MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION
Sabin & Hutchings Lot Line Adjustment

<table>
<thead>
<tr>
<th>Decision:</th>
<th>Approved</th>
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<tr>
<td>Date:</td>
<td>December 9, 2022</td>
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<table>
<thead>
<tr>
<th>Project ID No:</th>
<th>P3770</th>
<th>Applicant(s):</th>
<th>John Pawson</th>
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</thead>
<tbody>
<tr>
<td>Owner(s):</td>
<td>Margaret D. Sabin &amp; Andrew E. Sabin 3845 Camels VW Colorado Springs, CO 80904 Stan &amp; Kyomi Hutchings 2008 Revoc Trust Etal &amp; Stanley A. Hutchings /TR/ Etal 45 Estates Dr. San Anselmo, CA 94960</td>
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<tr>
<td>Assessor's Parcel No(s):</td>
<td>176-290-15 &amp; 176-290-25</td>
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<tr>
<td>Property Address:</td>
<td>160 &amp; 166 Crane, San Anselmo</td>
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<td>Project Planner:</td>
<td>Erin Yattaw 415-473-3535 <a href="mailto:eyattaw@marincounty.org">eyattaw@marincounty.org</a></td>
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<td>Signature:</td>
<td>Erin Yattaw</td>
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- **Countywide Plan Designation:** 176-290-15 & 176-290-25: PR (Planned Residential)
- **Community Plan Area:** 176-290-15 & 176-290-25: N/A
- **Zoning District:** 176-290-15: RMP-0.5 (Residential Multiple Family Planned), 176-290-25: RMP-1 (Residential Multiple Family Planned)
- **Environmental Determination:** CEQA Guidelines section 15305, Class 5
**PROJECT SUMMARY**

The applicants request Lot Line Adjustment approval to adjust the lot lines between two contiguous lots in the unincorporated community of San Anselmo. The proposed transfer of land is shown in the table below.

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<td>176-290-15</td>
<td>160 Crane Dr.</td>
<td>48,680 sq. ft.</td>
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<td>+/- 0 sq. ft.</td>
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<td>166 Crane Dr.</td>
<td>45,415 sq. ft.</td>
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Lot Line Adjustment approval is required pursuant to Marin County Code Section 22.90.020 because the project entails adjusting lot lines between two adjacent parcels that would not result in the creation of any additional parcels.

**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.

**DEVELOPMENT CODE CONSISTENCY**

**Mandatory Findings for Lot Line Adjustment (Marin County Code Section 22.90.040)**

A. The proposed lot line adjustment is limited to four or fewer existing adjoining lots.

The project is consistent with this finding because it is limited to two adjoining lots.

B. Each of the affected lots is a separate legal lot of record because it was created in compliance with the applicable subdivision regulations in effect at the time of its creation.

Assessor’s Parcel 176-290-15 is legally developed with a permitted single-family dwelling. Therefore, Assessor’s Parcel Number 176-290-15 is considered a legal lot of record. Additionally, Assessor’s Parcel 176-290-25 is legally developed with a permitted single-family dwelling. Therefore, Assessor’s Parcel Number 176-290-25 is considered a legal lot of record.

C. The proposed lot line adjustment would not result in the creation of additional parcels or additional potential building sites.

The lot line adjustment is between two, existing contiguous parcels and does not create additional parcels, or a greater number of buildable parcels than existed before the adjustment.

D. The proposed lot line adjustment would comply with policies of the Countywide Plan, and any applicable community plan, and the Local Coastal Program (if applicable).

As outlined above, the lot line adjustment would comply with policies of the Countywide Plan. The lots are not located within the Coastal Zone. Therefore, the policies and standards contained in the Local Coastal Program are not applicable.

E. The proposed lot line adjustment would comply with zoning, development, and relevant subdivision provisions of Titles 18, 20, 22 and 24 of the Marin County Code, including those which address minimum lot size, lot design and configuration, street frontage and building setbacks from all property lines.

Assessor’s Parcel 176-290-15 is developed, 48,680 sq. ft. in area, and is zoned RMP-0.5. Assessor’s Parcel 176-290-25, is developed, 45,415 sq. ft. in area, and is zoned RMP-1. The proposed lot line adjustment would evenly swap 3,570 square feet of land from each parcel.
to the other. Therefore, 3,570 square feet of land zoned RMP-0.5 from Assessor’s Parcel 176-290-15 would be transferred to Assessor’s Parcel 176-290-25. Additionally, 3,570 square feet of land zoned RMP-1 from Assessor’s Parcel 176-290-25 would be transferred Assessor’s Parcel 176-290-15.

With the implementation of the lot line adjustment, the developed Assessor’s Parcel 176-290-15 and 176-290-25 would remain in conformance with the minimum density of units per acre as required by the RMP-0.5 zoning district as both lots are already developed with one single-family residence. Both properties are located within planned zoning districts that do not have prescribed setbacks for development.

Due to the siting of existing structures on Assessor’s Parcel 176-290-15 and Assessor’s Parcel 176-290-25 as well as the location of the lot line adjustment, the building setbacks as well as the street frontage, lot design and configuration would continue to conform with applicable development standards.

**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 Lot Line Adjustment approval authorizes the exchange of land between three contiguous parcels as listed below:

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2. Deed(s) to be recorded with the County Recorder to vest this Lot line Adjustment must be in substantial conformance with the approved plans on file with the Marin County Community Development Agency, Planning Division, identified as Exhibit A, entitled “Site Plan Existing and Proposed Boundaries Lands of Sabin & Lands of Hutchings Trust,” consisting of two
sheets prepared by Surveyor, John Pawson, date stamped 9/13/22, except as modified by the conditions listed herein.

3. 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.

4. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated.

Department of Public Works

5. Appropriate deeds and exhibits perfecting the approved Lot Line Adjustment shall be recorded at the Marin County Recorder’s office.

6. BEFORE RECORDATION, the following exhibits shall be submitted to the Department of Public Works for review and approval:

A. Lot Line Adjustment map. The Lot Line Adjustment map should be drawn in black ink on sheets with maximum dimensions of 8 1/2” X 11” or 18” X 26”. The map must be clear and readable. The following minimum information must be provided on the map (additional information may be required):

1) Map scale, north arrow, line type legend, vicinity map, index map for large parcels.

2) The location of the project site in relation to the existing streets, adjoining lots, alleys, water bodies and distance from the nearest cross street.

3) Right-of-way widths and street names.

4) The existing and proposed lot layout labeling each boundary line. Sufficient dimensions and record boundaries so as to define and establish the boundary of the subject property. Use heavy solid line to depict proposed boundaries, light solid line for existing lot lines to remain, light dashed lines for existing lot lines to be removed and smaller dashed lines for easements. The adjusted parcels and transfer parcels shall be lettered or numbered consecutively in a manner that there will be no confusion with the original lots or parcel numbers (show in a darker, bolder text, i.e. PARCEL A, PARCEL T-1).

5) Existing lot numbers, reference to the recorded documents that established the existing lots of the project site, adjoining lots and existing easements.

6) Gross area before and after adjustment to the nearest one tenth of an acre. Show the net area when there are easements identified that restrict the surface use of the property, such as vehicular access easements (Net area is gross area minus easement area).
7) Signature, seal of the surveyor and the date that plan was prepared.

8) APN-Assessor’s Parcel Number for each lot.

9) Project Number and File number (the LL number assigned by County), sheet number and County title block with owner and engineer block filled out.

B. The following statement shall be added if applicable (i.e. if property corners are to be set):

“Monuments will be set within 90 days along the adjusted lot corners, and a Record of Survey or Corner Record will be filled if required by Section 8762 of Business and professional Code. Gov’t Code § 66412(d); Ops. Cal. Atty. Gen. 231(1994). If the Lot Line Adjustment affects any public utility easements, the applicant shall provide verification signed by each of the affected public utilities that they allow the Lot Line Adjustment.”

C. Submit a completed “Application for Lot Line Adjustment Approval”.

D. Legal descriptions and closure calculations shall be submitted along with the current Title Report for the effected properties for: (a) the final, adjusted lots; (b) the existing lots; and (c) the portions of those lots that are to be transferred. The legal descriptions and closures shall be prepared and signed/stamped by a Licensed Land Surveyor or a qualified Registered Civil Engineer.

E. All required materials shall be submitted simultaneously along with the required fee to the Department of Public Works for review and approval.

**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 recorded the Lot Line Adjustment documents in accordance with the requirements of the Department of Public Works.

**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 Board}
   - CDA – Assistant Director
   - CDA – Planning Manager
   - DPW – Land Development
   - DPW – Survey
   - Assessor-Recorder’s Office – Mapping Division
   - Marin Water District
   - County No. 01 Sanitary District
   - Sleepy Hollow Fire Protection District
   - Margaret D. Sabin & Andrew E. Sabin, 3845 Camels VW, Colorado Springs, CO 80904
   - Stan & Kyomi Hutchings 2008 Revoc Trust Etal & Stanley A. Hutchings /TR/ Etal, 45 Estates Dr., San Anselmo, CA 94960
John Pawson, 2468 Skylane Blvd. #203, Santa Rosa, CA 95403