

**MARIN COUNTY UNIFORMLY APPLIED CONDITIONS
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS**

2021

STANDARD CONDITIONS

1. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.
2. The applicant/owner shall defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin, and shall cooperate fully in the defense.
3. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.
4. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

SPECIAL CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.

3. 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 consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or 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.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the "Disclosure Statement Concerning Agricultural Activities," as required by Section 23.03.050 of the Marin County Code.
6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.
7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A

report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.
11. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building's finished floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.
12. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in "Exhibit A" unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
13. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.
14. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California's Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.
15. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all the approved and required landscaping has been completed and that any necessary irrigation has been installed.
16. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.
17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and

compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

CODE ENFORCEMENT CONDITIONS

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

WHEN FILED MAIL TO:

**Marin County Community Development
Agency, Environmental Review Division
3501 Civic Center Drive, #308
San Rafael, Ca 94903**

Attn: Don Allee

THIS SPACE FOR RECORDER'S USE ONLY

NOTICE OF CEQA EXEMPTION

November 19, 2021

1. **Project Name:** **Molesworth-Siedman Coastal Permit (P3266)**

2. **Project Location:** 440 Birch Road, Bolinas (APN: 192-091-32)

3. **Project Summary:**

Project involves construction of residential addition and installation of a septic system on a developed lot in Bolinas.

4. **Public Agency Approving Project:** Community Development Agency

5. **Project Sponsor:** Andrew Alexander Green

6. **CEQA Exemption Status:** CEQA Guidelines section 15301, Class 1(e)(2)

7. **Reasons for Exemption:**

The project can be found categorically exempt from environmental review under the California Environmental Quality Act, pursuant to Section 15301(e)(1), which exempts additions to existing structures, such as a residential addition, provided that the addition will not result in an increase of more than 50 percent of the structures before the addition, of 2,500 sq. ft. whichever is less. Therefore, the project is consistent with this exemption from CEQA and no further environmental review is required.

Project Planner:

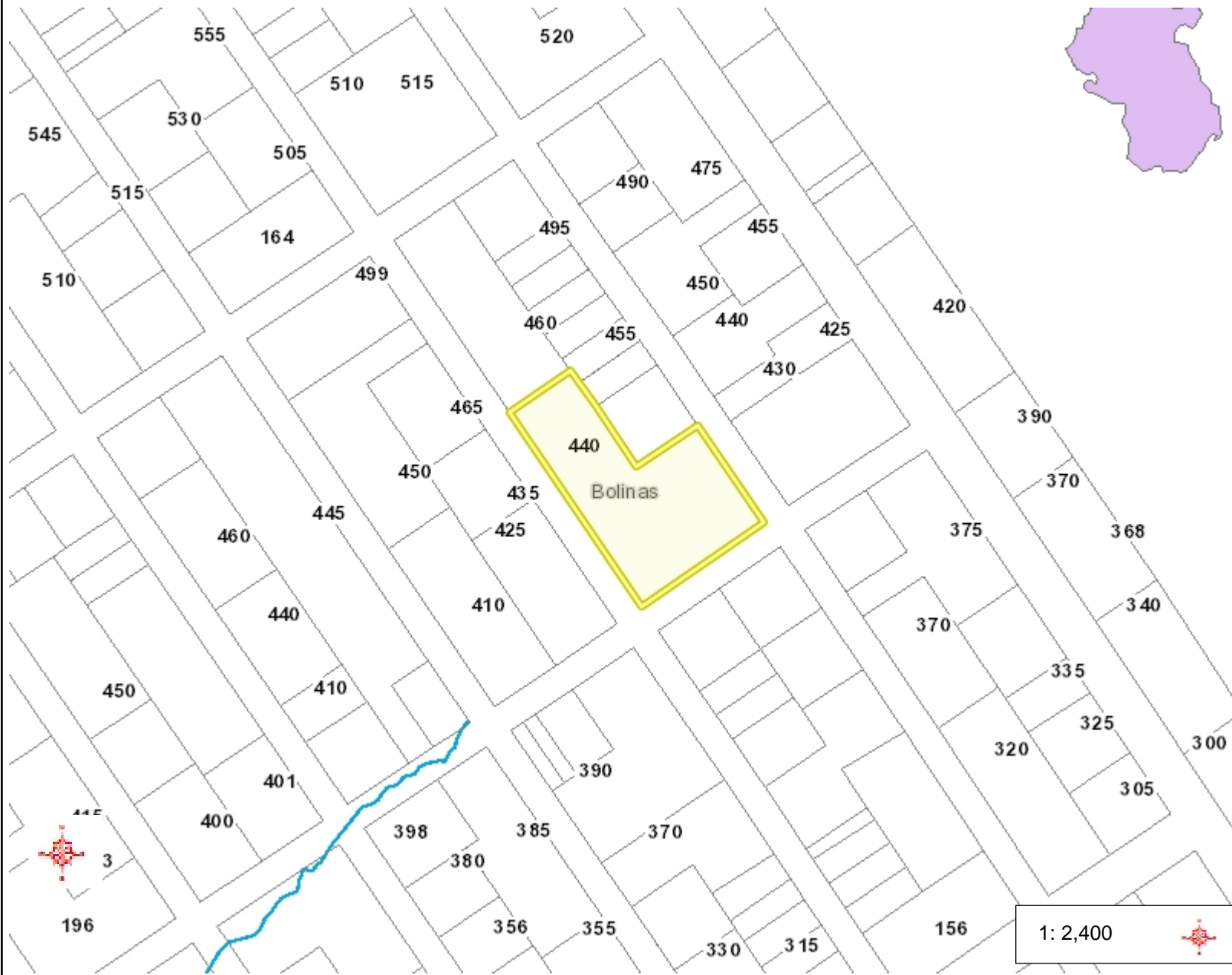


Immanuel Bereket
Senior Planner

Reviewed by:

Rachel Reid
Environmental Planning Manager

Vicinity Map
0 Birch Road, Bolinas (APN: 192-091-32)



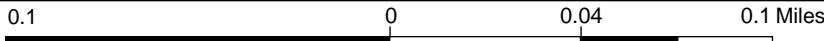
Legend

- Condominium Common Area
- Mobile Home Pad
- City
- Community
- Marin County Legal Boundary
- Other Bay Area County
- Ocean and Bay
- Address
- Parcel Secured
- Stream - Perennial
- Stream - Intermittent
- Stream - Ephemeral
- Channel, Canal, Ditch
- Tidal Channel
- Canal Ditch
- Canal Ditch - Stormwater
- Tidal Engineered Channel

Waterbody (NHD)

- Estuary
- Lake/Pond
- Reservoir
- Stream/River
- Swamp/Marsh
- <all other values>

1: 2,400



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT SURVEY ACCURATE

Notes

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - First Transmittal

DATE: August 10, 2021DUE: August 17, 2021**TYPE OF DOCUMENT**TO: Immanuel Bereket DESIGN REVIEWFROM: Ali Iqbal COASTAL PERMITAPPROVED:  LAND DIVISIONRE: Molesworth-Siedman VARIANCEP3266 USE PERMITAPN: 192-091-32 ADU PERMITADDRESS: 440 Birch Road ENVIRONMENTAL REV.Bolinas, CA OTHER:

Department of Public Works Land Use Division
has reviewed this application for content and:

Comments Included (Inc.) or
Attached (Att.) from other DPW
Divisions:

- Find it **COMPLETE**
 Find it **INCOMPLETE**, please submit items listed below
 Find it **NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM**

Traffic
 Flood Control
 Other: _____

Merit Comments**Prior to Issuance of a Building Permit:**

- Grading & Drainage Plans:** Provide the following information on the drainage and grading plan: Plan shall show and label all existing and proposed drainage features and improvements. Sheet C2.1 only shows proposed drainage, not existing.

-END-

INTERDEPARTMENTAL TRANSMITTAL
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES
 ROOM 236, 473-6907
Second Transmittal

DATE: September 2, 2021

TYPE OF DOCUMENT

TO: Immanuel Bereket, Senior Planner

DESIGN REVIEW

FROM: Gwendolyn Baert, Senior REHS

LAND DIVISION

RE: Molesworth-Siedman Coastal Permit

USE PERMIT

Project ID P3266

VARIANCE

AP#: 192-091-32

MASTER PLAN

ADDRESS: 440 Birch Rd., Bolinas

COASTAL PERMIT

LOT LINE ADJ.

OTHER

THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:
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WATER

SEWAGE

SOLID WASTE

POOLS

HOUSING

FOOD ESTABLISHMENT

THIS APPLICATION IS FOUND TO BE:

FIND IT COMPLETE.

FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.

FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.

RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.

1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency's standards.
With the supplemental test data submitted on 9/1/21, it has been determined that there is sufficient information to support a 4-bedroom septic design.
2. If the application does not contain enough information for you to determine whether the project can readily comply with your agency's standards, please list the information that you will need to make this determination. **N/A**
3. If the application contains sufficient information for your review, please indicate whether the project is feasible as proposed or needs substantial modifications to comply with your agency's standards.
It appears that the project is feasible as proposed.
4. If the project needs to be substantially modified to comply with your agency's standards, please describe the scope of those modifications. **No modifications necessary.**

Bereket, Immanuel

From: Jennifer Blackman <jblackman@bcpud.org>
Sent: Monday, August 30, 2021 5:58 PM
To: Bereket, Immanuel
Subject: RE: Molesworth-Siedman Coastal Permit, Project ID P 3266

Hi Manny:

Thanks for checking in, I apologize for neglecting to update you on August 20th as I had said I would. The BCPUD Board considered this project at its most recent regular meeting on August 18, 2021. The Board found that the project has the potential to increase water use at the property, so the Board approved a limited water use permit, which provides that maximum water use cannot exceed 2,700 cubic feet per quarter, or approximately 224 gallons per day. There were no public comments on the coastal permit application. Please let me know if you have any questions or would like more information.

Best regards,

Jennifer

Jennifer Blackman
General Manager
Bollinas Community Public Utility District
270 Elm Road
P.O. Box 390
Bollinas, California 94924
(415) 868-1224

From: Bereket, Immanuel [mailto:IBereket@marincounty.org]
Sent: Monday, August 30, 2021 10:17 AM
To: Jennifer Blackman
Subject: RE: Molesworth-Siedman Coastal Permit, Project ID P 3266

Hi Jennifer,

Any update on this application?

Thank you
Manny

From: Jennifer Blackman <jblackman@bcpud.org>
Sent: Thursday, August 5, 2021 5:02 PM
To: Bereket, Immanuel <IBereket@marincounty.org>
Subject: Molesworth-Siedman Coastal Permit, Project ID P 3266

Hi Manny:

I received notice today of the above-referenced permit application and the County's request for written comments from public agencies by August 17, 2021. I am writing to let you know that the next meeting at which our Board of Directors is able to consider this permit application will take place on August 18, 2021. I therefore anticipate that I will be able to provide you with our district's written comments by no later than August 20, 2021.

Please let me know if you have any questions or would like to discuss this, thanks!

Jennifer

Jennifer Blackman
General Manager
Bollinas Community Public Utility District
270 Elm Road
P.O. Box 390
Bollinas, California 94924
(415) 868-1224

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>