



MARIN COUNTY

COMMUNITY DEVELOPMENT AGENCY

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

Item No:	2	Project ID No:	11-0129
Applicant:	Onju Updegrave	Application No:	CP 11-14 and DR 11-38
Property Address:	71 (aka 103) Buena Vista Avenue, Inverness	Owner:	Fred Scarpulla
Hearing Date:	October 27, 2011	Assessor's Parcel:	114-281-01
		Planner:	Scott Greeley

RECOMMENDATION:	Approve with Conditions
APPEAL PERIOD:	November 3, 2011
LAST DATE FOR ACTION:	November 21, 2011

GENERAL INFORMATION:

Countywide Plan:	C-SF3 (Coastal, Single-family, 1 unit/1-5 acres)
Zoning:	C-RSP-1 (Coastal Residential, Single-family, 1 unit per-acre)
Community Plan Area:	Inverness Ridge
Lot size:	1.64 acres
Adjacent Land Uses:	Single-family residential
Vegetation:	Native trees and landscaping
Topography and Slope:	Gentle to steeply sloping
Environmental Hazards:	None identified

The applicant is proposing to construct an addition to the residence, construct a detached garage with roof deck attached to a guest house, a second separate guest house, decking, and a new septic tank and leach field area, along with conversion of the existing septic system into a graywater system. The details pertaining to the full project is provided in the attached resolution.

The project originally included a second unit permit for what is now one of the two guest houses, but has since been modified and no longer includes the second unit. Another Coastal Permit and Second Unit Permit will be required if the owner ever decides to modify one of the guest units into a second unit.

A Coastal Permit is required because the project is within the Coastal zone. Design Review is required because it is within a planned zoning district.

The application was first submitted on April 8, 2008 and was transmitted to the Department of Public Works, Environmental Health Services, Marin County Fire Department, North Marin Water District, Inverness Public Utility District, Environmental Action Committee of West Marin, Inverness Ridge Association, and the Inverness Association. In addition to the architectural and site plans for the proposed project, the information and materials submitted during the completeness review of the application included a Preliminary Title Report, Biological Assessment prepared by Gary Deghi, Biologist and Senior Environmental Scientist with Huffman-Broadway Group, Inc. and story poles.

All of the agencies that received a transmittal regarding the project responded that the project could be constructed in conformance with their requirements. Standard conditions of approval were recommended by those agencies, which have been incorporated into the attached Resolution.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution approving the Scarpulla Coastal Permit 11-14 and Design Review 11-38.

- Attachments:**
1. Recommended Resolution approving the Scarpulla Coastal Permit and Design Review
 2. CEQA Exemption
 3. Vicinity Map
 4. Assessor's Parcel Map
 5. Project Plans
 6. Exhibit B
 7. Department of Public Works memo, dated July 26, 2011
 8. Environmental Health Services memo, dated September 9, 2011
 9. North Marin Water District memo, dated April 27, 2011
 10. Marin County Fire Department email, dated September 7, 2011, and memo, dated May 2, 2011

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 11-
A RESOLUTION APPROVING THE
SCARPULLA COASTAL PERMIT (CP 11-14) AND DESIGN REVIEW (DR 11-38)
71 (AKA 103) BUENA VISTA AVENUE, INVERNESS
ASSESSOR'S PARCEL 114-281-01

SECTION I: FINDINGS

I. WHEREAS, the applicant, Onju Updegrave, on behalf of the owner has applied for a Coastal Permit and Design Review to construct a 538 square foot, 2nd floor addition to the upper level floor of the existing, 1,592 square foot primary residence. The applicant is also proposing to construct a detached, 513 square foot detached accessory structure, which is to be used as a guest house, with an attached deck, along with a new, detached, 560 square foot garage with a roof deck, attached to a new 743 square foot detached accessory structure which would also be used as a guest house. In addition the applicant is proposing a 5 foot 6 inch tall retaining wall, new decking for the primary residence, a new septic tank and leach field area, along with the conversion of the existing septic system to a graywater system. The project also includes the removal of an existing, 576 square foot, garage and carport, presently located where the garage and 743 square foot detached accessory structures are proposed. The site plan includes 3 identified off-street parking spaces.

The addition to the primary residence would have a height of 20 feet and have the following minimum setbacks: 1) 152 feet 5 inches from the easterly front property line; 2) approximately 137 feet from the westerly rear property line; 3) 91 feet 10 inches from the northerly side property line; and 4) 42 feet 8 inches from the southerly side property line.

The garage will reach a maximum height of approximately 9 feet 3 inches and have the following minimum setbacks: 1) 220 feet from the easterly front property line; 2) 50 feet from the westerly rear property line; 3) 74 feet from the northerly side property line; and 4) approximately 87 feet from the southerly side property line.

The 743 square foot accessory structure which would become a guest house with the attached deck and is connected to the garage would have a height of 15 feet and the following minimum setbacks: 1) approximately 232 feet from the easterly front property line; 2) 43 feet 10 inches from the westerly rear property line; 3) approximately 114 feet from the northerly side property line; and 4) 58 feet 10 inches from the southerly side property line.

The 513 square foot guest house with attached deck would have a height of 14 feet 7 inches and have the following minimum setbacks: 1) approximately 270 feet from the easterly front property line; 2) 73 feet 10 inches from the westerly rear property line; 3) approximately 154 feet from the northerly side property line; and 4) 10 feet from the southerly side property line.

The subject property is located at **71 (aka 103) Buena Vista Park in Inverness** and is further identified as **Assessor's Parcel 114-281-01**.

II. WHEREAS the Marin County Deputy Zoning Administrator held a duly-noticed public hearing October 27, 2011, 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 extension of time to vest the proposed project is Categorical Exempt from the requirements of the California Environmental Quality Act, per Section 15303, Class 3 of the CEQA Guidelines because it entails construction that will not impact sensitive habitats, nor involve adverse grading or tree removal.
- 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-SF3 (Coastal, Single Family, 1 dwelling unit per 1-5 acres) 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 6:00p.m., Monday through Friday, and between the hours of 9:00a.m. and 5:00p.m. on Saturday. (CWP Policies NO-1.1 and NO-1.3);
 - C. The project has been designed to be consistent with the design and scale of the surrounding community (CWP Policies, DES-1.1, DES-1.2, DES-1.h, DES-3.1, DES-4.1, DES-4.c, and DES-5.1.);
 - D. The project is consistent with CWP natural systems policies requiring the enhancement, protection, and management of native habitats and the protection of woodlands, forest, and tree resources (*CWP Policies BIO-1.1 and BIO-1.3*) because the project would not entail the removal of a substantial number of mature, native trees.
 - E. The project would not result in impacts to special-status species (*CWP Policies BIO-1.1, BIO-2.1, and BIO-2.2*) because, according to the California Natural Diversity Database, the subject property does not provide habitat for special-status species of plants or animals.
 - F. The project would not significantly impact the ecotones on the project site (*CWP Policies BIO-2.3 and BIO-2.4*) because the subject property is located far enough from the shoreline to avoid being constrained by ecotones.
 - G. No wetlands or stream conservation areas would be affected by the project (*CWP Policies BIO-3.1 and CWP BIO-4.1*) because there are no wetlands or streams on or adjacent to the subject property.
 - H. The project would not result in significant storm water runoff to downstream creeks or soil erosion and discharge of sediments into surface runoff (*CWP Policies BIO-4.20, WR-2.1, WR-2.2, WR-2.3, and WR-2.4*) because the proposed drainage system complies with the standards and best management practices required by the Department of Public Works.
 - I. The project would be constructed in conformance County earthquake standards, as verified during review of the Building Permit application (*CWP Policies EH-2.1, EH-2.3, and CD-2.8*) and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.
 - J. The project design and conditions of approval ensure adequate fire protection (*CWP Policy EH-4.1*), removal of hazardous vegetation (*CWP Policy EH-4.2*), water for fire suppression (*CWP Policy EH-4.c*), defensible space and compliance with Marin County fire safety standards, construction of fire sprinklers and fire-resistant roofing and building materials (*CWP*

Policies EH-4.d, EH-4.e, EH-4.f, and EH-4.n), and clearance of vegetation around the proposed structure (*CWP Policy EH-4.h*).

- K. The project would meet energy efficient standards for exterior lighting, and would reducing excessive lighting and glare (*CWP Policy DES-1.h*) because exterior up-lighting is not proposed, and standard conditions of project approval require that lighting be downward directed.
- L. The project will comply with the Marin County Single Family Dwelling Energy Efficiency Ordinance (*CWP Policy EN-1.c*) because the Energy Efficiency Ordinance requirements would be implemented during the Building Permit review process to ensure that the project minimizes energy use.
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the pertinent land use policies of the Inverness Ridge Communities Plan because the lot is one of the larger lots within Inverness Park and is one of those capable of accommodating additional residential development as determined by the reviewing agencies for this project (IRCP, pg. 47).
- 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 22.56.130I of the Marin County Code) as specified below.

A. Water Supply

The lot is already served by the North Marin Water District. The district has found that water supply is adequate and has the ability to provide the additional service required. In addition, prior to final building permit inspection, the applicant will need to provide documentation to the Marin County Community Development Agency that it has satisfied all water standards required by the North Marin Water District. 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. On July 27, 2011, a plan for a 4-bedroom septic system was review, found to meet current septic standards, and was approved by Environmental Health Services. 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 property has slope conditions varying from gentle to steep. The project is located largely upon an already disturbed portion of the site, where the site is subject to gentler slopes. The addition to the primary residence would require minimal additional grading due to the site already having been disturbed. In addition, the two guest units and garage are also on gentle slopes and situated well to take advantage of the existing contour lines on the site. As such, the project, as designed, will keep grading to the minimum amount necessary. Therefore, the project is consistent with this finding.

D. Archaeological Resources

The project is located outside of areas of known archaeological sensitivity. This is based on identified and mapped areas of archaeological sensitivity. Therefore the discovery of archaeological resources on the site is unlikely. However, 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 Inverness community because it does not involve removing any existing housing. 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 wetlands subject to the stream and wetland protections 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 there are no dunes in the area. Therefore, the project is consistent with this finding.

I. Wildlife Habitat

The applicant provided a biological assessment, prepared by Gary Deghi, Biologist, with additional support provided by Emilie Strauss, Wildlife Biologist. While the community of Inverness is known to be home to numerous special status species and wildlife habitats, including two special status chaparral species (Marin Manzanita and Mt Vision Ceanothus), following a review of the California Natural Diversity Database and the California Wildlife Habitat Relationships System and site visits to the property, it was determined that no sensitive wildlife habitat existed on the property. Special status species known to live in the area include the Northern Spotted Owl, the Great Blue Heron, Great Egret, and Osprey. None of these species were found to occur on the property or would otherwise be impacted from the proposed project. Therefore the project is consistent with this finding.

J. Protection of Native Plant Communities

Based on review of the California Natural Diversity Database and the visits to the site and report report prepared by Mr. Deghi and Ms. Strauss, no known protected native plant communities were found on the site. 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. The Department of Public Works has also conditioned that a Registered Geotechnical Engineer or a Registered Civil Engineer with soils engineering expertise review and approve the plans. In addition, the Marin County Community Development Agency – Building and Safety Division will determine seismic compliance with the California 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 is located in a rural portion of Inverness. The new structures are proposed towards the rear of the property. The addition to the residence is also less than 25 feet in height and set back over 150 feet from the street, which is consistent with the Interim Zoning Code standards for height in this zoning district. The project will be compatible with the surrounding community and is located away from visually prominent areas of Inverness and the community. 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 rural location in Inverness 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 an addition on to the existing residence, construct a new, detached garage with roof deck attached to a guest unit, a second separate guest unit, decking, and a new septic tank and leach field area, along with conversion of the existing septic system into a graywater system. As noted above in Section I: Findings, subsections IV and V, the proposed project complies with the C-SF3 policies of the General Plan and the Inverness Ridge Communities 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 has been designed to be consistent with the design, scale, and material commonly found in the surrounding community. The proposed color scheme for the proposed additions to the existing residence and new accessory structures will be painted to match. The proposed materials and color scheme will blend with the natural landscape of earthtones found in the community and will be consistent with County policy which encourages neutral colors and materials which will not stand out in relation to the community and natural surrounding environment. Therefore, as modified by the conditions, 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 property is located in a low density, rural residentially developed portion of Inverness. The property is located along a non-County maintained road with infrequent use, except by local residents. The proposed project entails the construction of an addition to the existing residence, as well as additional accessory structures and development which will support the primary residence. The project is located towards the center and rear of the property and outside of the viewshed of the community. The proposed project will not inhibit future development of the neighborhood, nor create a disruption to the overall neighborhood. The construction will not be a substantial impact to those utilizing the roadway or the local road network and no improvements to Buena Vista Avenue or the local road system has been found to be needed by the Department of Public Works to accommodate the development. The driveway would be improved to County standards to also accommodate the development prior to building permit issuance. 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 would 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 natural screening which already occurs upon the property. As noted in Finding C, the proposed project will not limit or otherwise inhibit future development of neighboring properties. In addition, the entire project is located upon the property and will not have an impact on public lands or rights-of-way. 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 healthy, native trees or protected vegetation. The rural nature of the site already makes it well screened from the surrounding neighbors and local community. 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 an addition and accessory structures and development which will support the primary residence. The proposed project has 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-SF3 policies of the General Plan and the Inverness Ridge Communities 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,

As noted above in Section I, subsection VI(C), the project is located largely upon an already disturbed portion of the site, where the site is subject to gentler slopes. The addition to the primary residence would require minimal additional grading due to the site already having been disturbed. In addition, the two guest units and garage are also on gentle slopes and situated well to take advantage of the existing contour lines on the site. As such, the project, as designed, will keep grading to the minimum amount necessary which will minimize the amount of necessary fill.

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 project as designed is consistent with the policies of the Countywide Plan, Inverness Ridge Communities Plan, Interim Zoning Code, and is otherwise consistent with the general height and bulk of other residences found in the community. The proposed project as designed, and situated towards the center and rear of the lot 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 materials, design, and scale of the proposed residence, or as modified, are consistent with others found in the surrounding community. The proposed residence 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: ACTION

WHEREAS the Marin County Deputy Zoning Administrator hereby approves the Scarpulla Coastal Permit and Design Review subject to the conditions of approval listed below. This approval authorizes the construction of a 538 square foot, 2nd floor addition to the upper level floor of the existing, 1,592 square foot primary residence. The approval also authorizes the construction of a detached, 513 square foot detached accessory structure, which is to be used as a guest house, with an attached deck, along with a new, detached, 560 square foot garage with a roof deck, attached to a new 743 square foot detached accessory structure which would also be used as a guest house. In addition, the applicant is authorized to construct a 5 foot 6 inch tall retaining wall, new decking for the primary residence, a new septic tank and leach field area, along with the conversion of the existing septic system to a graywater system. The approved project also includes the removal of an existing, 576 square foot, garage and carport, presently located where the garage and 743 square foot detached accessory structures are to be located. The approved project also includes 3 off-street parking spaces.

The addition to the primary residence shall have a height of 20 feet and have the following minimum setbacks: 1) 152 feet 5 inches from the easterly front property line; 2) approximately 137 feet from the westerly rear property line; 3) 91 feet 10 inches from the northerly side property line; and 4) 42 feet 8 inches from the southerly side property line.

The garage shall reach a maximum height of approximately 9 feet 3 inches 9 feet 3 inches and have the following minimum setbacks: 1) 220 feet from the easterly front property line; 2) 50 feet from the westerly rear property line; 3) 74 feet from the northerly side property line; and 4) approximately 87 feet from the southerly side property line.

The 743 square foot accessory structure which is to become a guest house with the attached deck and is connected to the garage shall have a height of 15 feet and the following minimum setbacks: 1) approximately 232 feet from the easterly front property line; 2) 43 feet 10 inches from the westerly rear property line; 3) approximately 114 feet from the northerly side property line; and 4) 58 feet 10 inches from the southerly side property line.

The 513 square foot guest house with attached deck shall have a height of 14 feet 7 inches and have the following minimum setbacks: 1) approximately 270 feet from the easterly front property line; 2) 73 feet 10 inches from the westerly rear property line; 3) approximately 154 feet from the northerly side property line; and 4) 10 feet from the southerly side property line.

The subject property is located at 71 (aka 103) Buena Vista Avenue in Inverness, and is further identified as Assessor's Parcel 114-281-01.

SECTION III: CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

Community Development Agency – Planning Division

1. Plans submitted for a Building Permit shall substantially conform to plans identified as “Exhibit A,” entitled, “Addition, & New Guest House, & Studio,” consisting of eleven sheets prepared by Onju Updegrave, Architect, dated June 29, 2011, with revisions dated August 25, 2011 and received August 26, 2011, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
2. Approved exterior building materials and colors shall substantially conform to the color/materials sample which is identified as “Exhibit B,” prepared by EHDD Architecture, received July 6, 2011, and on file with the Marin County Community Development Agency including:
 - a. The proposed additions, existing residence, and new accessory structures will be painted to match.
 - b. Tan/brown shingle siding
 - c. Sandstone color window and French door cladding
 - d. Gray/black, Class A, asphalt shingle roof

All flashing, metal work, and trim shall be treated or painted an appropriately subdued, non-reflective color.

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. Exterior lighting shall be located and/or shielded so as not to cast glare on nearby properties.
5. 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.
6. 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 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.
7. All utility connections and extensions (including but not limited to electric, communication, and cable television lines) serving the development shall be undergrounded from the nearest overhead pole from the property, where feasible as determined by the Community Development Agency staff.
8. BEFORE APPROVAL OF THE FRAMING INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper certification submit a written (stamped) building height survey confirming that the buildings conform to the roof ridge elevations that are shown on the approved Building Permit plans, based on a benchmark that is noted on the plans. Please refer to the "Building Inspection Procedures" document available at the Marin County Planning Department and on-line at http://www.co.marin.ca.us/depts/CD/Forms/Building_Inspection_Procedures.pdf for additional details regarding this requirement.
9. BEFORE THE FINAL INSPECTION, the applicant shall submit confirmation from the North Marin Water District that all requirements of the District have been satisfied.
10. The applicant/owner hereby agrees to defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations.
11. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated. 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.

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

12. BEFORE ISSUANCE OF A BUILDING PERMIT, The existing wood retaining wall below the parking and proposed garage requires verification of its structural stability to retain the surcharge created by the proposed garage and parking. The applicant shall provide the design parameters for these walls. The stability verification shall be certified by a Registered Civil Engineer with soils engineering expertise or a Registered Geotechnical Engineer.
13. BEFORE ISSUANCE OF A BUILDING PERMIT, a separate Building Permit is required for site/driveway retaining walls with a height of 4-ft or more 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). The applicant shall include engineer calculations showing a minimum of a 1.5 factor-of-safety for sliding and overturning. In addition, the applicant shall also include cross section references on the site plan to the structural plans for the retaining walls. The retaining walls below the garage and the parking area have a surcharge.

14. BEFORE ISSUANCE OF A BUILDING PERMIT, a registered Engineer shall design the site/driveway retaining walls. The subject plans and calculations shall have the Engineer's/Architect's wet stamp and signature.
15. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit Erosion and Siltation Control plans. These plans shall indicate total acreage of site disturbance.
16. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a drainage plan for the project. The drainage and grading plans shall be designed by either a registered Engineer or Architect.
17. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a note on the plans which states that the Design Engineer and/or Architect shall certify to the County in writing prior to final inspection that all grading, drainage, and retaining wall construction has been completed in accordance to approved plans and field direction. Also state that the driveway, parking, and all other site improvements shall be inspected by a DPW engineer prior to final inspection.
18. 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.
19. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the driveway plan to allow a standard composite vehicle to achieve the out-going desired direction in one turning movement from all parking spaces (including vehicles backing out of the garage). Based on the present set of plans, the southern-most parking spaces (to the left while facing the garage) do not allow a standard composite vehicle to achieve the out-going desired direction in one turning movement.
20. BEFORE ISSUANCE OF A BUILDING PERMIT, removal of the upper portion of the driveway eliminates any potential for a fire truck turnaround. The head of the driveway shall have a fire truck turnaround that meets the approval of the County Fire Marshal. Note that no portion of the fire truck turnaround shall be used for parking, and no parking shall double as the fire truck turnaround.

Marin County Community Development Agency, Environmental Health Services

21. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall obtain a Graywater permit if the proposed use is to equal or exceed 250 gallons per day. If the system is less than 250 gallons per day, the applicant shall follow the 12 condition outlined in section 1603A.1.1 of the Graywater regulation for the State of California. A completed "Simple Graywater System Notification" form is required prior to obtaining a building permit. In addition, a favorable geotechnical report is required for the area of the proposed septic system.

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 FRAMING INSPECTION, the applicant shall provide confirmation to the Planning Division from the Fire Marshal confirming that the Vegetation Management /Defensible Space Plan has been implemented and that the fire suppression water supply is in place.

24. 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 IV: 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 **October 27, 2013**, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date above and the Deputy Zoning Administrator approves it. An extension of up to four years may be granted for cause pursuant to Section 22.56.120I of the Marin County Code.

The Building Permit approval expires if the building or work authorized is not commenced within one year from the issuance of such permit. 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 such permit. Please be advised that if your Building Permit lapses after the vesting date stipulated in the Planning permit (and no extensions have been granted), the Building Permit and planning approvals may become null and void. Should you have difficulty meeting the deadline for completing the work pursuant to a Building Permit, the applicant may apply for an extension at least 10 days before the expiration of the Planning permit.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m. on November 3, 2010**.

SECTION V: 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 October 2011.

BEN BERTO
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary