 247 cubic yards of cut and fill, that would be used and retained on-site. The subject property is located at 111 Via De La Vista, Inverness, and is further identified as Assessor's Parcel 112-220-14.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on May 27, 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 because it entails construction that would not result in substantial tree removal or grading which would result in significant adverse effects on 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 complies 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 complies with CWP 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 and BIO-1.6).
  - 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 other lands 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 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 review (CWP Policies EH-2.1, EH-2.3, and CD-2.8).
  - H. The project design and improvements ensure adequate fire protection (CWP Policy EH-4.1), water for fire suppression (CWP Policy EH-4.c), defensible space, 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 as conditioned will minimize exterior lighting to reduce light pollution, light trespass, and glare. (CWP Policy DES-1.h).
  - J. 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).
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the policies contained in the Inverness Ridge Community Plan due to the following factors.
- A. The project would involve the construction of a new single-family residence, a detached garage, and accessory structures that are permitted use under the governing zoning district, and therefore would be compatible with surrounding residential uses.
  - B. The project would be architecturally consistent with its surroundings, is not unsightly in design, and would not create substantial disharmony with its locale and surroundings.
  - C. The residence would have adequate water facilities, utilities, protective services (fire, police), and a roadway network currently exists to serve the project.
  - D. The detached second unit that exceeds the 15 foot height limit, would be designed to be compatible with the community and environment, would be located over 40 feet from all property lines, and currently is heavily vegetated and would therefore not adversely impact neighbors or the neighborhood due to loss of light or privacy.

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 Inverness Public Utility District has reviewed the project and indicated that they are able to provide adequate domestic and fire protection water supply to the subject property provided that the owner enter into a financial agreement regarding upgrades to the distribution facilities that will be needed.

B. Septic System Standards

The Marin County Department of Environmental Health Services has indicated that the applicant has submitted a favorable site review for a Class I sewage disposal system. At the time of building permit review the owner will be required to apply and received approval for a Class I sewage disposal system prior to building permit approval.

C. Grading and Excavation

The applicant proposes a balance of cut and fill in the amount of 247 cubic yards. Conditions of project approval require that construction activities conform to the Department of Public Works erosion and sediment control requirements established in Marin County Code §23.18 and 24.04 for stormwater management, and grading operations during the rainy season.

D. Archaeological Resources

The proposed project is not located within an area of high archaeological sensitivity. Regardless, the standard conditions of approval are included, which will require that in the event that cultural resources are uncovered during construction, all work shall be immediately stopped and the services of a qualified consulting archaeologist be engaged to assess the value of the resource and to develop appropriate mitigation measures.

E. Coastal Access

This finding is not applicable. The subject property is not located between the sea and the first public road or adjacent to a coastal area identified by the Local Coastal Program, Unit II, 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 construction of a new single-family residence and accessory structures, and would increase the availability of housing stock in Inverness.

G. Stream and Wetland Protection Area

The project site is not located near any stream identified on the Inverness Quadrangle of the United States Geological Survey, or area subject to the streamside protection policies as identified on the National Resources Map for Unit II of the Local Coastal Program. During a site visit by a biologist, an ephemeral drainage was identified near Sir Francis Drake that is over 150 feet from the edge of proposed development on the southern most portion of the property, but it was found that it lacks a substantial bed and bank, and ordinary high water mark, and is absent of habitat for fish, amphibians, and aquatic invertebrates. The property was also surveyed for the presence of wetlands that meet either the California Coastal Commission or the Army Corps of Engineers definition of a wetland. A potential wetland that could meet the California Coastal Commissions



definition of wetland was identified, but it is located over 120 feet from the proposed project. Since the LCP policies do not prevent development that is more than 100 feet from streams and wetlands, the project is consistent with this finding.

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

A Biological Assessment was prepared for the project and a list of the special status wildlife species with potential to occur on the property was compiled based on data from the California Department of Fish and Game's Natural Diversity Data Base (CNDDDB) and a review of the Local Coastal Programs, Unit II Natural Resource Map. During review it was found that there are two documented Northern Spotted owl nest sites in the area that are both greater than 0.25 miles from the project site. The US Fish and Wildlife Service recommends that within a 0.7 mile radius from a nest site, night time construction work and the use of flood lights be avoided during the period of February 1<sup>st</sup> to August 31<sup>st</sup>. A condition of approval has been added specifying this requirement. In addition, forty-nine special status wildlife species were recorded in the vicinity. No special status wildlife species were found to have high potential to occur on the property, and one species was found to have moderate potential to occur on the property but was not observed during the site survey.

J. Protection of Native Plant Communities

A Biological Assessment was prepared for the project and a list of the special status plants with potential to occur on the property was compiled based on data from the California Department of Fish and Game's Natural Diversity Data Base (CNDDDB), the Local Coastal Programs, Unit II Natural Resource Map and the California Native Plant Society (CNPS) on-line inventory of rare and endangered plants of California. A list of 82 special status plant species was recorded in the vicinity of the project. Of the 82 species, four were found to have a high or moderate potential to occur on the site. A site survey was conducted on February of 2010, and no listed species were observed.

K. Shoreline Protection

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

N. 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.

O. Visual Resources

The height, scale and design of the proposed single-family residence, garage and accessory structures 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, and would be screened by existing vegetation. In accord with Marin County Code Section 22.56.130I(O), a condition of approval requires that all utility lines serving the project site be placed underground.

P. 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.

Q. Historic Resource Protection

The project site is located outside of the historic preservation boundaries for Inverness as identified in the Marin County Historic Study for the Local Coastal Program.

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 22.82.040I) for the following reasons:

**A. The proposed development is consistent with the Marin Countywide Plan and any applicable community plan and local coastal program:**

As noted in Section IV and V above, the project complies with all policies of the CWP and the findings required for Coastal Permit Application, and the Inverness Community Plan.

**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 and accessory structures would result in a structure with a height, mass, and bulk proportionately appropriate to the site and neighboring development.

**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 has been designed to meet the setback requirements of the subject zoning district, and all detached structures are located and designed to not impede light, air, privacy, or views of properties in the vicinity. In addition, the project proposes new trees, which would aid in preserving privacy.

**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 that 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 would remove eight diseased and aging trees and as conditioned would replant with 18 native trees to Marin County. Currently the property has heavy vegetation along all the property lines, which would remain, and no additional vegetation is needed.

**F. The project 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 area, heights, mass, materials, and scale of structures;**

The project incorporates articulations, colors and materials that reduce the visual bulk of the residence. It has also been designed to meet all height standards of the LCP, Unit II, and Title 22I.

**2. Drainage systems and appurtenant structures;**

All conceptual plans have been reviewed by the Department of Public Works and is approvable as conditioned.

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

The project would result in approximately 247 cubic yards of cut and fill, which would remain and be used on site. The proposed retaining walls would be between 1 to 5 feet in height, and would be for the driveway and pool, and would not result in adverse grading.

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

The proposed project has been reviewed by DPW to ensure that no work would be located in the road rights-of-way that could not be approved, or other improvements that would affect the circulation of persons. No new fencing is proposed that would affect the circulation of animals.

**5. Will not result in the elimination of significant sun and light exposure, views, vistas, and privacy to adjacent properties.**

As noted in B above, the project would not result in the elimination of significant sun and light exposure to adjacent residences.

**G. The project contains features such as 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 that would meet the Green Building Rating of "Silver," and the project would be required to meet Title 24 and Ordinance 3492 for the conservation of natural resources, and energy consumption.

**SECTION II: CONDITIONS OF PROJECT APPROVAL**

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Williams Coastal Permit (CP 10-25) and Design Review (DR 10-57) subject to the following conditions:

**Marin County Community Development Agency, Planning Division**

1. Pursuant to Chapters 22.56I (Coastal Permit) and 22.82I (Design Review) of the Marin County Code, the Williams Coastal Permit and Design Review are hereby approved and authorizes the construction of the following improvements on an approximately 87,472 square foot parcel in Inverness: (1) a new two-story, 3,210 square foot single-family residence; (2) a 537 square foot, detached garage and greenhouse with a maximum height of 13.5 feet (108 square foot greenhouse located on top of a garage); (3) conversion of an existing 797 square foot single-family residence into a 750 square foot second unit (approval is through a separate ministerial permit); (4) a new 12 foot by 24 foot in-ground pool; (5) an on-site sewage disposal system to serve the new residence; (6) an approximately 140 foot long driveway with retaining walls varying in height from 1 to 5 feet; and (7) legalization of the existing 706 square foot yurt that would be used for storage. As approved, the dwelling would have a maximum height of 25 feet above grade and would maintain the following minimum setbacks from corresponding property lines and access easements: 34 feet from the northerly front property line; 21 feet from the westerly side property line; and over 100 feet from the easterly side and southerly rear property lines. Approved building materials include brown/olive standing seam metal roofing, tan/green cement plaster siding, and beige window and door trim and flush mounted solar collectors on the southern elevation. Also approved is the removal of eight trees that are afflicted with Sudden Oak Death, or are senescent. The trees range in size from 10 to 18 inches in diameter at breast height and are Tan oak, Coast live oak, and California bay trees. Approved for their replacement are 18 trees that would be Valley oak, Cork oak, California bay, and Liquid amber trees. The subject property is located at 111 Via De La Vista, Inverness, and is further identified as Assessor's Parcel 112-200-14.
2. Plans submitted for a building permit shall substantially conform to plans entitled, "Williams Residence and Garage," consisting of 9 sheets, prepared by Stacey N. Ford, received March 2, 2010, 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, "111 Via De La Vista Colors and Materials" received December 30, 2010 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 a Landscape Plan that shows: 1) the proposed 18 new trees, which all shall be a minimum container size of 15

gallon and native to Marin County; and 2) the pathway access from the new garage to the new primary residence.

6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in Condition 1 above, the applicant shall install temporary construction fencing around the dripline of the existing trees in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency.
7. The applicant shall retain the services of a licensed arborist or landscape architect to inspect the project site during construction activities and certifies the adequacy of the protective fencing installed. The applicant shall comply with recommendations made by the licensed professional with respect to tree protection during construction activities, general tree care practices, and long-term vegetation management to ensure continued viability of the site's native vegetation.
8. Exterior lighting shall be located and/or shielded so as not to cast glare on nearby properties.
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 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.
10. All construction activities shall comply with the following standards:
11. 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.
12. 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.
13. 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.

14. 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 an approval of this application, for which action is brought within the applicable statute of limitations.
15. 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. Modifications may require a Coastal Permit and Design Review Amendment.
16. If the presence of the northern spotted owl (*Strix occidentalis caurina*) is found at or near the site during the construction process, all construction activities shall cease, and the Community Development Agency staff shall be notified. A qualified wildlife biologist shall assess the site and shall submit a report to the Community Development Agency staff advancing appropriate measures to protect the owls and the nesting activity. 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 the findings and recommendations of the biologist's report, as approved by the Community Development Agency staff. An amendment to the permit may be required to implement mitigations to protect the owl species.
17. BEFORE FINAL INSPECTION, the applicant shall submit a signed Statement of Completion confirming that the project has been constructed in compliance with all of the measures that were used to meet the "Certified" or better rating under the Marin Green Home: New Home Green Building Residential Design Guidelines.
18. BEFORE ISSUANCE OF ANY BUILDING PERMIT FOR THE NEW RESIDENCE AND GARAGE:
  - a. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the yurt for storage use only. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
  - b. Within 60 days of this decision, a Building Permit for all approved work for the yurt must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
  - c. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection for the yurt by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
19. BEFORE FINAL INSPECTION OF THE RESIDENCE, the applicant shall install all landscaping and an automatic drip irrigation system in accordance with the approved landscape plan. 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.

**Prior to Issuance of a Building Permit:**

20. Provide a soils stability report to include seismic design parameters for the site.
21. 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.
22. A registered Engineer shall design the site/driveway retaining walls. Plans must have the Engineer's/Architect's wet stamp and signature.
23. A separate Building Permit is required for site/driveway retaining walls with a height more than 4-feet or 3-feet when backfill area is sloped or has a surcharge (measured from the bottom of the footing to the top of the wall). Include engineer calculations showing a minimum of a 1.5 factor-of-safety for sliding and overturning. Also, include cross section references on the site plan to the structural plans for the retaining walls.
24. Submit Erosion and Siltation Control plans for the construction and post construction phases of the project.
25. Provide more detail on the drainage plan/facilities for the project. Include the following:
  - a. Down spout and roof runoff design/plan.
  - b. Details on the irrigation storage tank and the pipe connection system.
  - c. Details on the foundation drainage and retaining wall drainage. Note that surface runoff drainage facilities shall be separate from foundation and retaining wall drainage facilities.
  - d. Surface runoff away from the foundation. Include a plan for managing surface runoff from the up-hill side of the foundation.
  - e. Provide a drainage system to catch surface flow down the driveway so as to prevent drainage from inundating the dwelling or the foundation.
  - f. Provide drainage facilities for the low-point of the proposed driveway.
  - g. Provide a drainage plan for the proposed driveway pavers.
  - h. Provide a drainage plan for the sod roof over the garage.
  - i. Provide a grading and drainage plan for the proposed pool.
26. The plans shall provide details for the pool drainage and demonstrate that the drainage would comply with Marin County Code §23.18 (Urban Runoff Pollution Prevention Code). Discharge into a watercourse is prohibited pursuant to Marin County Code §23.18.094.
27. The proposed grading on the south side of the new dwelling is steeper than 2:1. Slopes greater than 2:1 shall either be retained or shall be engineered by a Registered Civil Engineer with soils engineering expertise or a Registered Geotechnical Engineer.
28. The turnaround at the proposed garage does not allow a standard composite vehicle to attain the desired direction in no more than one turning movement when backing out of the garage. Revise the plans to meet this requirement.
29. Provide a pedestrian path-of-travel from the proposed garage to the propose dwelling.
30. The slope of the existing gravel driveway proposed for re-grading/expanding is 14%. Driveways with a slope of 12% or greater shall be asphalt or concrete. Revise the plans to meet this requirement.
31. Provide the cross slope for the driveways. Cross slopes shall not exceed 8%.

32. Provide the slope for all parking spaces. Slopes should not exceed 5%, and shall not exceed 8%.
33. Provide a centerline profile for the 150-ft+ driveway [MCC§24.04.277].
34. Provide a fire truck turnaround at the end of the 150-ft+ driveway.
35. Provide a vertical curve transition between Via De La Vista and the new driveway entrances. Vertical curve transitions shall begin a minimum of 4-ft from the Via De La Vista edge-of-pavement (extend the existing cross slope of Via De La Vista a minimum of 4-ft into the driveway prior to beginning the vertical curve transition). A transition of no more than 12% difference in slopes over 15-linear-feet is a conservative guideline for vertical curve transitions.
36. For the existing driveway, the approach from the edge-of-pavement of Via De La Vista shall be paved with asphalt for the first 30-ft or to the property line, whichever ever is greater [MCC§24.04.290].
37. Provide a minimum of 6-in wide concrete band interface between the pavers and the driveway approach asphalt at the property line for the proposed driveway.
38. For the new driveway, the approaches shall be paved with asphalt from the Via De La Vista edge-of-pavement to the property line [MCC§24.04.290].
39. Show the entire width of the right-of-way on the Site Plan.
40. An encroachment permit shall be required for all work within the Via De La Vista right-of-way.
41. The minimum passable width for driveway gate shall be 12-ft [MCC§24.04.260].
42. Planting of new trees within a County-Maintained roadway is prohibited [MCC§24.04.760]. Remove all proposed trees within the Via de la Vista right-of-way.
43. 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.

#### Environmental Health Services

44. A permit is required from EHS for an up-to-code, Class I onsite sewage disposal system to serve the main residence and the second unit. Submit a completed Application to Construct an Individual Sewage Disposal System accompanied by three copies of a septic system design which is adequate for the proposed construction pursuant to Marin County Code Chapter 18.06. Prior to obtaining a building permit, the permit to construct the septic system is required. Note; An acceptable site review and percolation tests were completed 1/29/10.

#### Inverness Public Utility District – Fire

45. Interior residential fire sprinklers will be required in the new residence pursuant to Marin County Code
46. A water service upgrade will be required to meet new residence fire sprinkler requirements.
47. Street address is to be posted where readily visible from Via De La Vista, Street address numbers to be four inches minimum in height and made of reflective material.



Inverness Public Utility District – Water

48. Increased residential and fire flow demands require that the owner(s) enter into a customer work agreement with Inverness Public Utility District to determine if existing water facilities are adequate, and owner(s) may be required to enter into a subsequent customer work agreement to upgrade the existing facilities.

**SECTION III: VESTING AND APPEAL RIGHTS**

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Williams Coastal Permit (CP 10-25) and Design Review (DR 10-57) approval by obtaining a Building Permit for the approved work and substantially completing all work before May 27, 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 Sections 22.56.120I and 22.82.130I of the Marin County Code.

The applicant must vest the yurt approval by obtaining a Building Permit for the approved work and approval of a final inspection by the Building and Safety Division within the time limits specified in the conditions of approval. Requests for an extension to the time limits specified therein may be granted administratively by the Community Development Agency staff, in consultation with the Code Enforcement Section, for good cause, such as delays beyond the applicant's control. In no event may such extensions be granted beyond two years from the effective date of this approval. Time extensions to vest the approval beyond two years and up to a maximum of four years may only be granted upon the filing of an extension application with required fees pursuant to Section 22.56.050.B.3I 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 June 4, 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 27th day of May, 2010.

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JOHANNA PATRI, AICP  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

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Joyce Evans  
Deputy Zoning Administrator Secretary