

MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION
Sunshine Trust Design Review

Decision: **Approved with conditions**
Date: **July 15, 2025**

Project ID No:	P5023	Applicant(s):	Andrew Rodgers, Rodgers Architecture
		Owner(s):	Sunshine Trust
		Assessor's Parcel No(s):	071-102-19
		Property Address:	28 Wolfe Canyon Rd., Greenbrae
		Project Planner:	Erin Yattaw 415-473-3535 Erin.Yattaw@marincounty.gov
		Signature:	<i>Erin Yattaw</i>
Countywide Plan Designation:		SF5 (Low Density Residential)	
Community Plan Area:		Kentfield/Greenbrae	
Zoning District:		R1-B2 (Residential Single-Family, minimum lot size 10,000 square feet)	
Environmental Determination:		Exempt per CEQA Guidelines Section 15301, Class 1	

PROJECT SUMMARY

The applicant requests Design Review approval to construct a 352-square-foot addition to a single-family residence on a developed lot in Kentfield. The 352 square feet of proposed development would result in a floor area ratio of 26 percent on the 14,654 square foot lot. The proposed addition would reach a maximum height of 36 feet, ¼ inch above surrounding grade and the exterior walls would have the following setbacks: 53 feet from the eastern front property line; 25 feet, 6 inches from the northern side property line; 65 feet, 6 inches from the southern side property line; 28 feet, 6 inches from the western rear property line. Various site improvements would also be entailed in the proposed development, including installing new windows and doors and converting an existing carport into a garage in conformance with Marin County Code (MCC) Section 22.20.090.E.2.

Design Review approval is required pursuant to Marin County Code (MCC) Section 22.42.020.B because the project entails constructing an addition on a property that would exceed 3,500 square feet of floor area. Additionally, Design Review is required pursuant to MCC Section 22.20.060.E.2 because the addition to the residence would raise the height of the residence to exceed a height of 30 feet, but no more than 40 feet in height while maintaining 15-foot side yard setbacks.

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

Kentfield/Greenbrae Community Plan

The Marin County Planning Division finds that 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 except that the height is approved as described and conditioned below.
- 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 is 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. The 352 square foot addition would be constructed entirely within the footprint of the existing residence on an upper level that is set back from the street and maintains a step-back from the level of the residence beneath it. The addition would be constructed in place of an existing deck that is already partially covered. The project site slopes steeply upward and siting an addition elsewhere on the property that would conform with the height requirement would require extensive grading and site disturbance. 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 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 352 square foot addition on a developed lot in Kentfield. The 352 square feet of approved development would result in a floor area ratio of 26 percent on the 14,654 square foot lot. The approved addition would reach a maximum height of 36 feet, ¼ inch above surrounding grade and the exterior walls would have the following setbacks: 53 feet from the eastern front property line; 25 feet, 6 inches from the northern side property line; 65 feet, 6 inches from the southern side property line; 28 feet, 6 inches from the western rear property line. Various site improvements are also entailed in the approved development, including installing new windows and doors and converting an existing carport into a garage in conformance with Marin County Code (MCC) Section 22.20.090.E.2
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled “Alterations to 28 Wolfe Canyon Rd.,” consisting of 20 sheets prepared by Rodgers Architecture, received in final form on April 21, 2025, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. The project shall conform to the Planning Division’s “Uniformly Applied Conditions 2025” with respect to all of the standard conditions of 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 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.

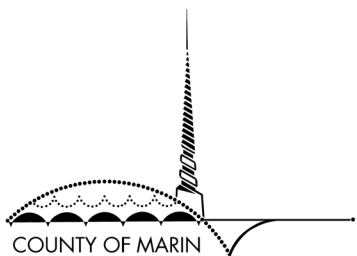
RIGHT TO APPEAL

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 (July 25, 2025).

cc: *{Via email to County departments and Design Review boards}*
DPW – Land Development

Attachments:

1. Marin County Uniformly Applied Conditions 2025
2. DPW Transmittal Response



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

2025

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. If the project is subject to the affordable housing requirements of Development Code Chapter 22.22, the applicant shall provide a copy of the affordable housing plan required by Development Code section 22.22.110 to the CDA Planning Division following its approval by the CDA Housing Division.
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. 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.
5. 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.

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - First Transmittal

DATE: February 19, 2025

DUE: February 18, 2025

TO: Erin Yattaw

FROM: Cara E. Zichelli

APPROVED: 

RE: Sunshine Trust Design Review

P5023

APN: 071-102-19

ADDRESS: 28 Wolfe Canyon Road, Kentfield

TYPE OF DOCUMENT

- DESIGN REVIEW
 COASTAL PERMIT
 LAND DIVISION
 VARIANCE
 USE PERMIT
 ADU PERMIT
 ENVIRONMENTAL REV.
 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: _____

Please note that comments listed under "Substantial Modifications Required to Conform" need to be addressed now otherwise, the Department of Public Works cannot support the project as presented.

Substantial Modifications Required to Conform:

Proposed garage does not provide parking that complies to the dimensional requirements of Marin County Code (MCC) 24.04.380(a). Less than 20 feet of depth is provided; see page A1.4. Applicant shall provide required depth of garage or apply for an exception with justification for substandard parking. The exception process is described in MCC24.15.

Note to Planning and Applicant: MCC 24.04.250 states that "a minimum driveway length of twenty feet should be provided from the front of the garage or parking structure to the back of sidewalk or to the edge of pavement where no sidewalks exists. A lesser length may be approved for constrained sites." The construction of a garage as proposed may limit the space available for parking in the driveway in front of the garage. Vehicles parked in the driveway shall not extend into the travel way. Also, any portion of a driveway intended for parking shall not exceed 8% slope (MCC24.04.400).

Merit Comments

Prior to Issuance of a Building Permit: These items are not incompleteness items to be addressed as part of the Design Review application. The following are items to be included in or addressed with the building permit application.

1. **Driveways:**
 - a. Label driveway slope, including grade breaks.
 - b. Dimension new garage to front property line and dimension length of proposed driveway from the edge of pavement.
2. **Parking:** Plot, label and dimension at least two on-site parking spaces that confirm to the dimensional and slope standards of MCC24.04.380(a) and MCC24.04.400. Note that cover sheet of plan set provided for design review indicates 4 on site parking spaces but no parking spaces are plotted and labeled in this plan set.

3. **Grading & Drainage Plans:** Provide a grading and drainage plan prepared by a licensed professional engineer or by a registered architect. Plan shall show and label all existing and proposed drainage features and improvements. Improvements may include down spouts, footing and foundation drains, area drains and catch basins, piping and out fall structures or means of dispersion.
4. **During Construction Stormwater Pollution Prevention Controls:** Per MCC24.04.625, the applicant shall provide a plan and implement measures to prevent stormwater pollution during construction. Depending on the volume of earth movement and the proximity to the **mapped intermittent water course** across the road, the application shall provide one of the following:
 - a. **Best Management Practices Plan** for projects with less than 250 cy of earth movement and where the limit of disturbance is over 50 feet from any mapped watercourse. Per Marin County Code § 24.04.625(a)(c)(g)(k), provide a plan indicating construction-phase best management practices (BMPs) include erosion and sediment controls and pollution prevention practices. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices. You may refer to the Marin County Stormwater Pollution Prevention Program's website, <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/erosionsediment-control-measures-for-small-construction-projects-2015.pdf?la=en>
 - b. **Erosion & Sediment Control Plan** for projects with 250 cy or more of earth movement or where the limit of disturbance is less than 50 feet from any mapped water course. The following two items together make up the Erosion & Sediment Control Plan and must correspond to each other.
 - i. Per Marin County Code § 24.04.625(b)(e), provide a comprehensive, site specific, phased Erosion and Sediment Control Plan (ESCP) in the plan set.
 - ii. Provide the completed accompanying document found in the "Construction Erosion and Sediment Control Plan Applicant Package" available at the following link: <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/mcstoppp-erosion-and-sediment-control-plan-applicant-package.pdf?la=en>. Note the actual template begins on page 11 of the document.

END