



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

STAFF REPORT TO THE MARIN COUNTY PLANNING COMMISSION DOUGLAS DESIGN REVIEW

Item No.:	9.	Application No.:	DR 06-6
Applicant:	Posard-Broek + Associates	Owner:	Kevin and Michelle Douglas
Property Address:	126 Hill Drive, Kentfield	Assessor's Parcel:	071-021-19
Hearing Date:	October 24, 2005	Planner:	Christine Gimmler

RECOMMENDATION: Approve with Conditions

APPEAL PERIOD: Ten calendar days to the Marin County Board of Supervisors

LAST DATE FOR ACTION: November 3, 2005

SUMMARY RECOMMENDATION:

Staff recommends that the Planning Commission approve the proposed Design Review application subject to standard conditions of approval to ensure protection of existing trees, regulate permitted hours of construction, and confirm compliance with Marin County's Energy Efficiency Ordinance and Green Building Guidelines.

PROJECT DESCRIPTION:

The applicant, Posard-Broek & Associates, on behalf of the owners, Kevin and Michelle Douglas, is requesting Design Review approval to construct an addition to an existing 8,965 square foot residence on the 2.01-acre property. The proposed project would add 5,155 square feet of additional living area to the residence, including a 3,087 square foot addition to the existing lower floor and a 2,068 square foot addition to the main floor of the building. Approximately 1,500 square feet of the existing structure would also be remodeled. The proposed two-story addition would attain a maximum height of 23 feet above existing grade and 26.3 feet above finished grade, with a maximum roof ridge height 6.7 feet lower than the existing residence. The proposed addition would be sited 30.5 feet from the nearest property line along Hill Drive, and over 100 feet from all other property lines. All exterior materials and colors are proposed to match the existing structure. The project has been designed to achieve Platinum-level compliance with the Marin County Green Building Residential Design Guidelines, including the use of solar energy and water heating systems.

GENERAL INFORMATION:

General Plan:	SF3 (Single-family, 1 unit per 1 to 5 acres maximum density) with Ridge and Upland Greenbelt Overlay
Zoning:	R-R:B-3 (Residential, Restricted District, 20,000 square foot minimum lot size)
Lot size:	2.01 acres
Adjacent Land Uses:	Single Family Residential
Vegetation:	Native and introduced landscaping
Topography and Slope:	Level to moderately sloping
Environmental Hazards:	None identified

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ENVIRONMENTAL REVIEW:

The Environmental Coordinator has determined that this project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, of the CEQA Guidelines because it entails the construction of additions to an existing single-family residence with no potentially significant adverse impacts to the environment.

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and giving the earliest possible decision date in accordance with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property and to public agencies and organizations having purview over the project.

PLAN CONSISTENCY:

The proposed project is subject to the policies of the Marin Countywide Plan, which emphasize minimizing impacts to the surrounding natural and built environment, and the Kentfield/Greenbrae Community Plan, which emphasizes maintaining the character of the local community. As further discussed in the analysis section below and the attached recommended resolution, the proposed project, as modified by conditions of approval, would be consistent with the policies contained in the Countywide Plan and the Kentfield Greenbrae/Community Plan as well as the design standards contained in the Single-Family Residential Design Guidelines.

PROJECT SETTING:

Project Setting

The property is located on Hill Drive in the Del Mesa area of Kentfield, adjacent to the city limits for the Town of Ross and the City of San Rafael. The 2.01-acre property is currently developed with the existing 8,965 square foot single-family residence, which was constructed in 1935. Other existing accessory structures on the site include a 724 square foot detached garage, a 1,023 square foot guest house, and a 641 square foot pool house. The existing residence is an "L"-shaped structure centered around a level entry yard area. From the residence, the property slopes gently uphill to the north (toward Makin Grade) to an existing garden and pool area. To the south, west, and east of the residence, the site slopes downhill toward Hill Drive (to the south and west) and Vista Drive (to the southeast). The property is governed by conventional R-R:B-3 zoning. However, Design Review is required pursuant to Marin County Code Section 22.42.020 due to the size of the residence.

As described above, the applicant proposes to enlarge the residence through the addition of 5,155 square feet of additional living area including 902 square feet within an existing understory area (below the existing south terrace) and construction of a new two-story wing containing 2,185 square feet on the lower level (an entertainment and recreation area) with 2,068 square feet above (three bedrooms and a library area) at the main floor level of the residence. Approximately 1,500 square feet of living area within the existing residence would also be remodeled as part of the project.

The property is unique with respect to size, topography, the extent of existing landscaping, and the shape and orientation of the property relative to surrounding development. With over two acres, the site is one of the largest properties in the Del Mesa area, where the average lot size is approximately one acre. In addition, the entire property is almost completely screened from off site locations by an extensive amount of perimeter plantings that have been supplemented by the property owners over the years to increase privacy. Mature coast live oaks, acacias, bay trees and redwood trees surround the entire perimeter of the parcel. In addition, privet and redwood hedges

have been planted along the periphery of the site to provide additional privacy and visual screening. The property is also located on an inside curve of Hill Drive at the intersection of Hill Drive and Makin Grade such that it is almost completely surrounded by public rights-of-way (Hill Drive, Vista Drive, and Makin Grade). As a result of the property configuration, topography, and landscaping, the nearest residence with a partial view of the existing residence and proposed addition is located northeast of the subject property on Upper Toyon Drive, over 500 feet away, and almost 100 feet higher in elevation than the project site.

DESIGN REVIEW ANALYSIS:

On July 19, 2005, the Marin County Board of Supervisors adopted the Single-Family Residential Design Guidelines (Design Guidelines), which establish design standards for the development of new and enlarged single family homes in Marin County. The Design Guidelines emphasize appropriate site design and building envelopes, neighborhood compatibility, the reduction of visual bulk, and green building techniques. A more detailed discussion of these issues and the project's consistency with the adopted guidelines is provided below.

Site Design

The Design Guidelines emphasize the importance of the site design process to ensure that residential development is integrated with the natural environment, compatible with the surrounding neighborhood, and respectful of natural systems. Specifically, site design guidelines state that development should be sited to minimize the removal of trees and other vegetation (particularly native species), and to avoid impacts to streams and site drainage. In addition, grading should be kept to a minimum to preserve the natural terrain.

The proposed project has been designed to avoid the removal of any existing trees on the property. There is one existing 18-inch diameter oak tree which is sited between deck footings at the edge of the existing building footprint. However, this tree has grown horizontally away from the house at a sufficient angle to allow the framing of the lower level floor extension which would occur approximately seven feet above ground level in the vicinity of the tree. Therefore this oak would not be affected by the project and is proposed to remain. The proposed development has also been designed to result in a minimal amount of grading. Approximately 20 percent of the proposed additional living area would be created by filling in an existing understory area below the south terrace, which would not require grading or enlarge the existing building footprint. The new western wing of the residence, which would contain the remainder of the additional living area, has been sited to take advantage of the existing terrain where the site slopes down away from the residence. Construction in this area would result in approximately 300 cubic yards of excavation. However, the excavation associated with construction of this portion of the project would allow the lower level of the new wing to be located partially below grade, which would serve to reduce the visibility of the structure. Finally, it should be noted that there are no streams or other drainage courses on site which would be affected by the project.

Building Envelopes

The Design Guidelines encourage the use of upper level building "stepbacks" in order to maintain adequate space, light, and a sense of openness that complements the existing neighborhood character. As previously noted, the subject property is a large site (over 2 acres) that is almost completely screened from surrounding roadways and residences by an extensive amount of perimeter landscaping. As such, the proposed project would not in any way alter the exterior character of the site or adversely impact the sense of space, light, or openness between the property and adjacent roadways or homes. The proposed addition maintains large setbacks (100 feet or more) from most property lines. In addition, the western elevation of the new addition, which is the closest point of the addition to a property line (at 30.5 feet), has been designed to comply with the 20-foot height limit recommended for portions of structures within the "stepback zone". Finally, the upper floor of the new wing addition is a full floor level lower than the existing residence, resulting in a structure that steps up the hillside, as noted above.

Neighborhood Compatibility

One of the primary objectives of the Design Review process is to promote single-family residential development that is compatible with the existing neighborhood character. To that end, the Design Guidelines address the relationships between properties as well as the heights, lengths, and materials of walls, roof forms, fences and plantings. Overall, new development should be harmonious with the existing street setback pattern, with varied setbacks encouraged on hillside properties. New hillside development should be located to minimize interference with privacy between properties and views from adjacent residences. Finally, the location and design of garages, retaining walls, fences, mechanical equipment, and exterior lighting should respect the privacy, views, light, and noise effects on neighboring properties.

The property is located in an area that is generally characterized by sizable “estate” homes located on large (half acre or more) lots, which are typically well screened by mature landscaping and vegetation. As described above, the two-acre property is consistent with this character, and is almost completely screened from view by extensive perimeter plantings including mature oaks, acacias, bays and redwoods. As further described in the discussion of “Visual Bulk” below, the project has been designed and sited with careful consideration of the natural features of the site, incorporates setbacks, stepbacks, and building massing appropriate to its hillside setting, and would not interfere with existing views or privacy enjoyed by surrounding properties. Accordingly, the project would not result in adverse impacts on the visual character of the community.

The Design Guidelines also address house size as a measure of “neighborhood compatibility.” With respect to this issue, the document states that generally, the floor area of proposed development should not substantially exceed the median home size in the surrounding neighborhood. However, the guidelines recognize that the size of a home does not constitute the only factor in determining its compatibility with the community, and that site-specific factors including lot size, bulk and mass, topography, vegetation, and the visibility of proposed development should be taken into consideration.

An analysis of the 58 properties within 600 feet of the property indicates that the existing 8,965 square foot residence is already one of the largest homes in the Del Mesa Area (see Table 1 below and Attachment 11). Based on Assessor’s Office and Community Development Agency records, homes in the neighborhood of the project range from 1,372 to 9,175 square feet, with an average size of 4,117 square feet. However, the property is also one of the largest in the vicinity, and the fifth largest property of those surveyed, with more than twice the average land area. Given the unusually large size of the site, the existing 8,965 square foot home, with the proposed 5,155 square foot addition, combined with the existing accessory structures, would result in a total floor area ratio of 18.2 percent on the 87,555 square foot lot, which is consistent with the floor area ratio of several other properties in the community (15 percent of the properties surveyed have an FAR of more than 18 percent).

TABLE 1: Summary of Neighborhood Development Conditions

NEIGHBORING PROPERTIES (within 600 feet)	HOUSE SIZE (square feet)	LOT SIZE (square feet)	TOTAL FAR (including garage and accessory buildings)
Range	1,372 – 9,175	14,000 – 131,400	3.1% – 29.6%
Average	4,203	40,550	13%
Median	3,862	30,400	12.2%
Subject Property (proposed)	14,120	87,555	18.2%

Other important considerations regarding neighborhood compatibility include the building's impact to public and private views, its relationship to surrounding buildings, and its impact to the natural environment. As described previously, the property is unique in comparison to most nearby properties with respect to its extensive perimeter landscaping which provides almost complete screening for the existing residence and the proposed addition from public streets and surrounding properties. Accordingly, the project would have no or minimal impact to public and private views. Finally, as noted above, the project has been designed to avoid all tree removal, and to result in minimal grading, thus reducing impacts to the natural environment. For these reasons, staff finds that the project would be compatible with the existing neighborhood character despite its unusually large size.

Visual Bulk

The Design Guidelines contain a number of recommendations to reduce the visual bulk of structures and ensure that they are not visually prominent when seen from a distance. Buildings and roof forms should be broken into smaller parts to reduce visual bulk, particularly in visible hillside settings. Similarly, large expanses of unarticulated walls and excessive cantilevered elements should be avoided. On hillside lots, projects should be designed to take advantage of existing topography, tree clusters, and other natural features for screening. Finally, exterior materials and colors should blend with the natural setting, particularly if visible from off-site locations.

The proposed project complies with these recommendations in a number of ways. As described above, the proposed addition steps down the slope from the existing residence, with a maximum roof height that is 6.7 feet lower than the existing structure. In addition, the roofline has been divided into smaller segments such that the longest unbroken roofline is 29 feet in length, well within the 50-foot limit recommended in the Guidelines. Although the wing addition contains two levels of living area, approximately half of the lower floor would be sited below grade, where it would not contribute to the visual bulk of the structure, and there are no unbroken vertical walls on the addition that exceed a height of 20 feet. Furthermore, the portion of the additional living area created within existing understory area would not contribute to the visual bulk of the structure. Finally, and perhaps most importantly, the visual bulk of the proposed addition (as well as that of the existing residence) would not be visually prominent from off-site locations due to the size of the property and the extensive site landscaping noted above. There are several residences above the subject property along Upper Toyon Drive to the northeast which would have partial views of the roof of the new addition (blocked in part by the existing residence, which is higher than and located in front of the addition as viewed from that vantage point). However, these homes are located a significant distance from the subject property (over 500 feet) and well above the site in elevation (close to 100 feet). Furthermore, the view from these homes of limited portions of the roof of the new addition would be consistent with views of the existing residence as well as the other homes in the vicinity. It should be noted that during their review of the project, the view and visual impacts of the proposed project were considered by the Kentfield Planning Advisory Board, which concluded that, due to the location and unique setting of the property, the project would have no visual impact on surrounding neighbors or the greater Kentfield community.

Green Building Design

Finally, the Design Guidelines specify that the design of single-family residences should incorporate "green building" measures that promote energy efficiency and conservation. As described above, the proposed project has been designed to achieve Platinum-level compliance with the Marin County Green Building Residential Design Guidelines through a number of measures including the use of solar energy and water heating systems, Forest Stewardship Council certified wood and reclaimed lumber, the collection of roof drainage for landscape irrigation, and the installation of energy efficient windows and doors. The proposed photovoltaic energy system would consist of flush mounted panels mounted on the western facing roof of the new addition, where they would be completely screened from off-site locations by existing landscaping. Accordingly, the project would achieve the highest level of compliance with the guidelines related to green building measures.

Conclusion

Based on the analysis above, the proposed project would be consistent with the Single-Family Residential Design Guidelines as well as related policies of the Kentfield/Greenbrae Community Plan. Although the enlarged residence would be substantially larger than most homes in the vicinity, the total size of development relative to the size of the property would be consistent with other properties in the community. The proposed addition would be lower in height than the existing residence and would be almost completely screened from surrounding properties and off-site locations by extensive existing landscaping. Therefore, the project would not interfere with existing views or privacy enjoyed by surrounding properties and would have no impact on the visual character of the community. The project would not result in any tree removal, and would require only minor grading which would allow portions of the structure to be sited below grade without altering the natural terrain of the site. The proposed design incorporates setbacks, stepbacks, and other articulations that would reduce the visual massing of the structure and would blend well with the character of the existing residence and other homes in the surrounding community. Finally, the proposed project has been reviewed and approved by the Kentfield Planning Advisory Board and no adverse comments regarding the project have been received from nearby property owners.

RECOMMENDATION

Based on the analysis above and the attached recommended resolution, staff recommends that the Planning Commission review the administrative record, conduct a public hearing, and adopt the recommended Resolution approving the Douglas Design Review with the recommended conditions of approval.

- Attachments:
1. Recommended Resolution conditionally approving the Douglas Design Review
 2. CEQA Exemption
 3. Location Map
 4. Assessor's Parcel Map
 5. Site Plan
 6. Existing Floor Plans:
 - a. Existing Lower Level
 - b. Existing Main Level
 - c. Existing Upper Level
 - d. Existing Roof Plan
 7. Proposed Floor Plans:
 - a. Proposed Lower Level
 - b. Proposed Main Level
 - c. Proposed Upper Level
 - d. Proposed Roof Plan
 8. Existing Elevations:
 - a. Existing North and West Elevations
 - b. Existing South and East Elevations
 9. Proposed Elevations:
 - a. Proposed North and West Elevations
 - b. Proposed South and East Elevations
 10. Site Section
 11. Neighborhood Development Survey Information
 - a. Sorted by Existing House Size
 - b. Sorted by Lot Size
 - c. Sorted by Total Floor Area Ratio (proposed)
 12. Department of Public Works memo, dated 9/20/05
 13. Kentfield Fire Protection District memo, dated 8/31/05
 14. Marin Municipal Water District letter, dated 8/11/05
 15. Ross Valley Sanitation District letter, dated 8/3/05
 16. Kentfield Planning Advisory Board minutes of 8/10/05

MARIN COUNTY PLANNING COMMISSION

A RESOLUTION APPROVING WITH CONDITIONS THE DOUGLAS DESIGN REVIEW
ASSESSOR'S PARCEL 071-021-19
126 HILL DRIVE, KENTFIELD

SECTION I: FINDINGS

- I. WHEREAS, the applicant, Posard-Broek & Associates, on behalf of the owners, Kevin and Michelle Douglas, is requesting Design Review approval to construct an addition to an existing 8,965 square foot residence on the 2.01-acre property. The proposed project would add 5,155 square feet of additional living area to the residence, including a 3,087 square foot addition to the existing lower floor and a 2,068 square foot addition to the main floor of the building. Approximately 1,500 square feet of the existing structure would also be remodeled. The proposed two-story addition would attain a maximum height of 23 feet above existing grade and 26.3 feet above finished grade, with a maximum roof ridge height 6.7 feet lower than the existing residence. The proposed addition would be sited 30.5 feet from the nearest property line along Hill Drive, and over 100 feet from all other property lines. All exterior materials and colors are proposed to match the existing structure. The project has been designed to achieve Platinum-level compliance with the Marin County Green Building Residential Design Guidelines, including the use of solar energy and water heating systems. The subject property is located at **126 Hill Drive, Kentfield** and is further identified as **Assessor's Parcel 071-021-19**.

- II. WHEREAS, the Marin County Planning Commission held a duly noticed public hearing on October 24, 2005, to consider the merits of the project, and hear testimony in favor of, and in opposition to, the project.

- III. WHEREAS, the Marin County Planning Commission finds that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1, of the CEQA Guidelines because it entails the construction of additions to a single-family residence that would not result in tree removal, adverse grading, or other potentially significant impacts to the environment.

- IV. WHEREAS, the Marin County Planning Commission finds that the proposed project, as modified by conditions of approval, would be consistent with the goals and policies of the Marin Countywide Plan and the Kentfield/Greenbrae Community Plan as follows:
 - A. The proposed residential addition is consistent with permitted uses within the SF3 (Single-Family Residential, one unit per 1 to 5 acres) land use designation.

 - B. The project is consistent with the Countywide Plan's Ridge and Upland Greenbelt policies because the proposed addition attains a lower height than the existing residence, would be well screened by existing vegetation, would preserve all existing trees on the wooded site; and would not result in adverse visual effects to the surrounding area.

 - C. The project would not impact any streams or drainages, consistent with Countywide Plan's Stream Conservation Area policies.

 - D. The 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 result in a minor amount of grading (approximately 300 cubic yards) which would not be excessive for the moderately sloping property.

- F. The project would not result in significant impacts to existing drainage facilities, and the project would not expose people or property to significant flood hazards;
 - G. The project would not cause significant impacts on existing, available public services and utilities, such as water supply, police and fire protection, solid waste disposal, sewage disposal, schools, traffic and circulation, or other services.
- V. WHEREAS, the Marin County Planning Commission finds that the proposed project is consistent with the mandatory findings for a Design Review (Section 22.82.040 of the Marin County Code) and the design standards contained in the Single-Family Residential Design Guidelines as described below.

Site Design

As required by the Design Guidelines, the proposed project would be integrated with the natural environment, compatible with the surrounding neighborhood, and respectful of natural systems. The proposed development would not result in the removal of any existing trees on the site. The project has also been designed to result in a minimal amount of grading. Approximately 20 percent of the proposed additional living area would be created by filling in an existing understory area below the south terrace, which would not require grading or enlarge the existing building footprint. The new western wing of the residence has been sited to take advantage of the existing terrain where the site slopes down away from the residence. Construction in this area would result in approximately 300 cubic yards of excavation. However, this excavation would allow the lower level of the new wing to be located partially below grade, which would serve to reduce the visibility of the structure. Finally, there are no streams or other drainage courses on site which would be affected by the project.

Building Envelopes

The proposed project would not alter the exterior character of the site or adversely impact the sense of space, light, or openness between the property and adjacent roadways or homes. The proposed addition maintains large setbacks (100 feet or more) from most property lines. In addition, the western elevation of the new addition, which is the closest point of the addition to a property line (at 30.5 feet), has been designed to comply with the 20-foot height limit recommended for portions of structures within the “stepback zone”. The upper floor of the new wing addition is a full floor level lower than the existing residence, resulting in a structure that steps up the hillside. Finally, the proposed development would be almost completely screened from surrounding roadways and residences by an extensive amount of perimeter landscaping.

Neighborhood Compatibility

The property is located in an area that is generally characterized by sizable “estate” homes located on large (half acre or more) lots, which are typically well screened by mature landscaping and vegetation. The two-acre property is consistent with this character, and is almost completely screened from view by extensive perimeter plantings including mature oaks, acacias, bays and redwoods. Furthermore, the project has been designed and sited with careful consideration of the natural features of the site, incorporates setbacks, stepbacks, and building massing appropriate to its hillside setting, and would not interfere with existing views or privacy enjoyed by surrounding properties. Accordingly, the project would not result in adverse impacts on the visual character of the community. Although the proposed project would result in a residence that is substantially larger than the median home size in the surrounding neighborhood, the subject property is also more than twice the size of the average lot. Therefore, the proposal would result in a total floor area ratio (18.2 percent) that is consistent with the floor area ratios of several other properties in the vicinity. Furthermore, as noted above, the property is unique in comparison to most nearby properties with respect to its extensive perimeter landscaping which provides almost complete screening for the existing residence and the proposed addition from public streets and surrounding properties. Accordingly, the project would have no or minimal impact to public and private views. Finally, as noted above, the project has been designed to

avoid all tree removal, and to result in minimal grading, thus reducing impacts to the natural environment. For these reasons, staff finds that the project would be compatible with the existing neighborhood character despite its unusually large size.

Visual Bulk

The proposed project would conform with the Design Guidelines related to visual bulk. The proposed addition steps down the slope from the existing residence, with a maximum roof height that is 6.7 feet lower than the existing structure, and the roofline has been divided into smaller segments such that the longest unbroken roofline is 29 feet in length, well within the recommended 50 foot limit. Approximately half of the lower floor of the addition would be sited below grade, where it would not contribute to the visual bulk of the structure, and there are no unbroken vertical walls on the addition that exceed a height of 20 feet. Furthermore, the portion of the additional living area created within existing understory area would not contribute to the visual bulk of the structure. The visual bulk of the proposed addition would not be visually prominent from off-site locations due to the size of the property and the extensive existing site landscaping. Finally, the nearest residences with partial views of the project are located a significant distance from the subject property (over 500 feet) and well above the site in elevation (close to 100 feet), and the view from these homes of limited portions of the roof of the new addition would be consistent with views of the existing residence as well as the other homes in the vicinity.

Green Building Design

The proposed project has been designed to achieve Platinum-level compliance with the Marin County Green Building Residential Design Guidelines through a number of measures including the use of solar energy and water heating systems, Forest Stewardship Council certified wood and reclaimed lumber, the collection of roof drainage for landscape irrigation, and the installation of energy efficient windows and doors. The proposed photovoltaic energy system would consist of flush mounted panels mounted on the western facing roof of the new addition, where they would be completely screened from off-site locations by existing landscaping. Accordingly, the project would achieve the highest level of compliance with the guidelines related to green building measures.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW THEREFORE, BE IT RESOLVED that the Marin County Planning Commission hereby approves the Douglas Design Review subject to the following conditions:

Community Development Agency – Planning Division

1. Pursuant to Marin County Development Code Section 22.42, this Design Review approval authorizes the construction of 5,155 square feet of additions to an existing 8,965 square foot residence on the 2.01-acre property (including a 3,087 square foot addition to the existing lower floor and a 2,068 square foot addition to the existing main floor). The approval also authorized the remodeling of approximately 1,500 square feet of the existing structure. The approved two-story addition would attain a maximum height of 23 feet above existing grade and 26.3 feet above finished grade, with a maximum roof ridge height 6.7 feet lower than the existing residence. As approved, the addition would be sited 30.5 feet from the nearest property line along Hill Drive, and over 100 feet from all other property lines. The subject property is located at **126 Hill Drive, Kentfield** and is further identified as **Assessor's Parcel 071-021-19**.
2. Exterior materials and colors for the approved addition shall match the existing residence.
3. Except as modified by these conditions, the plans submitted for a Building Permit shall substantially conform to plans on file with the Marin County Community Development Agency identified as “Exhibit A,” entitled, “Douglas Residence,” consisting of 19 sheets prepared by Wendy Posard & Associates, submitted July 22,

2005.

4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these conditions of approval as notes.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance demonstrating that the project qualifies for a “Platinum” rating under the Marin Green Home: Remodeling Green Building Residential Design Guidelines. The Building Permit shall include specifications demonstrating compliance with all construction-related measures that are used to meet the “Platinum” rating.
6. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off site shall be permitted for safety purposes only, shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
7. BEFORE FOUNDATION INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper certification conduct a survey of the front property lines and install property line markers that can be readily verified by the Building and Safety Inspection staff to verify building setbacks and submit a written (stamped) confirmation to the Planning Division confirming that the staking of the property lines has been properly completed. In addition, it is recommended that the required setback lines be clearly marked by stakes similar to batter boards that are installed at the foundation corners. The requirement for new survey markers may be waived if proper survey markers already exist at the site and can be used by the Building and Safety Inspection staff to definitely measure building setbacks.
8. BEFORE ISSUANCE OF A BUILDING OR GRADING PERMIT for any work, 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.
9. BEFORE ISSUANCE OF A BUILDING OR GRADING PERMIT, the applicant shall submit a report prepared by a licensed arborist which certifies the adequacy of the protective fencing installed and which identifies additional mitigation measures, if necessary, for review and approval by the Community Development Agency, prior to commencement of grading or construction.
10. The applicant shall retain the services of a licensed arborist or landscape architect to inspect the project site during construction activities. All site development construction practices shall be in accord with the recommend guidelines contained in the required arborist’s report. 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.
11. 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.
12. 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.
 13. 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 (description of project being approved), for which action is brought within the applicable statute of limitations. This indemnification shall include, but not be limited to, damages, fees, and/or costs awarded against the County, if any, and the cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred in connection with such proceedings, whether incurred by the applicant/owner, the County, and/or the parties initiating or bringing such proceeding.
 14. 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.
 15. 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 "Platinum" rating under the Marin Green Home: Remodeling Green Building Residential Design Guidelines.

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

16. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit the following information and details on the Building Permit plans:
 - a. The plans must be reviewed and approved by a Registered Soils Engineer. Certification shall be either by the engineer's wet stamp and original signature on the plans, or by wet stamp and signed letter
 - b. A Registered Civil Engineer shall design the site/driveway retaining walls, drainage, and grading plans. Plans must have the engineer's original signature and wet stamp.
 - c. A separate Building Permit is required for site/driveway retaining walls with a height of more than 4 feet (or 3 feet when backfill area is sloped or has a surcharge).
 - d. Submit Erosion and Siltation Control plans. Plans shall indicate total acreage of site disturbance.

- e. Provide a drainage plan for the project.
- f. 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.
- g. An Encroachment Permit shall be required for construction within the road right-of-way.

Kentfield Fire Protection District

17. BEFORE FINAL INSPECTION, the applicant shall provide confirmation from the Fire Marshal that all requirements of the Kentfield Fire Protection District have been met.

Marin Municipal Water District

18. All landscape and irrigation plans must be designed in accordance with the most current District landscape requirements (Ordinance 385). Prior to providing water service for new landscape areas, or improved or modified landscape areas, the District must review and approve the project’s working drawings for planting and irrigation systems.

Ross Valley Sanitary District

- 19. If not already installed, the District requires that the side sewer be equipped with an appropriate backwater prevention device (e.g., Contra Costa valve, as warranted by the individual site conditions).
- 20. After the project is approved, the owner or contractor should contact the District to arrange for a District Inspector to approve the existing installation (or approve the plans for the proposed installation) of the backwater prevention device(s) and to make a record for the District’s files.

SECTION III: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT RESOLVED that the applicant must vest this Design Review approval by securing a Building Permit, performing substantial work, and incurring substantial liabilities in good faith reliance upon the permit by October 24, 2007, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date above and the Director approves it. Design Review extensions for a total of not more than four years may be granted for cause pursuant to MCC Section 22.82.130.

The Building Permit approval expires if the building or work authorized is not commenced within one year from the date of such permit. 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. If the Building Permit lapses after the vesting date stipulated in the Design Review approval (and no extensions have been granted), the Building Permit and Design Review approvals may become null and void.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Marin County Board of Supervisors. A Petition for Appeal and a \$700.00 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 the tenth calendar day following the date of the action from which the appeal is taken.

SECTION IV: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin, State of California, on the 24th day of October 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

STEVE C. THOMPSON, CHAIRPERSON
MARIN COUNTY PLANNING COMMISSION

Attest:

Kim Shine
Planning Commission Secretary