



MARIN COUNTY PLANNING DIVISION ADMINISTRATIVE DECISION			
Cox Carson Revocable Trust Design Review			
Decision:		Approved with conditions	
Date:		July 1, 2021	
Project ID No:	P3099	Applicant(s):	Carson Cox
		Owner(s):	Carson B. Cox Revocable Trust
		Assessor's Parcel No(s):	023-013-070
		Property Address:	43 Greenbrae Boardwalk, Greenbrae
		Project Planner:	Michelle Levenson, (415) 473-3615, mlevenson@ marincounty.org
		Signature:	<i>Michelle Levenson</i>
Countywide Plan Designation:		SF6, Single Family	
Community Plan Area:		Kentfield/Greenbrae	
Zoning District:		BFC-RSP, Residential, single family, planned, bayfront conservation combining district	
Environmental Determination:		CEQA Guidelines Section 15301, Class 1	

PROJECT SUMMARY

The applicant requests Design Review approval to elevate an existing single-family residence and construct 76 square feet of additions on a lot developed with a 1,273-square-foot single family residence in Greenbrae. The 76 square feet of development would result in a 26-percent floor area ratio on the 5,157-square-foot, dry-land portion of the lot. The residence would reach a maximum height of 27 feet above Mean Lower Low Water (MLLW) and the additions would maintain the following setbacks: 22 feet, 7 inches from the west, front property line; 51 feet, 9 inches from the east, rear property line, 4 feet, 5 inches from the north, side property line; and 23 feet, 10 inches for the west side property lines.

Design Review approval is required because the project involves new construction otherwise not exempt from Design Review pursuant to Marin County Code Regulation Section 22.42.020(A).

COUNTYWIDE PLAN CONSISTENCY

The proposed project is consistent with the Marin Countywide Plan (CWP) for the following reasons:

- A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.
- B. The proposed project would be limited to the footprint of an existing deck. No new Bay coverage is proposed with the project. The applicant must receive approval from state and federal wildlife and fisheries agencies prior to the start of construction. Permits from these agencies will contain provisions for in-water work associated with raising the structure to ensure that such activities would not affect special status species. Due to the scope and nature of the project, effects to special status species are not anticipated therefore the project is consistent with the CWP special-status species protection policy (BIO-2.2).
- C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, baylands, or woodlands.
- D. The project is consistent with the CWP wetland conservation policies (BIO-3.1) because the proposed development would be limited to the existing footprint and would not involve new fill or modifications to wetlands. There are no Stream Conservation Areas on or within the vicinity of the project site.
- E. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.
- F. The project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during review of the Building Permit application and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.
- G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during review of the Building Permit application.
- H. The project is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines and the natural environment from adverse impacts related to development.
- I. The project is consistent with CWP residential design policies and programs (DES-3.b and DES-4c) because it would fit within the context of the neighborhood, minimize the perception of mass and bulk, and comply with the Single-family Residential Design Guidelines.

COMMUNITY PLAN CONSISTENCY

The project site is subject to the Kentfield/Greenbrae Community Plan. The project is consistent with the community plan as the existing “single family residential neighborhood” would be preserved with the project.

DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for Design Review (Marin County Code Section 22.42.060)

- A. The proposed development complies with the Single-family Residential Design Guidelines, as applicable, the Multi-family Residential Design Guidelines, the characteristics listed in Chapter 22.16 (Discretionary Development Standards) and any applicable standards of the special purpose combining districts provided in Chapter 22.14 of this Development Code.**

The proposed project is consistent with the Single-family Residential Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources and the character of the local community. The Multi-family Residential Design Guidelines do not apply to this project as it involves additions and improvements to a single-family residence. The project's consistency with the standards and most pertinent to the subject property is discussed below. There are no standards provided in Chapter 22.14 that apply to the project.

The project site is located within a Bayfront Conservation Combining District. Consistent with the development standards contained in Marin County Development Code Section 22.14.060, the project would not result in the removal of vegetation, would be consistent with Title 23, Section 23.09 with respect to minimum development standards in identified flood plains, would not involve new Bay fill, and has been designed to minimize earth disturbance, erosion, flooding, water pollution and other hazards through careful project design and the implementation of best management practices during construction.

SITE PREPARATION: Development Standards J.1 through J.6; Design Guidelines A-1.2 through A-1.4

The project is located on piers in a tidal area at the confluence of Corte Madera Creek and the San Francisco Bay. The project is one of several FEMA Home Elevation Grant projects that involve raising structures vulnerable to flooding; in addition, the proposed project involves the construction of additions to the existing single-family residence. All additions proposed with the project would be located within the existing deck footprint and would not involve new Bay fill. No grading is proposed with the project and vegetation would not be removed with the project.

BUILDING LOCATION: Development Standards D.1 through D.4; Design Guidelines D-1.6

The project is not located within 300 feet horizontally or 100 feet vertically of a visually prominent ridgeline. The site is developed with two buildings, breaking up the massing of the development and the roof lines are varied and broken into smaller components.

PROJECT DESIGN: Development Standard I.1 and I.2; Design Guideline D-1.7

The elevated residence would reach a maximum height of 27 feet above Mean Lower Low Water (MLLW), below the 30-foot maximum height limit for the respective zoning district. The exterior materials would include vertical siding painted a darken hue and dark roofing material, ensuring the project harmonizes with its surroundings.

MASS AND BULK: Design Guidelines D-1.1 through D-1.5

The visual bulk of the project has been minimized by providing a series of small roofing components rather than a long, linear unbroken roof line.

EXTERIOR LIGHTING: Development Standard G; Design Guideline C-1.11

Any exterior lighting proposed with the project would be required to be directed downward and shielded to avoid casting glare into the night sky or onto nearby properties.

LANDSCAPING AND VEGETATION REMOVAL: Development Standard F; Design Guideline A-1.1

No vegetation would be removed with the project.

ACCESS: Development Standard C; Design Guidelines A-1.5

No modifications to driveways or roads are proposed with the project.

NEIGHBORHOOD COMPATABILITY: Design Guidelines B-1.1, C-1.1 through C-1.3, C-1.7

The surrounding area is comprised of a mix of architectural styles, with variety in the bulk, massing and height amongst the neighboring single-family residences. The proposed project would be consistent with the key design principles of the Single-family Residential Design Guidelines as the project incorporates the use of small roofing components and exterior materials that would be blend in and be compatible with the surrounding neighborhood.

B. The proposed development provides architectural design, massing, materials, and scale that are compatible with the site surroundings and the community.

As discussed above, the massing of the project has been designed to include a series of roofing components to minimize the visual bulk of the structure. The residences surrounding the project are a mix of styles, with a variety of bulk and massing. The floor area ratio that would result with the project is comparable to that of other residences in the vicinity due to the constrained lot sizes and the County's requirement to calculate floor area based on the dry lot area rather than the total lot area.

C. The proposed development results in site layout and design that will not eliminate significant sun and light exposure or result in light pollution and glare; will not eliminate primary views and vistas; and will not eliminate privacy enjoyed on adjacent properties.

The proposed additions at the rear of the residence would involve enclosing and raising an existing patio area and converting the area to floor area. Special Condition 2(a) has been included below which will ensure that the height of the rear addition does not eliminate significant sun and light exposure, or primary vistas and views enjoyed by neighboring properties.

D. The proposed development will not adversely affect and will enhance where appropriate those rights-of-way, streetscapes, and pathways for circulation passing through, fronting on, or leading to the property.

The project site is located entirely within the owner's property and within a previously improved area. Therefore, the project will not encroach onto adjoining private properties, public lands, public easements, trails and right-of-way.

E. The proposed development will provide appropriate separation between buildings, retain healthy native vegetation and other natural features, and be adequately landscaped consistent with fire safety requirements.

The proposed additions have been sited to provide adequate distances from the property lines as well as adjoining residential development on neighboring properties. No vegetation would be removed with the project.

ACTION

The project described in condition of approval 1 below is authorized by the Marin County Planning Division and is subject to the conditions of project approval.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

CONDITIONS OF PROJECT APPROVAL

CDA-Planning Division

This Design Review approval authorizes the elevation of an existing single-family residence and construction of 76 square feet of additions on a lot developed with a 1,273-square-foot single family residence in Greenbrae. The 76 square feet of development shall result in a 26-percent floor area ratio on the 5,157-square-foot, dry-land portion of the lot. The residence shall reach a maximum height of 27 feet above Mean Lower Low Water (MLLW) and the additions shall maintain the following setbacks: 22 feet, 7 inches from the west, front property line; 51 feet, 9 inches from the east, rear property line, 4 feet, 5 inches from the north, side property line; and 23 feet, 10 inches for the west side property lines.

1. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Carson Cox, 43 Greenbrae Boardwalk, Unit A," consisting of 12 sheets, received in final form on March 29, 2021, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
 - a. The plans submitted for the project building permit shall show a modified roof design at the rear of the residence in the area of the addition such that the roof is either hipped or is reduced in height by a maximum of 2 feet.
2. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2021" with respect to all of the standard conditions of approval and the following special conditions: 3 (exterior lighting), 4 (waiver of public liability), 10 (evidence of other agency permitting), and 11 (floor elevation certificate).

VESTING

Unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within three years of the date of the approval shall expire and become void. The permit shall not be deemed vested until the permit holder has actually obtained any required Building Permit or other construction permit and has substantially completed improvements in accordance with the approved permits, or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval.

RIGHT TO APPEAL

This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision (July 13, 2021).

cc: *{Via email to County departments and Design Review boards}*

CDA – Assistant Director
CDA – Planning Manager
DPW – Land Development
County Fire, CSA 19
Marin Municipal Water District

Attachment:

1. Marin County Uniformly Applied Conditions 2021
2. Public comment