

MARIN COUNTY PLANNING COMMISSION

**RESOLUTION NO. PC21-004
A RESOLUTION APPROVING THE MARIN HOSPITAL DISTRICT AMBULATORY
SERVICES BUILDING DESIGN REVIEW AND TREE REMOVAL PERMIT
250 BON AIR ROAD, GREENBRAE
ASSESSOR'S PARCELS 022-010-37 AND 022-060-22**

SECTION I: FINDINGS

1. **WHEREAS**, the applicant, Mr. Pietro Martinez, on behalf of Marin Hospital District, requests Design Review and Tree Removal approval to construct: (1) a five-story, 100,000-square-foot Ambulatory Services Building (ASB) with a ground-level footprint totaling approximately 20,000 square feet; (2) a six-level parking structure with a ground-level footprint totaling approximately 20,000 square feet, which would be constructed adjacent to the existing parking structure on an existing surface parking lot (the parking structure would displace 75 at grade parking stalls and provide 417 replacement parking stalls); and (3) a pedestrian bridge spanning Schultz Drive and connecting the parking structures with the ASB, which leads directly to the ASB lobby.

The proposed ASB would reach a maximum height of 72 feet above the surrounding grade, and the rooftop parapet screening the rooftop equipment would reach a maximum height of 86 feet above the surrounding grade. The exterior walls of the ASB would be located over 100 feet from all property lines. The parking structure would measure approximately 57 feet six inches to the sixth level parking deck. It would be topped with an approximately 12 foot six inch high solar array partially covering the roof parking area. As measured to the solar array cover, the parking structure would measure approximately 70 feet above the surrounding grade, and the exterior walls would have the following setbacks: 70 feet from the western front property line and over 100 feet from all other property lines.

The pedestrian bridge would consist of mainly steel and concrete and would span a distance of approximately 140 feet from the proposed parking structure to the second level of the proposed ABS, with a 16-foot clearance from the grade below. It would be 12 feet in width and would be painted white to match the color scheme throughout the hospital campus. Other improvements would also be entailed in this phase, including site grading (roughly 2,300 cubic yards of cut and 1,000 cubic yards of fill) to accommodate the new parking garage and ASB, tree removal, on- and off-site landscaping, lighting, and wayfinding and identification signs. Landscaping would feature a combination of a variety of ground cover shrubs, ornamental trees, and maple trees, which and would be planted on-site as well as in a planting strip between the sidewalk and Bon Air Road, as well as and the median on Bon Air Road. The project would remove trees that are located on areas where the proposed garage and ASB would be constructed. Additionally, trees that are in fair to poor health throughout the campus parking lot would be removed and replaced with native trees. A total of 71 trees would be removed, of which five are marked as protected/heritage trees. Of those five protected/heritage trees, only two qualify as being in "good" and "fair health" and require replacement. The project will exceed this requirement by providing a total of 21 new trees, including Coast Live Oak, Redwood and Western Redbuds.

The property is located at 250 Bon Air Road, Kentfield, further identified as Assessor's Parcel 022-010-37 and 022-060-22.

2. **WHEREAS**, the Marin Healthcare District adopted an EIR and subsequent addenda to the EIR prepared by the consulting firm Environmental Science Associates, which incorporated mitigation measures into the project. A second EIR addendum was completed in April 2015, which addressed modifications made to the project in 2015. As modified by the EIR addenda, all mitigations will be implemented by the Marin Healthcare District as approved.

3. **WHEREAS**, on December 14, 2020, the Marin County Planning Commission held a duly noticed public hearing to take public testimony, considered the project, and continued the application to a future Planning Commission hearing.

4. **WHEREAS**, on March 8, 2021, the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider the project, and continued the application to a future Planning Commission hearing.

5. **WHEREAS**, on April 24, 2021, the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider the project.

6. **WHEREAS**, the project is consistent with the goals and policies of the Marin Countywide Plan for the following reasons:

- A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because it would not entail the irreplaceable removal of a substantial number of mature, native trees. As documented in the arborist report prepared by Urban Forestry Associates, Inc., dated December 15, 2019, seven protected trees are located within the area of disturbance for the proposed ASB. An unhealthy Coastal Live Oak (*Quercus agrifolia*) and a dead Cypress (*Chamaecyparis obtusa*) will be removed and replaced. The remaining trees will be provided with protection measures during construction.
- B. 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.
- C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because it would not substantially alter the margins along riparian corridors, wetlands, bay lands, or woodlands.
- D. 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.
- 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 the Building Permit review process, 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 the 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 public facilities and design policies and programs (DES 4.b, DES 4.c) because it would fit within the context of the site's institutional use and minimize the perception of mass and bulk.

7. **WHEREAS**, the project is consistent with the goals and policies of the Kentfield/Greenbrae Community Plan. The Community Plan contains "Conservation and Development Standards," of which number 7 (page III-47) applies specifically to Marin General Hospital. "Modifications to Marin General Hospital should be permitted within the following guidelines:

- A. The hospital facility should continue to provide comprehensive medical services for Marin County.
- B. Building mass should be minimized visually by controlling the size and location of new structures to conform to the terrain. Views from the surrounding single-family neighborhoods, Creekside Park, and the Corte Madera Creek bicycle path should be protected.
- C. The garden on the southwest side of the hospital should be preserved if possible.
- D. Ample on-site parking must be provided both during and after construction.
- E. The lower parking lot should be improved with proper leveling, drainage, and landscaping such that 50% of the paved area will be shaded at mid-day within 15 years of planting."

The proposed project relates only to policies 7 A, B, D, and E. The proposed project would be consistent with Policy A because the development and construction management plan have been specifically prepared to minimize disruption of medical services and maintain an adequate provision of parking during the construction.

The proposed garage and ASB would be consistent with Policy B because both structures utilize the prevailing architectural design language expressed in the hospital

campus development. The proposed ASB would be situated on the north side of the hospital's central/east wings and would face Bon Air Road. The window arrangements create relief patterns in the facades and further connect the proposed building to the hospital campus. The proposed ASB building is comparable with the hospital's existing development regarding overall size, height, and form.

Similarly, the proposed hillside garage would not only be attached to the existing hillside garage, but it would also be identical in height, bulk, and mass. Two sides of the garage would be screened from surrounding areas by the existing garage to the east and the retaining wall along the hillside façade. Views of the garage from Bon Air Road will also be screened by existing landscape and vegetation.

The project would also be consistent with Policy D because the proposed garage would be constructed next to the existing garage and in an area that was previously graded for surface parking. The proposed garage would displace 150 at grade surface parking stalls while providing 432 replacement parking stalls (417 in the parking structure and the remaining at grade parking). Construction of the proposed garage would address on-site parking shortfalls for patients, visitors, and staff at Marin General Hospital and reduce parking-related problems in the surrounding neighborhood by providing substantial additional on-site parking near the hospital entrance ASB. Further, it is necessary to build the proposed parking garage because the ASB building will remove existing surface parking spaces. Upon completion, the hospital will provide parking as envisioned on the hospital campus redevelopment plan, which was evaluated in the District's EIR.

The hospital campus would not be able to fully meet Policy E above partially due to existing underground utilities that limit landscaping opportunities and partially due to site constraints in that it is not possible to provide additional landscaping on the paved surface area without permanently removing surface parking and rerouting pedestrian pathways. According to the applicant's analysis, reviewed and confirmed by DPW, strict adherence to Policy E would require permanent removal of at least 37 parking stalls, which would be converted into planters for new trees. This would also require the relocation of existing utilities currently running under the site and serving the hospital, further complicating this project while forcing more hospital users to travel farther from the parking structures. The applicants proposed a solution that would replace the interior parking lot trees that are all generally in poor health with new Coast Live Oaks and implementing a tree management plan to encourage mature growth and larger canopy coverage. This proposal brings the project into general conformance with this policy.

8. **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, and the design and locational characteristics listed in Chapter 22.16 (Planned District Development Standards).

Neither of the Residential Design Guidelines applies to the project because it is institutional in nature. However, the project is consistent with the Planned District

Development Standards because it is designed to avoid adversely affecting natural resources or the local community's character.

The proposed ASB would be situated on the north side of the hospital's central/east wings and would face Bon Air Road. It would provide pedestrian entrances from the surface parking lot facing Bon Air Road and a proposed garage via a pedestrian bridge. All four elevations would feature dual-pane glazed windows, stucco wall finishes, and decorative shading louvers. A curtain-wall element spanning levels three to five at the south, east and west elevations is provided to add architectural interest, similar to the main Hospital Replacement Building and West Wing Addition. The exterior colors and materials are designed to be integrated well into the rest of the campus architectural program. The ASB would be five-stories tall and would be similar in height to the other hospital structures on site.

The proposed six-level parking garage would be attached to the existing garage and would be identical in height, bulk, and mass. Two sides of the garage would be screened from view from surrounding areas by the existing garage to the east and the retaining wall along the hillside (north) façade. The south elevation would be more visible, but mainly from the hospital campus, and the north elevation would be visible from Bon Air Road as well as the hospital campus. The entire north elevation would feature aluminum louvers screening the exterior wall of the garage. The louvers would also assist in screening the interior light from the garage visible from the surrounding area.

A pedestrian bridge is proposed to connect the garage to the ASB. The bridge will be made of steel and concrete and would connect at the second level, turn. It will be painted in white color to mimic the rest of the hospital color scheme.

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

As discussed above, the proposed ASB would be situated on the north side of the hospital's central/east wings and would face Bon Air Road. The proposed bulk, mass, and materials reflect the prevailing architectural design features expressed in the hospital campus development. The window arrangements create relief patterns in the facades and further connect the proposed building to the hospital campus. The ASB building is compatible with the hospital's existing development regarding overall size, height, and form.

Similarly, the proposed hillside garage would not only be attached to the existing hillside garage, but it would also be identical in height, bulk, and mass. Two sides of the garage would be screened from surrounding areas by the existing garage to the east and the retaining wall along the hillside façade. Views of the garage from Bon Air Road will also be screened by existing and previously mandated tree plantings along the Bon Air Road frontage. Due to the site's steep slope and the location of the garage in a topographic bowl, the development would be appropriate for the site.

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 ASB building will feature tinted low-emissive dual-pane glazing windows, wall finishes and decorative shading louvers. As a medical office building, the ASB will not be a 24-hour facility. It will typically be open from 7:00 a.m. to 7:00 p.m. Any light pollution during after-hours will be minimal and mainly caused by custodial staff. Most of the offices facing Bon Air Road will be outfitted with shading devices on the interior face (i.e., mecho shades). In addition, the ASB will be LEED Platinum certified, where natural daylighting is encouraged and, due to the orientation, this north face is the ideal location for indirect daylight via the glass curtain wall.

Due to the garage's location and orientation on the site, coupled with the distance to other properties surrounding the site, it would not obstruct any views from the surrounding area or affect sun exposure or privacy enjoyed on neighboring properties. The proposed garage is predominately shielded by the existing garage and the hillside facing the nearby residences. The entire north elevation facing Bon Air Road will be fitted with louvers to minimize light glare. Only minor lighting in parking areas will be added as part of this project. Existing site lighting will be removed within the footprints of the proposed structures. The only new lighting to the site will be the building perimeter lighting and lighting to the adjacent garage drop-off round-about.

Further, standard conditions of approval require all exterior lights to be downward directed to avoid unnecessary light pollution. Therefore, the project will not result in development that infringes upon the views, air, light, and privacy currently enjoyed by the surrounding neighbors.

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 ASB and garage would be functionally integrated with the rest of the hospital campus while also being adequately separated from surrounding properties because the hospital campus is surrounded by wooded hillsides to the east and south and by Bon Air Road and Corte Madera Creek to the west. As a result, views from buildings on surrounding properties towards the ASB and Garage would be screened by the topography, existing development, and existing and proposed vegetation.

In addition, the overall hospital campus redevelopment proposal includes landscaping on the campus and along the frontage of the property, providing screening and visual/seasonal interest to the entire campus. The most visible area of landscaping would be along the Bon Air Road frontage, as it is the primary entrance to the hospital, and the areas separating the uphill residences from the garage. Previous Planning Commission approvals allowed tree removal with a replacement plan to further enhance on- and off-site pedestrian experience. To continue the same landscape design along the entire Bon Air frontage and improve the streetscape, a condition of approval is imposed requiring additional trees be planted in the landscaping strip between the sidewalk and the street.

The current project would also enhance access by providing a covered bridge between the ASB and the garage. This will minimize interference with vehicular circulation. Additionally, previous approvals include significant off-site improvements, including a mid-block crossing, landscaping in the median located along Bon Air Road, ADA compliant path of travel from the existing bus stops to the proposed hospital entrances. A condition of approval requires that bollards or other directional devices be placed at the exit, leading vehicles to exist right to prevent potentially hazardous left-hand turns out of the exit.

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 will alter views to the campus from off-site locations. Both the ASB and the garage would be visible from Bon Air Road and Corte Madera Creek to the west. Landscaping required by previous approvals, and also required as a condition of approval of this application, would adequately screen the project from off-site locations. As documented in the partial revised landscape plan submitted on November 11, 2020, existing underground utilities have been mapped, and the landscape plan has been adjusted to account for the underground utilities. This revised landscape plan would ensure that a row of trees would be planted in a landscaping strip between the sidewalk and Bon Air Road, but allow the spacing of those trees to be more informal to avoid unnecessary conflicts with underground utilities. The landscape plan would now include root barriers to eliminate intrusions to the underground utilities while protecting the trees' health and well-being. All tree-wells along Bon Air Road, as well as on campus where underground utilities exist, would be fitted with solid walls and geotextile wrapped lightweight fill at the bottom to prevent root intrusions to the sidewalks and the underground utilities. Landscaping along the Bon Air Road frontage would consist of 24-inch box Big Leaf Maple and Coast Live Oak trees, spaced approximately 25 feet apart. Additional landscape, consisting of 24-inch Coast Live Oak, Redwood trees, and shrubs, would be provided in the area currently occupied by construction trailers, which front Bon Air Road.

Although the proposed structures are adequately separated from buildings on surrounding properties because the campus is surrounded by wooded hillsides to the east and south and Bon Air Road and Corte Madera Creek to the west, additional landscaping along Bon Air Road is necessary to further screen the proposed project. In particular, large trees such as Big Leaf Maple, Live Oak and Red Maple trees enhance the site and reduce off-site impacts to neighboring properties. Installation of root barriers would ensure the safety of the underground utilities while providing adequate protection for the trees to flourish to maturation. Once fully grown, the large trees would screen the hospital from off-site locations. With this modification, the proposed project will be harmonious with the site's institutional character in that the proposed structures will be functionally integrated and connected to the hospital campus.

9. **WHEREAS**, the project is consistent with the mandatory findings for Tree Removal Permit approval (Marin County Code Section 22.62.050).

In considering a Tree Removal Permit application, the decision authority may only grant approval or conditional approval based on a finding that removal of the tree(s) is necessary for the reasonable use and enjoyment of land under current zoning regulations and Countywide Plan and Community Plan (if applicable) policies and programs, taking into consideration the following criteria:

A. Whether the preservation of the tree would unreasonably interfere with the development of land.

Tree removal is necessary to accommodate the proposed garage and ASB. A total of 71 trees will be removed, of which five are designated as protected/heritage trees. Of those five protected/heritage trees, only two trees are classified as being in "good" to "fair health" and require replacement. The project replaces the five protected heritage trees with 21 new trees (including 11 oaks and ten western redbuds), with 15 western redbuds replacing landscape parking lot trees (outside of ASB the project boundary). Overall, the project will provide additional 36 trees planted throughout the campus. Additionally, as conditioned herein, the project would provide additional landscaping along the Bon Air Road frontage.

B. The number, species, size and location of trees remaining in the immediate area of the subject property.

The hillside around the hospital would continue to have a substantial number of native trees, which would be protected from damage by the EIR mitigation measures that are incorporated into the project, such as installing tree protection fencing. Further, all replacement trees will be native trees. As conditioned herein, the project will provide 36 trees planted throughout the campus as well as landscaping along the Bon Air Road frontage. The project will also provide additional landscape once the construction trailers are removed.

C. The number of healthy trees that the subject property can support.

A total of 36 trees are proposed with the current scope of work, and the majority of those trees would be native. It is unlikely that the site can support more trees than what is proposed without becoming overcrowded and compromising woodland health. Because this is the last phase of the campus redevelopment plan, it is prudent that the applicants ensure all trees are in good health at the conclusion of the construction. To ensure the landscape plan is implemented as previously conditioned, and as modified herein, conditions of approval require that the applicant replaces any tree deemed in poor health with Coast Live Oak trees. Implementation of this conditional of approval would further preserve and maintain trees throughout the campus once construction is completed.

D. The topography of the surrounding land and the effects of tree removal on soil stability, erosion, and increased runoff.

The erosion control plan, drainage improvements, stormwater treatment features, and additional landscaping would ensure that stability, erosion, and runoff would be adequately addressed.

E. The value of the tree to the surrounding area with respect to visual resources, maintenance of privacy between adjoining properties, and wind screening.

Installation of the proposed landscaping plan, as modified herein, and tree replacement would minimize the adverse effects of the tree removal to the surrounding area and enhance the screening of development.

F. The potential for removal of a protected or heritage tree to cause a significant adverse effect on wildlife species listed as threatened or endangered by State or Federal resource agencies in compliance with the California Environmental Quality Act (CEQA).

The proposed tree removal was evaluated in the project EIR, and feasible mitigation measures have been incorporated into the project by the applicant to reduce the environmental impacts from the tree removal to a less than significant impact.

G. Whether there are alternatives that would allow for the preservation of the tree(s), such as relocating proposed improvements, use of retaining walls, use of pier and grade beam foundations, paving with a permeable substance, the use of tree care practices, etc.

Alternative locations for the parking and ASB were evaluated in the project EIR and subsequent EIR addendum, but were considered to have greater impacts on the community than the proposed project. In particular, locating the garage and surface parking lot on the hillside screens it from public view, whereas locating it next to Bon Air Road would adversely affect the character of the local community.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED that the project described in condition of approval 1 is authorized by the Marin County Planning Commission 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.

SECTION III: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Planning Commission hereby approves the Marin Hospital District Design Review subject to the conditions listed below.

CDA-Planning Division

1. This Marin Hospital Design Review approval authorizes the construction of (1) a five-story, 100,000-square-foot Ambulatory Services Building (ASB) with ground-level footprint totaling approximately 20,000 square feet; (2) a six-level parking structure with a ground-level footprint totaling approximately 20,000 square feet, which would be constructed adjacent to the existing parking structure on an existing surface parking lot. The parking structure would displace 75 at grade parking stalls and provide 417 replacement parking stalls; and (3) a pedestrian bridge spanning Schultz Drive and connecting the parking structures with the ASB and leads directly to the ASB lobby.

The proposed foot ASB would reach a maximum height of 72 feet above the surrounding grade, and rooftop equipment screening parapet would reach a maximum height of 86 feet above the surrounding grade. The exterior walls would provide over 100 feet of setback from all property lines. The parking structure would measure approximately 57 feet six inches to the sixth level parking deck, and an approximately 12 feet six inches high solar array will partially roof parking area. As measured to the solar array cover, the parking structure would measure approximately 70 feet above surrounding grade, and the exterior walls would have the following setbacks: 70 feet from the western front property line and over 100 feet from all other property lines.

Other improvements would also be entailed in this phase, including site grading (roughly 2,300 cubic yards of cut and 1,000 cubic yards of fill) to accommodate the new parking garage and ASB, tree removal, on- and off-site landscaping, lighting, and wayfinding and identification signs. Landscaping would feature a combination of a variety of ground cover shrubs, ornamental trees, native maple trees, which and would be planted on-site as well as around the perimeter of the property and the median on Bon Air Road. (The project will remove mostly existing parking lot trees that are in fair to poor health where the future ASB & garage footprints will be. A total of 71 trees will be removed, of which five are marked as protected/heritage trees. Of those five protected/heritage trees, only two qualify in "fair health" and require replacement. The project will exceed this requirement by providing a total of 21 new trees, including 11 oaks & ten western Redbuds.)

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Ambulatory Service Building," consisting of 95 sheets prepared by Perkins Eastman LBL, McCarthy Building Companies, KPFF Consulting Engineers, SWA, and Mazetti, received in final form on July 1, 2020, and November 11, 2020, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
 - a. The landscape plan shall incorporate all previously approved landscape plans, as well as modifications included the revised partial landscape plans submitted on November 11, 2020. Specifically, the applicant shall submit a comprehensive revised landscaping plan, illustrating landscaping in the entire length of the strip located between the sidewalk and the street, along Bon Air Road, south of the main access up to the point where the existing Redwood trees are growing.
 - b. Landscaping in the entire length of the strip located between the sidewalk and the street, along Bon Air Road, shall be a combination of 24-inch box Coast Live Oak and Big Leaf Maple, and shall be fitted with root barrier features as detailed in the revised landscape plan submitted on November 11, 2020.

- c. Landscaping shall be provided in the area currently occupied by construction trailers, which front Bon Air Road. Landscaping shall consist of a combination of 24" Coast Oak, Redwood trees, and shrubs.
- d. All landscaping shall be maintained by a permanent automatic irrigation sprinkler system.
- e. Any unimproved rights-of-way contiguous with the property shall be landscaped by the applicant and incorporated into the required landscape plan.
- f. Prior to issuance of a certificate of occupancy of whichever structure is built last, the applicant shall have all trees throughout the campus inspected by a licensed arborist. All trees generally deemed in poor health shall be removed and replaced with a similar native tree. In addition, the applicant shall implement a tree management plan to encourage mature growth and larger canopy coverage. This shall be submitted concurrent with the building permit for the current project. The applicant shall submit a report from the arborist verifying that this condition has been satisfied.
- g. The applicant shall construct a raised curve and other directional devices to prevent left-turns out of the hospital's exit south of the ASB onto Bon Air Road, as depicted on plans submitted on March 18, 2021. The construction shall meet the standards specified by the Department of Public Works.
- h. The proposed pedestrian bridge shall be provided with a continuous roof and enclosures that offer protection from inclement weather.
- i. The traffic circle shall be appropriately signed to make it clear that there is only one-way traffic direction.

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 Board of Supervisors. 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.

SECTION VI: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin held on this 26th day of April 2020 by the following vote:

AYES: MARGOT BIEHLE, MARGARET CURRAN, CHRISTINA L. DESSER, DON
DICKENSON, DAVID PAOLI, PETER THERAN

NOES: NONE

ABSENT: NONE



CHRISTINA L. DESSER, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:



ANA HILDA MOSHER
PLANNING COMMISSION SECRETARY