



**MARIN COUNTY PLANNING DIVISION  
ADMINISTRATIVE DECISION  
Motlagh Design Review**

**Decision:** **Approval**  
**Date:** **July 28, 2021**

Project ID No:	P3197	Applicant(s):	Habib Motlagh
		Owner(s):	Habib and Rebecca Motlagh
		Assessor's Parcel No(s):	074-082-43
		Property Address:	240 Hillside Drive, Kentfield
		Project Planner:	Jeremy Tejirian (415) 473-3798 Jtejirian@marincounty.org
		Signature:	<i>Jeremy Tejirian</i>
Countywide Plan Designation:		SF 4 (Single-family Residential)	
Community Plan Area:		Kentfield/Greenbrae	
Zoning District:		R1:B3 (Single-family Residential)	
Environmental Determination:		Exempt per CEQA Guidelines section 15303	

**PROJECT SUMMARY**

The applicant requests Design Review approval to legalize an existing detached carport on a developed lot in Kentfield. The detached carport reaches a maximum height of 23 feet above surrounding grade and 9 feet above the floor level of the parking structure. The exterior walls have the following setbacks: more than 100 feet from the southern front property line; 10 feet from the western side property line; more than 50 feet from the eastern side property line; 3.8 feet from the northern rear property line.

Design Review approval is required for the accessory structure because the carport is located within the required yard setbacks as outlined in Marin County Code Section 22.20.090.C.1.b.

**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 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 the project would not substantially alter the margins along riparian corridors, wetlands, baylands, 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 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 proposed project is consistent with the Kentfield/Greenbrae Community Plan policies related to subarea I for the following reasons:

- A. The project would meet all height and setback standards identified in the Conservation and Development Standards.
- B. The project would meet all access and parking standards, as verified by the Department of Public Works during Building Permit review.
- C. The project would be adequately landscaped in conformance with Community Appearance and Amenities standards.

## **DEVELOPMENT CODE CONSISTENCY**

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

The project would be consistent with the mandatory findings for Design Review approval for the reasons discussed below.

- A. The proposed development is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources and the character of the local community. Further, the exterior materials proposed for the development would complement the project design and the surrounding area. There are no standards provided in Chapter 22.14 that apply to the project.
- B. The proposed architectural design, massing, and scale of the project are compatible with the site surroundings and the community. Further, a standard condition of approval requires that exterior lighting installed for the project be unobtrusive to surrounding properties.
- C. The proposed site layout and design avoids eliminating sunlight, blocking primary views, or invading the privacy enjoyed on surrounding properties.
- D. The proposed development would not encroach into any streets or pathways and would not detract from the appeal of the streetscape.
- E. The proposed development would provide appropriate separation between buildings, retain healthy native vegetation and other natural features, and be adequately landscaped consistent with fire safety requirements.

## **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**

1. This Design Review approval legalizes an existing carport on a developed lot in Kentfield. The detached carport reaches a maximum height of 23 feet above surrounding grade and 9 feet above the floor level of the parking structure. The exterior walls have the following setbacks: more than 100 feet from the southern front property line; 10 feet from the western side property line; more than 50 feet from the eastern side property line; 3.8 feet from the northern rear property line.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Carport Legalization for Habib and Rebecca Motlagh," consisting of three sheets prepared by F&G Design and Drafting Services, received in final form on June 9, 2021, and on file with the Marin County Community Development Agency.
3. 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: Code Enforcement Conditions 1, 2, and 3.

## **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 (August 10, 2021).

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

CDA – Assistant Director  
CDA – Planning Manager  
CDA – Code Compliance: Erin Yattaw  
DPW – Land Development  
Marin Municipal Water District  
Ross Valley Sanitary District  
Kentfield Fire Protection District  
Kentfield Planning Advisory Board  
Sean Kennings, 269 Corte Madera Ave, Corte Madera, CA 94925

### **Attachments:**

1. Marin County Uniformly Applied Conditions 2021
2. DPW Land Development Department comments, received 6-29-2021
3. Glasgo comments, received 6-27-21
4. Monti comments, received 6-26-21
5. Todd comments, received 6-26-21