

MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION
Diane K. Panagotacos Revoc Trust Design Review

Decision:	Approved
Date:	January 13, 2023

Project ID No:	P3727	Applicant(s):	Miki Hirai
		Owner(s):	Diane K. Panagotacos Revoc Trust & Diane K. Panagotacos Trust
		Assessor's Parcel No(s):	074-142-07
		Property Address:	644 Goodhill Rd., Kentfield
		Project Planner:	Erin Yattaw 415-473-3535 eyattaw@marincounty.org
		Signature:	<i>Erin Yattaw</i>

Countywide Plan Designation:	SF3 (Rural, Residential)
Community Plan Area:	Kentfield
Zoning District:	RSP-1 (Residential Single-Family, Planned)
Environmental Determination:	CEQA Guidelines Section 15301, Class 1

PROJECT SUMMARY

The applicant requests Design Review approval to construct new additions to the residence totaling 822 square feet and a carport conversion and addition totaling 225 square feet on a developed lot in Kentfield. Eight hundred and twenty-four square feet of the total 1,047 square feet of proposed development would be floor area that would result in a floor area ratio of 10 percent on the 46,411 square foot lot. The proposed building would reach a maximum height of 19 feet, 4 inches above surrounding grade and the exterior walls would have the following setbacks: 81 feet, 9 inches from the western front property line; 127 feet, 7 inches from the northern side property line; 37 feet, 1 inch from the southern side property line; 57 feet, 9 inches from the eastern rear property line. Various site improvements would also be entailed in the proposed development, including the renovation of an existing rear deck.

Design Review approval is required pursuant to Marin County Code Section 22.42.020.A because the project is proposed within a Planned zoning district.

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

Kent Woodlands Land Use Policy Report

The proposed project is consistent with the Kent Woodlands Land Use Policy Report for the following reasons:

- A. The project is consistent with the stream protection policies in the Environmental Quality section, including Policies EQ 1.1, 1.2, 3.1, 4.1, 6.1, because it would not affect natural drainage networks that provide wildlife corridors, avoid stream buffer areas, and minimize the potential for erosion and sedimentation.
- B. The project is consistent with the tree preservation policies in the Environmental Quality section, including Policies EQ4.1, 5.1, and Community Development Policy CD1.10 because it would preserve native woodlands and the habitats they support, any trees that are removed would be replaced on site, and landscaping consists of primarily native plant species that are compatible with the natural setting.
- C. The project is consistent with natural topography Policy E.Q. 7.1 because it would minimize grading and high retaining walls by generally aligning development to follow the natural contours on the site.
- D. The project is consistent with the Community Development Policies related to natural site amenities and characteristics, including CD 1.1 and CD 1.2, because it would preserve hillsides, ridges, stands of mature native trees, rock outcroppings and other natural features.
- E. The project is consistent with the Community Development Policies related to compatible architectural design, including Policies CD 1.3, CD 1.4, CD 1.5, because the development would meet the setbacks for the R1:B3 zoning district, the residence would not exceed a height of 30 feet and the garage would not exceed a height of 15 feet, and outdoor activity areas would not be located too close to bedrooms in neighboring residences.
- F. The project is consistent with the Community Development Policies related to ridgeline and hillside development, including Policies CD 1.6 and CD 1.7, because the site is not located on a visually prominent ridgeline and the development would be designed to minimize the apparent mass and bulk of the buildings from surrounding properties and the road.
- G. The project is consistent with the Community Development Policies related to building materials and colors and site lighting, including Policies CD 1.8 and CD 1.9, because the exterior facades would be subdued earthtone colors and the site lighting would be unobtrusive to surrounding properties.
- H. The project is consistent with the Natural Hazards policies, including NH 1.1, NH 1.2, NH 3.1, because the development would not be located in areas especially prone to unstable geologic conditions and would meet fire safety standards related to construction and fuels reduction. The project is consistent with the Natural Hazards Policies related to flooding because the project would not substantially increase amount or velocity of storm water running off the site.

DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for Design Review (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 proposed additions to the existing single-family residence do not require removal of any protected or heritage trees.

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

The proposed additions consist of a new second story addition and the conversion of an existing garage. The proposed work would occur in an area of the site that has already been disturbed. The development is not proposed on a property within the Ridge and Upland Greenbelt area (RUG). The residence would not obstruct views from public rights-of-way, waterways, or other public open spaces.

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

The proposed additions would reach 19 feet, 4 inches, above grade, which is well below the maximum allowable height of 30 feet. The proposed materials and colors of the structure would harmonize with the surrounding natural environment and the residences in the surrounding neighborhood. The project will be conditioned to specify which exact colors and materials will be utilized during the building permit submittal.

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

The property slopes downward and away from Goodhill Road such that the residence is obscured from view of the public right-of-way. The additions would follow the flat roof line of existing residence. The second story addition would be stepped back appropriately from the edge of the ground floor roof and would blend seamlessly with the existing second story of the residence. Wall articulation, alternating vertical siding on the ground floor and horizontal siding on the second story further help to break up the sense of overall mass and bulk.

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

No new exterior lighting has been depicted. However, a standard condition of approval will be imposed into this determination to ensure that any exterior lighting incorporated into the Building Permit are unobtrusive and downward facing.

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

No significant vegetation removal and no tree removal is proposed. New plantings will consist of drought tolerant, native plants.

ACCESS: Development standard C; Design Guidelines A-1.5

No change in access is proposed in the scope of the project. The property will continue to be accessed from the existing driveway on Goodhill Road.

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

The proposed project is consistent with the key design principles of the Single-Family Residential Design Guidelines in that the project maintains adequate space, light, and a sense of openness from surrounding residences in the neighborhood. Additionally, the residence in is comparable in size to the surrounding residences in neighborhood. The residence would harmonize with the surrounding earth-toned structures. The proposed exterior materials would continue to consist of wood siding and stone.

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

The project would be proportional to the mass and bulk of the properties within the surrounding neighborhood. The residences in the immediate vicinity mostly consist of earth toned materials. There are a variety of architectural styles present in the Kent Woodlands area and there are multiple midcentury modern architectural style residences among them.

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

The proposed development will not obstruct light or intrude upon the privacy of the adjacent neighbors. There is a considerable distance between this residence and the nearest neighboring residences. The placement of the existing residence on the lot, the vegetation between properties, the number and placement of proposed windows, and the total height well below the allowable maximum height all contribute to a design that will not eliminate sun and light exposure, eliminate views, or create light pollution or glare.

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

The project site is located on private property. Therefore, the project would not encroach onto adjoining private properties, public lands, public easements, trails, and rights-of-way.

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

The project would maintain adequate separation between buildings for the purposes of fire protection. No changes are proposed to the existing landscaping.

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 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.

CONDITIONS OF PROJECT APPROVAL

CDA-Planning Division

1. This Design Review approval authorizes the construction of a new additions to the residence totaling 822 square feet and a carport conversion and addition totaling 225 square feet on a developed lot in Kentfield. Eight hundred and twenty-four square feet of the total 1,047 square feet of approved development will be floor area that shall result in a floor area ratio of 10 percent on the 46,411 square foot lot. The approved building shall reach a maximum height of 19 feet, 4 inches above surrounding grade and the exterior walls shall have the following setbacks: 81 feet, 9 inches from the western front property line; 127 feet, 7 inches from the northern side property line; 37 feet, 1 inch from the southern side property line; 57 feet, 9 inches from the eastern rear property line. Various site improvements would also be entailed in the proposed development, including the renovation of an existing rear deck.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "644 Goodhill Rd," consisting of 24 sheets prepared by Winder Gibson Architects, received in final form on November 4, 2022, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall modify the project to conform to the following requirements:

- a. One sheet of the plans must include photos of color chips and exterior building material samples for the painting, roofing, siding, window casings, and trim. The plans may indicate elevations to match existing colors and materials. Specify colors, materials, and their names on the building permit plans.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2023" with respect to all of the standard conditions of approval and the following special conditions: 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.

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

CDA – Assistant Director

CDA – Planning Manager

DPW – Land Development

Marin Water District

County No. 01 Sanitary District

Kentfield Fire Protection District

Diane K. Panagotacos Revoc Trust & Diane K. Panagotacos /TR/, 158 Stetson Ave., Corte Madera, CA 94925

John & Anna Panagotacos, 644 Goodhill Rd., Kentfield, CA 94904

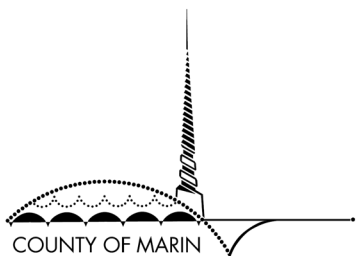
Miki Hirai, 1898 Mission St., San Francisco, CA 94103

Sent to John Panagotacos via email to johnpanagotacos@gmail.com

Sent to Miki Hirai via email to hirai@archsf.com

Attachments:

1. Marin County Uniformly Applied Conditions 2023
2. DPW Transmittal Response



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

2023

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.