MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

# RESOLUTION NO. \_\_\_\_\_\_\_\_

## A RESOLUTION APPROVING THE HODHES COATAL PERMIT AND DESIGN REVIEW

## VACANT LOT ON CHURCH STREET, TOMALES

## ASSESSOR’S PARCEL: 102-100-01

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SECTION I: FINDINGS

1. **WHEREAS**, Mariah Hodges, on behalf of the owners, Melissa Omand and Benjamin Hodges, has submitted Coastal Permit and Design Review applications for the construction of a new 1,548 square foot residence with 748 square foot garage on a vacant lot in Tomales. The applicant also proposes a 1,198 square foot structure to be used as an Accessory Dwelling Unit (ADU) and a Coastal Permit for a new septic system. The new development would consist of 3,689 square-feet of total building area and 2,954 square-feet of total floor area, which would result in a floor area ratio of 0.005 percent on the 13.26-acre lot. Various site improvements would also be entailed in the proposed development, including a driveway, fire hydrant and landscaping. The proposed project includes 400 cubic yards of grading, which would be balanced on site. The proposed residence would reach a maximum height of 20.75 feet above grade and the proposed garage would reach a maximum height of 12.5 feet above grade. The residence and garage would have the following setbacks: 210 feet from the northern front property line; 580 feet from the western side property line; 670 feet from the eastern side property line; and, 150 feet from the southern rear property line. The proposed ADU would reach a maximum height of 15.75 feet above grade and the exterior walls would have the following setbacks: 90 feet from the northern front property line; 820 feet from the western side property line; 520 feet from the eastern side property line; and, 300 feet from the southern rear property line. The property is on a vacant lot on Church Street in Tomales and is further identified as Assessor’s Parcel 102-100-01.
2. **WHEREAS**, on February 24, 2022, the Marin County Deputy Zoning Administrator held a duly noticed public hearing to take public testimony and consider the project.
3. **WHEREAS**, the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3, because it entails a new residence, ADU and other site improvements on vacant lot, that would not result in potentially significant impacts to the environment because the developed is not proposed near sensitive habitat.
4. **WHEREAS,** WHEREAS, the project is consistent with the goals and policies of the Marin Countywide Plan for the following reasons:
	1. 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.
	2. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide habitat for special-status species of plants or animals.
	3. 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.
	4. The project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and CWP BIO-4.1) because the proposed development would not encroach into any Stream Conservation Areas or Wetland Conservation Areas.
	5. 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.
	6. 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.
	7. 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.
	8. 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.
	9. 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
5. **WHEREAS, the proposed project is consistent with the Tomales Community Plan for the following reasons:**
	1. The project is consistent with the Community Development and Land Use policy related to views and community character (C-TOM-1) because it is designed with a height, scale, and design that is compatible with the character of the surrounding environment, and because the structures would follow the natural contours of the site, and would also be clustered in the most accessible and geologically stable, and the least visually prominent portion of the site. Further, the project would not obstruct significant views or occupy ridgelines.
6. **WHEREAS,** the project is consistent with the mandatory findings for Coastal Permit approval (Marin County Local Coastal Program, Implementation Plan Section 22.70.070).
	1. Coastal Access. The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Coastal Access section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.180 (Public Coastal Access). Where the project is located between the nearest public road and the sea, a specific finding must be made that the proposed project, as conditioned, is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act (commencing with Section 30200 of the Public Resources Code)

The project is consistent with the Land use Plan (LUP) public coastal access policies (C-PA-2, C-PA-15 and C-PA-16) and this finding because the project site is not located near a coastal bluff or beach access, and therefore, would not interfere or impact existing coastal access.

* 1. Biological Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Biological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.050 (Biological Resources).

The project entails the construction of a new residence with garage, ADU, septic system, driveway and other associated development. As indicated on the constraints map, Sol Ecology identified seasonal wetlands and a creek with riparian habitat on the western portion of the property. These could constitute an Environmentally Sensitive Habitat Area (ESHA). Therefore, the site plan in Exhibit A, delineated a 100-foot buffer from the wetland and riparian habitat. As proposed, the septic system is at least 130 feet from the seasonal wetland and the main residence is more than 200 feet away from the seasonal wetland. Therefore, the project is consistent with the LUP biological polices associated with ESHA and wetland buffers (C-BIO-3, C-BIO-18, C-BIO-19, C-BIO-23, and C-BIO-24).

According to the data on file in the Marin County Geographic Information System, the property is located in an area with the potential for Baker’s larkspur, a perennial herb. Baker’s larkspur is an endangered species under the Endangered Species Act. According to United States Fish and Wildlife, habitat for the Baker’s larkspur occurs on decomposed shale in the mixed woodland plant communities of Marin in moderately moist soil. The occurrence of the species in the Tomales area was documented in 1923, but it is now believed to be extirpated. The project site does not include decomposed shale or woodland plants and does not include development near moist soils. Therefore, the project is consistent with the LUP C-BIO-3 as it would not result in the removed of a unique plant community.

The project is consistent with the LUP biological resources policies for the protection of natural transition and connection associated with streams, wetlands, and coastal dunes (C-BIO-1, C-BIO-2, C-BIO-3, C-BIO-7, C-BIO-8, C-BIO-14, C-BIO-23) and this finding because the project would not substantially alter the margins along environmentally sensitive habitat areas including riparian corridors, wetlands, baylands, woodlands, or coastal dunes where none currently exist on the project site or development is located over 100 feet away. Further, the project would not entail the irreplaceable removal of groves of trees that provide wildlife nesting and roosting areas.

* 1. Environmental Hazards. The proposed project, as conditioned, is consistent with the applicable policies contained in the Environmental Hazards section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.060 (Environmental Hazards).

On July 13, 2021, the Board of Supervisors voted to activate the certified Local Coastal Program (LCP) Amendments. All portions of Marin’s LCP Amendments have been approved by the Board ofSupervisors and certified by the Coastal Commission with the exception of chapters related toenvironmental hazards, which remain the subject of on-going work and public input. As a result, those sections of the original versions of the LCP, certified by the Coastal Commission in 1980 (Unit I) in 1981 (Unit II) and the Marin County Interim Code Sections 22.56.130I.H, 22.56.130I.K, and 22.56.130I.L still apply to environmental hazards and are further discussed in the Interim Code section of this report.

* 1. Agriculture and Mariculture. The proposed project, as conditioned, is consistent with the applicable policies contained in the Agriculture and Mariculture sections of the Marin County Land Use Plan and the applicable agricultural and maricultural standards contained in Chapter 22.32.

The subject property is zoned C-ARP (Coastal, Agricultural, Residential Planned). The purpose of the C-ARP zoning district is to preserve productive lands for agricultural use through the clustering of allowed development. Within the C-ARP zoning district residential uses are principally permitted. The subject property is an approximately 13.26-acre site, located within the Tomales LCP village limits and is approximately 200 feet from the Tomales commercial core. The applicant has sited the proposed development in such a way that it is clustered in one general area, leaving open areas for agricultural uses after the completion of construction.

The subject property has not been identified as an agricultural preserve, under a Marin Agricultural Land Trust Contract, or include Prime Farmland Soil. According to the data on file in the Marin County Geographic Information System, the western portion of the property is identified as Farmland of State Importance. This area has been identified by Sol Ecology as a riparian habitat and no disturbance is proposed in this area by the proposed project. For these reason, the project is consistent with Marin County Code Chapter 22.32 and section 22.65.050.

* 1. Water Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Water Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.080 (Water Resources).

The applicant provided a preliminary grading and drainage plan that was reviewed by the Department of Public Works and found to be acceptable. The project is consistent with the LUP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff that would adversely affect the quality of coastal waters (C-WR-1, C-WR-2, C-WR-3, C-WR-6) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.

* 1. Community Design. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Design section of the Marin County Land Use Plan and the applicable standards contained in Chapter 22.64.100 (Community Design).

The neighborhood surrounding the project site is rural in nature with the community of Tomales immediately to the northeast. The subject property is in the transitional area between the small lots found in downtown Tomales and the larger agricultural properties found in the surrounding area. The surrounding structures are a mix of one- and two-story structures. The proposed structures are one story, ranging in height from 12.5 feet to 20.75 feet, which is well below the maximum height of 25 feet is allowed per the C-ARP zoning district. Additionally, the project site is not located near a visually prominent ridgelines nor would the development affect visual resources. The project would not disrupt significant views of the ocean or scenic coastal areas because it is not highly visible from public viewing areas. While the project site is not within the historic area boundary for Tomales, the project would be consistent in scale, design and materials to the surrounding community. Therefore, the project is consistent with the LUP community design policies to protect visual resources and compatible design (C-DES-1, C-DES-2, and C-DES-3).

* 1. Community Development. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Development section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.110 (Community Development).

The project site is located within the LCP village limits of Tomales, west of Shoreline Highway and south of Dillion Beach Road. The project entails the construction of a new residence, garage, ADU and associated site improvements consistent with the governing agricultural residential zoning district, C-ARP (Coastal, Agricultural Planned) and Land Use Policy C-CD-2. Consistent with Land Use Policy C-CD-1 the project site has access to the available public services without causing significant impacts to coastal resources.

* 1. Energy. The proposed project, as conditioned, is consistent with the applicable policies contained in the Energy section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.120 (Energy).

The project would be required to satisfy all energy-saving standards as required by the County’s Building and Safety Division prior to the issuance of a building permit. Therefore, the project is consistent with the LUP energy policies (LUP Policies EH-2.1, EH-2.3, and CD-2.8) and this finding because it would be constructed in conformance with County energy efficiency standards, as verified during review of the Building Permit application.

* 1. Housing. The proposed project, as conditioned, is consistent with the applicable policies contained in the Housing section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.130 (Housing).

The proposed project would not result in the removal or demolition of low and/or moderate-income housing. Therefore, the project is consistent with the LUP housing policies to address low- and moderate-income housing needs in the Coastal Zone (LUP Policies C-HS-1) because the project does not entail the demolition of existing deed restricted affordable housing and would not affect the available housing stock in the surrounding community.

* 1. Public Facilities and Services. The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Facilities and Services section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.140 (Public Facilities and Services).

The subject property has two wells, together they meet the minimum pumping rate of 1.5 gallons per minute for the residence and ADU. The water produced in the wells would be required to meet Environmental Health Services standards for safe drinking water.

The project includes the construction of a new septic system for use by the residence and ADU. The septic system design has been reviewed by the Environmental Health Services Division staff. The applicant must ensure that prior to issuance of a building permit, the project meets all Environmental Health Services Division requirements. Therefore, the project is consistent with this finding.

* 1. Transportation. The proposed project, as conditioned, is consistent with the applicable policies contained in the Transportation section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.150 (Transportation).

The project site is currently accessed from the public right-of-way of Church Street and would not entail any alterations or impacts to existing roadway facilities or public parking facilities. Therefore, the project is consistent with the LUP transportation policies (C-TR-1 and C-TR-2) and this finding because the project would not entail result in impacts to the scenic quality of Highway 1.

* 1. Historical and Archaeological Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Historical and Archaeological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.160 (Historical and Archaeological Resources).

The project site is not located within any designated historic district boundaries as identified in the Marin County Historic Study for the Local Coastal Program. The applicant provided a Cultural Resource Evaluation prepared by Archaeological Resource Services. The report noted that no impacts would occur to the adjacent property that has been placed on the National Register of Historic Places by the United States Department of the Interior. Therefore, the project is consistent with the LUP historical and archaeological resources polices (C-HAR-2, C-HAR-8) and this finding because the project site is not located within any mapped historic district boundaries and would not affect historical, archaeological, or paleontological resources.

* 1. Parks, Recreation, and Visitor-Serving Uses. The proposed project, as conditioned, is consistent with the applicable policies contained in the the Parks, Recreation, and Visitor-Serving Uses section of the Marin County Land Use Plan and the applicable standards contained in Section 22.64.170 (Parks, Recreation, and Visitor-Serving Uses).

The project is consistent with LUP policies for coastal recreation and visitor-serving and local-serving facilities (C-PK-1 and C-PK-4) and this finding because the project is located entirely on the subject property and would not adversely affect existing access to existing visitor and local serving amenities.

1. **WHEREAS,** the project is consistent with the mandatory findings for Coastal Permit approval pursuant to Marin County Interim Code Sections 22.56.130I.H, 22.56.130I.K, and 22.56.130I.L.
	1. **Dune Protection (Marin County Interim Code Section 22.56.130I.H)**

The property is located in the town of Tomales. There are no natural dunes in the development area or in the immediate surrounding area.

* 1. **Shoreline Protection (Marin County Interim Code Section 22.56.130I.K)**

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone.

* 1. **Geologic Hazards (Marin County Interim Code Section 22.56.130I.L)**

The project entails the construction of a new residence and ADU on a vacant lot. There are no known active faults that cross the project site; however, the site be may potentially subject to geologic hazards. The Marin County Community Development Agency, Building and Safety Division will require seismic compliance with the California Building Code prior to issuance of a project building permit. However, as the project is potentially subject to geologic hazards and to further ensure compliance with the LCP, a condition of approval, Marin County Uniformly Applied Conditions 2022, Special Condition Number 4, herein requires the owners to execute and record a waiver of public liability for the project holding the County of Marin, other governmental agencies and the public harmless because of loss experienced by geologic activities.

1. **WHEREAS,** the project is consistent with the mandatory findings for Design Review approval (Marin County Code Section 22.42.060).

**A.** The proposed development complies with either the Single-family or Multi-family Residential Design Guidelines, as applicable, the characteristics listed in Chapter 22.16 (Discretionary Development Standards) and 22.32.168 (Tidelands), as well as any applicable standards of the special purpose combining districts provided in Chapter 22.14 of this Development Code.

There are no standards provided in Chapter 22.14 that apply to the project and the development would not occur within a tidelands area. The proposed project is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources or the character of the local community. The project’s consistency with the standards and guidelines most pertinent to the subject property is discussed below.

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

The development is not located in an area that is constrained by unusual geotechnical hazards. As indicated on sheet C2 of Exhibit A the subject property includes a stream and wetland conservation area. The project is designed to avoid these areas and other sensitive habitat. Additionally, Exhibit A includes a grading plan, drainage plan, and an erosion and sediment control plan. These plans would ensure that construction activities would minimize sediment releases and erosion.

The project would result in approximately 400 cubic yard of cut and fill that would be balanced on site and would not result in any off haul. Much of the property would remain undeveloped in a natural state and no trees are proposed to be removed.

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

The residence and ADU are located close in proximity to each other; therefore, would not conflict with future agricultural uses. The property is not located within the Ridge and Upland Greenbelt (RUG) area and is not located on a visually prominent ridgeline.

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

The proposed residence will be 20.75 feet in height and detached garage will be 12.5 feet above grade consistent with the 25-foot height limit and 15-foot height limit established by the C-ARP-5 zoning district. The proposed ADU would reach a maximum height of 15.75 feet above grade as allowed by Marin County Code section 22.20.060 because the structure is over 40 feet from all property lines. The proposed building materials would include a vertical wood sliding (hardieplank or corten) with an oiled cedar trim. The proposed roofing material consists of composition shingle in gray.

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

Consistent with Design Guideline D-1.1, the project utilizes detached buildings to break up the visual appearance of bulk and mass. Additionally, the mass and bulk of the proposed structures is broken up by varying roof forms and all structures are one story tall. The proposed development is not located on a steep hillside and therefore, does not include hillside design elements.

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

The selected light fixtures complement the architectural design of the residence and are shielded and pointed downward so light is not cast upward. Lighting is located under overhangs.

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

The project site includes annual grasses, and the project would not result in any tree removal. The applicant is not proposing any additional landscaping; this takes into account the natural setting of the land and future open areas for agricultural purposes.

**ACCESS:** Development standard C; Design Guidelines A-1.5

The project site is accessible via Church Street. From Church Street the applicant is proposing a new driveways with turnouts and firetruck turnarounds. The Department of Public Works has reviewed the proposed driveway for compliance with Title 24 of the Marin County Code. Additionally, the driveway will be required to comply with State fire safety regulations.

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

The neighborhood surrounding the project site is rural in nature with the community of Tomales immediately to the northeast. The subject property is the transitional area between the small lots found in downtown Tomales and the larger agricultural properties found in the surrounding area. The proposed development is proportional to the character of the surrounding built environment in that only a small portion of the property is proposed to be developed, with the remainder of the property proposed to be preserved and retained in its natural state or for agricultural uses.

The project would be consistent with the key design principles of the Single-family Residential Design Guidelines in that the residence would maintain adequate setbacks from surrounding properties to preserve adequate space, light, and a sense of openness between properties. The materials proposed to be utilized in construction of the structures are aesthetically compatible with the residences in the surrounding neighborhood.

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

The proposed project includes the construction of a residence, garage, ADU and site improvements, including a driveway and firetruck turnaround. The project site consists of a vacant grassy lot which is accessed via Church Street. The properties to the north includes a residence and a church with a cemetery. The properties to the south and west are large lots used for agriculture. The properties to the east are residential in nature.

The architectural design, massing, materials and scale of the proposed residence is compatible with the neighborhood and natural environment, which is comprised of a mixture of lot and housing sizes. As proposed, the residence would be a maximum of 20.75 feet in height from the natural grade and the ADU would be 15.75 feet in height from the natural grade. The proposed development includes modest one-story structures developed with the community character in mind.

**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 project would not adversely impact sun and light exposure, views, vistas and privacy to adjacent properties due to the location of the residence, the size of the property, the topography of the site, and the location of the developed structures on the adjacent 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.**

Rights-of-way and pathways for circulation will not be impacted, because the project is located entirely on the property. A garage and driveway would be added for the purposes of onsite parking. Most of the project site would remain unchanged and would not district from the streetscape.

**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 project would maintain an adequate separation from the neighboring residences and would continue to retain healthy native vegetation and provide opportunities to meet fire safety requirements.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED that the project described in condition of approval 1 is authorized by the Marin County Deputy Zoning Administrator and is subject to the conditions of project approval.

This planning permit is an entitlement to apply for construction permits, not a guarantee that they can be obtained, and it does not establish any vested rights. 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.

SECTION III: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Hodges Coastal Permit and Design Review subject to the conditions as specified below:

CDA-Planning Division

1. This Coastal Permit and Design Review approval authorizes the construction of a new 1,548 square foot residence with 748 square foot garage, and 1,198 square foot structure on a vacant lot in Tomales. The approved development shall consist of 3,689 square-feet of total building area and 2,954 square-feet of total floor area, which shall result in a floor area ratio of 0.005 percent on the 13.26-acre lot.

The approved residence shall reach a maximum height of 20.75 feet above grade and the approved garage shall reach a maximum height of 12.5 feet above grade. The residence and garage shall have the following setbacks: 210 feet from the northern front property line; 580 feet from the western side property line; 670 feet from the eastern side property line; 150 feet from the southern rear property line.

The ADU shall reach a maximum height of 15.75 feet above grade and the exterior walls shall have the following setbacks: 90 feet from the northern front property line; 820 feet from the western side property line; 520 feet from the eastern side property line; 300 feet from the southern rear property line.

1. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled “Hodges Omand Residence,” consisting of 14 sheets prepared by Mariah Hodges and Erickson Engineering Inc, received in final form on November 30, 2021 and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
2. Unless a public emergency services provider recommends otherwise or unique circumstances necessitate a change, the street address for the residence shall be 21 Church Street.
3. The project shall conform to the Planning Division’s “Uniformly Applied Standards 2022” with respect to all of the standard conditions of approval and the following special conditions: 4, 8, and 9.

SECTION IV: VESTING

NOW THEREFORE, BE IT RESOLVED that 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.

SECTION V: APPEAL RIGHTS

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County 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 8 business days from the date of this decision (March 8, 2022).

SECTION VI: ADOPTION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 24th day of February 2022.

 Immanuel Bereket

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Michelle Reed

DZA Recording Secretary