MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION
Gonzalez White Family Trust et al. Design Review

Decision: **Approved, as Conditioned**
Date: **April 15, 2026**

Project ID No:	P6059	Applicant(s):	Daniel White, Trustee of the Gonzalez White Family Trust et al.
		Owner(s):	Gonzalez White Family Trust et al.
		Assessor's Parcel No(s):	143-171-42
		Property Address:	664 Atherton Avenue, Novato, California 94945-2605
		Project Planner:	Easton Ehlers (415) 473-7023 easton.ehlers@marincounty.gov
		Signature:	Easton Ehlers
Countywide Plan Designation:		SF3 (Single-Family 3 Designation, a Rural/Residential Land Use Category)	
Community Plan Area:		Green Point Community Plan (2016)	
Zoning District:		ARP-2 (Agriculture, Residential Planned District; residential density of 0.5 units per acre, equivalent to 2 acres per unit)	
Environmental Determination:		Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303, Class 3	

PROJECT SUMMARY

The applicant requests Design Review approval to authorize the construction of a 2,000-square-foot detached residential accessory structure on a developed lot located in Green Point, an unincorporated area of Novato. The proposed development would result in a floor area ratio (FAR) of 10 percent on the 61,070-square-foot lot, consistent with the definitions of floor area and floor

area ratio set forth in Marin County Code Section 22.130.030 (Definitions of Specialized Terms and Phrases). The proposed structure would attain a maximum height of 16 feet above grade and would maintain the following minimum setbacks from its exterior: 113 feet, 7 inches from the southern front property line; 211 feet, 1 inch from the eastern side property line; 20 feet from the western side property line; and 20 feet, 2 inches from the northern rear property line.

Various site improvements would be undertaken as part of the proposed development, including grading to prepare the building foundation and address drainage. These activities would result in approximately 50 cubic yards of cut, 35 cubic yards of fill, and 15 cubic yards of off-haul.

Design Review approval is required pursuant to Marin County Code Section 22.42.020(A) because the project involves development that can neither be exempt nor waived from the requirement to obtain Design Review approval.

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 Green Point Community Plan policies for the following reasons:

A. The proposed project is consistent with the Green Point Community Plan because it would not encroach into wetlands North of State Route 37 and would not adversely affect the existing network of roads and trails in the area.

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 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

Discretionary Development Standards J.1 through J.6 primarily address how the site design of the proposed development would affect natural features. The site design of the proposed fuel cell system would comply with applicable discretionary standards intended to preserve natural features and other relevant resources by limiting alterations to the natural terrain, minimizing the extent of impervious surfaces, restricting the extent of tree removal, and prohibiting development within areas susceptible to hazards, unless otherwise authorized by the applicable review authority.

In relation to limiting alterations to the natural terrain, the site design of the proposed detached accessory structure would make best use of the use of a predominately level and previously disturbed area of the residential property. The property as a whole does not contain significant natural features; however, the site design of the proposed development would otherwise be executed to respect existing site characteristics, including the variations in its topographical composition. Where grading is necessary due to the need to further establish a level building pad for the structure, such work would be undertaken with the least disturbance practicable to the natural topographical variations of the site and would involve the excavation of approximately 50 cubic yards of earthen material (also referred to as “cut”). The majority of the cut material (35 cubic yards) would be retained on-site and purposefully situated to level the minimally oblique portions of the project site (with an average gradient of 2.5 percent) to facilitate the creation of the level building pad. The perimeter of the graded area would be designed to transition into the existing topography in a gradual and visually consistent manner (with a minimum average gradient of 2 percent), avoiding flat planes and abrupt or angular transitions with the natural terrain. This grading approach would further support improvements intended to reestablish the pre-construction hydrological functions, including the implementation of positive drainage patterns. These factors would demonstrate that the development has made every reasonable effort to retain the defining topographical features of the site, consistent with Discretionary Development Standard J.1 (Grading).

In regard to minimizing the extent of impervious surfaces and related drainage concerns, the site design of the detached accessory structure would require that existing drainage patterns be maintained. Where modification of existing topographical conditions is necessary, as described above, the site would be graded to achieve a maximum slope of two percent at the perimeter of the structure, and to prohibit impervious surfaces within a ten-foot distance of the structure to ensure positive drainage. Other similar improvements would include the installation of drainage facilities designed to maintain existing drainage patterns, such as downspouts and dissipaters, which would be configured to collect and disperse runoff in a manner that ensures it follows the natural terrain of the property. With respect to limiting the extent of impervious surfaces, the proposed development would result in a net increase of 2,400 square feet, which is minimal in that it would increase the existing impervious surface area of the property by 3.93 percent. The existing impervious surface area totals 10,743 square feet, representing 17.59 percent of the total site area. The minimal increase in impervious surface area would initially buffer through the temporary installation of straw wattles and silt fencing, to remain in place until the installation of the permanent drainage facilities described above. These approaches to drainage management would demonstrate that the proposed fuel cell system would implement drainage facilities that would minimize impervious surfaces, respect the natural watershed, and avoid significant erosion or damage to adjacent properties, consistent with Discretionary Development Standard J.2 (Drainage).

With respect to limiting the extent of tree removal, the site design of the proposed detached accessory structure would retain native tree species within the immediate vicinity of the development area, located along the boundary of the residential property and defining its perimeter. The native trees identified on the site consist of three protected coast live oaks (*Quercus agrifolia*) with approximate diameters at breast height of 6 inches. The proposed

detached accessory structure would be sited to require neither their removal nor intrude into the driplines, and this approval would be conditioned to incorporates protective measures to ensure that construction activities do not encroach into these zones, which could otherwise adversely affect the trees. This decision will, with respect to the foregoing, impose Special Conditions 6 and 7 of the Marin County Uniformly Applied Conditions (2026) to ensure that construction of the project adheres to the required tree protection measures. This decision will, with respect to the foregoing, impose Special Conditions 6 and 7 of the Marin County Uniformly Applied Conditions (2026) to ensure that construction of the project adheres to the required tree protection measures. Since the project would not involve the removal of any regulated tree species, and with the implementation of special conditions for the protection of regulated trees near the development area, the development would be consistent with Discretionary Development Standard J.3 (Trees and Vegetation).

With respect to the prohibition of development within areas susceptible to hazards, the site of the proposed detached accessory structure is located within an area subject to moderate fire-related and geologic hazards. A review of County records indicates that the site is within the wildland–urban interface (WUI) and a Moderate Fire Hazard Severity Zone (State Responsibility Area). Additionally, County records indicate that the proposed development is located within areas subject to moderate geologic hazards, including a zone of potential ground-shaking amplification and a zone of low liquefaction potential. Consistent with Discretionary Development Standards J.4 and J.5 (Fire and Geologic Hazards), the proposed development will be subject to review by the appropriate reviewing authorities to determine the permissibility of the development within these moderate risk areas and to ensure that it incorporates appropriate measures to reduce risks associated with the identified hazards. In practice, the Novato Fire Protection District and the Land Development Division of the Department of Public Works will conduct technical reviews of the proposed structure for compliance with all applicable fire safety regulations and all applicable standards related to seismicity and geologic hazards, respectively. Such measures subject to review may include, as determined by the respective reviewing agencies, whether adequate access for fire and other emergency vehicles is provided, whether an adequate water supply and reliable fire warning system are available, whether sufficient fire protection services are in place, and whether acceptable soils and geologic reports have been prepared. For the reasons described above, the proposed development is consistent with Discretionary Development Standards J.4 and J.5 (Fire and Geologic Hazards).

BUILDING LOCATION: Development Standards D.1 through D.4

Discretionary Development Standards D.1 through D.4 pertain to the building location of the proposed development. The building location of the proposed fuel cell system would satisfy the requirement to “cluster” development, the prohibition on development near ridgelines, the requirement to prioritize energy conservation through solar access, and the minimization of noise impacts.

In relationship to the requirement to “cluster” development, the selected building location for the proposed detached accessory structure is intentionally sited on the most accessible

portion of the site, immediately adjacent to vehicular access and is primarily confined to a level, previously disturbed area of the residential property. The selected location is similarly situated in a subordinate and unobtrusive position between the 47- and 50-foot elevation contours, representing the least visually prominent site for the proposed development. As sited, it would not impair scenic or other valued visual qualities, as it avoids the higher elevations of the property at and above the 65-foot contour. As discussed in the Site Preparation section of this decision, the building location is within areas subject to moderate geologic hazards, including a zone of potential ground-shaking amplification and a zone of low liquefaction potential. Nevertheless, the Land Development Division of the Department of Public Works will conduct a technical review of the development during the submission of a Building Permit application, addressing the identified geologic hazards. In concert, the proposed development would be consistent with Discretionary Development Standard D.1, as it has been demonstrated to be "clustered in the most accessible, least visually prominent, and most geologically stable portions of the site."

The prohibition on development near ridgelines does not apply. A review of County records confirms that the proposed building location is not situated on, nor in close proximity to, any area designated as a ridgeline or upland greenbelt that would warrant application of Discretionary Development Standard D.2. Discretionary Development Standard D.2 establishes a prohibition on development near ridgelines and sets forth related standards governing minimum setback distances and maximum height limitations for development in proximity to ridgelines or upland greenbelts. Therefore, Discretionary Development Standard D.2 is inapplicable.

Concerning the requirement to minimize noise impacts and to prioritize energy conservation through solar access, the proposed building location for the detached accessory structure satisfies both applicable Discretionary Development Standards. The building location is sited in an area of the residential property that ensures the use of the detached accessory structure for activities incidental and secondary to the primary residential use (i.e., a single-family dwelling) would have the least potential to generate noise effects on adjacent residential properties. The primary entrance to the detached accessory structure is located on the eastern elevation, where the majority of activity, and therefore potential noise, would occur. This elevation is oriented toward similar uses on adjacent properties, such as the detached accessory structure (horse barn) at 668 Atherton Avenue, and is situated furthest from the rear yards on other residential properties, which constitute the more secluded and noise sensitive areas of those nearby residential properties, including 690 and 692 Atherton Avenue. The building location prioritizes energy conservation through solar access. The structure has been oriented on an east west axis, allowing the gable roof ridge to follow this alignment, thereby optimizing solar exposure. This orientation facilitates the installation of a photovoltaic system on the southern roof plane or the use of other passive or active measures to maximize solar gain and heat retention along the southern elevation, which is the second longest elevation of the structure. For the reasons described above, Discretionary Development Standards D.3 and D.4 have been satisfied.

PROJECT DESIGN: Development Standard I.1 and I.2

Discretionary Development Standards I.1 and I.2 establish, respectively, the height limits and the materials and color requirements for structures.

The proposed detached accessory structure would be situated on a predominantly level, previously disturbed, and visually subordinate area of the residential property. With respect to the height of the detached accessory structure proposed for this location, the most visually prominent element is the ridge at the gable end on the southern elevation, as depicted on Sheet A1.1 (Proposed Elevations). The maximum height of the proposed detached accessory structure would occur at this location, at 16 feet above existing grade, as demonstrated with annotated height elevations on the drawing entitled “Proposed South Elevation” on Sheet A1.1. The structure would be in conformance with the maximum height limit for residential accessory structures in the governing ARP (Agriculture, Residential Planned) District, which establishes that structures accessory to a primary use, such as a single-family dwelling, shall not exceed 16 feet above grade pursuant to Marin County Development Code Section 22.08.040, Table 2-2 (Agricultural District Development Standards). The maximum height of the structure was refined over the course of project review, with the applicant reducing the height to conform to the applicable height limit, since staff did not identify any unusual circumstances arising from irregular site characteristics (e.g., location, lot shape or size, or topography) that would warrant a waiver from the applicable height limit. The resulting project design conforms to the maximum height requirement of the ARP (Agriculture, Residential Planned) District and is informed by the definitions of “Structure Height” and “Grade” in Marin County Development Code Section 22.130.030 (Definitions of Specialized Terms and Phrases), which are based on the relationship to the natural topographical conditions of the property. Other considerations include that the lowest floor level of the structure would not exceed 10 feet above grade as demonstrated on Sheet A1.1 (Proposed Elevations). In view of these aspects of the project design, Discretionary Development Standard I.1 has been satisfied.

While the project design results in a structure that maintains a height consistent with the 16-foot height limit for the governing ARP (Agriculture, Residential Planned) District, which utilizes natural topographical conditions of the property to determine height, the design of the detached accessory structure also incorporates building materials and colors that are naturally derived and compatible with the prevailing environmental context. As annotated on the proposed exterior elevations on Sheet A1.1 (Proposed Elevations), the building materials selected for the structure predominantly consist of traditional materials that are common in the surrounding environmental context, such as a standing seam metal roof and board and batten siding. These materials would be finished in naturally derived, non-reflective colors, including matte black for the standing seam roof, “Urban Bronze” (SW 7048) with a matte finish for the board and batten siding, and “Tricorn Black” (SW 6258) with a low sheen finish for all trim. The color samples, as well as the identification of where and how those finishes would be applied, are depicted on Sheet A1.1 (Proposed Elevations). The application of these building materials and colors ensures that the proposed detached accessory structure satisfies Discretionary Development Standard I.2.

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

EXTERIOR LIGHTING: Development Standard G

Discretionary Development Standard G establishes requirements for exterior lighting. Specifically, it requires that exterior lighting visible from external vantage points should be solely for safety purposes, should directed downward and shielded, and shall consist of low-wattage fixtures. Although the architectural and engineering plans received on February 2, 2026, include a note on Sheet A0 (Proposed Site Plan) indicating that the detached accessory structure would not incorporate exterior lighting, this decision is subject to the Standard Conditions of the Marin County Uniformly Applied Conditions for Projects Subject to Planning Permits (2026). In the event that exterior lighting is determined to be necessary and incorporated into the project design, Standard Condition 4 of the Uniformly Applied Conditions shall require that such lighting be located and shielded to prevent glare into the night sky or onto adjacent properties, except to the extent necessary for safety purposes. Compliance with Standard Condition 4 would be evaluated at the time the applicant submits a Building Permit application to the Marin County Building and Safety Division. Therefore, this finding has been met.

LANDSCAPING AND VEGETATION REMOVAL: Development Standard F

Discretionary Development Standard F regulates landscaping and establishes that such development should be designed to minimally disturb natural areas and shall be compatible with the native plant setting. It further requires that landscaping plans be prepared in compliance with Marin County Development Code Chapter 22.26 (Landscaping) and address the objectives set forth in Section 22.26.040 (Landscaping Objectives). The proposed detached accessory structure would be constructed within a previously developed portion of the residential property characterized by limited vegetation, primarily confined to the property boundaries. As the project site is substantially devoid of vegetation, the proposed development would not necessitate the removal of regulated vegetation, including protected or heritage trees, as defined in Marin County Development Code Section 22.130.030 (Definitions of Specialized Terms and Phrases), nor would it require the installation of new landscaping. Therefore, Discretionary Development Standard F has been satisfied.

ACCESS: Development standard C

Discretionary Development Standard C addresses the development of road and driveways. The proposed detached accessory structure would not require the development of a road or driveway to access it. Therefore, this finding has been met.

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

The proposed detached accessory structure is compatible with the site surroundings and the community. Situated at the northwest corner of the 61,070-square-foot (1.4 acre) residential property, the proposed structure has been designed to be consistent with the structures

customarily incidental and subordinate to established residential uses located on Atherton Avenue and the unincorporated community of Green Point. The Atherton Avenue corridor and the Green Point community consist of low-density residential neighborhoods that are predominantly composed of single-family dwellings that have been developed linearly beside arterial roadways, such as Atherton Avenue. This prevailing development pattern is further distinguished by predominantly oversized residential parcels within the corridor and planning area. While a segment of these properties exhibits relative uniformity in their dimensions, others are significantly larger and irregular in configuration. These expansive parcels contribute to the rural character of the corridor and planning area. While now secondary to residential development, these vestigial agricultural properties have informed the spatial patterns and physical development characteristics prevalent in the corridor and planning area. The proposed detached accessory structure is compatible with the aforementioned physical development characteristics that define the rural character of the area, as its architectural design reflects the vernacular aesthetic of traditional agricultural buildings. The structure bears a direct architectural resemblance to existing agricultural buildings located at 675 Bugeia Lane and 50 H Lane in various aspects of its appearance. The massing and scale of the proposed structure are likewise consistent with the established physical development of the corridor and planning area. The structure distributes its 2,000 square feet of floor area within a rectangular footprint, limited to a single story with a maximum height of 16 feet above grade. The utilization of a simple gable roof with a low 12:2 pitch serves to reduce the perceived mass, ensuring the structure remains in scale with similar accessory improvements on adjacent parcels, specifically those located at 654 and 668 Atherton Avenue. The proposed structure would utilize traditional materials commonly found in the surrounding area, such as a standing-seam metal roof and board-and-batten siding. These materials would be finished in naturally derived, non-reflective colors, as discussed in the preceding Project Design section, and would be consistent with the site surroundings and community. Therefore, the proposed detached accessory structure would be compatible with the architectural design, massing, materials, and scale of the site surroundings and the community.

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 site layout and design of the proposed detached accessory structure would not eliminate sun and light exposure, primary views and vistas, or privacy on adjacent properties. Additionally, the project would not result in light pollution or glare. The site layout of the proposed detached accessory structure, which pertains to the placement of the structure on the residential property, is designed such that it would not eliminate sun and light exposure. Based on a two-dimensional analysis of the site plan, the structure would maintain adequate setbacks relative to its anticipated height so as not to substantially diminish sunlight or daylight available to adjacent properties. The project does not propose the installation of vegetation that, upon maturity, could result in comparable impacts. The proposed development would not result in light pollution or glare. As established in Exterior Lighting section, the structure would not include exterior lighting. Furthermore, due to the predominantly east–west

orientation of the structure, any potential glare from the southern elevation would be directed toward the upslope portion of the subject property and not toward adjacent properties. The site layout also incorporates existing topographic conditions and, in conjunction with the anticipated height of the structure, would not eliminate primary views or vistas or adversely affect privacy on adjacent properties. The structure would be sited at the lowest point of elevation on the parcel and adhering to the 16-foot maximum height standard for detached accessory structures in the ARP (Agriculture, Residential Planned) District, the project avoids encroachment into any protected views. It should be noted that no documented primary views or scenic vistas exist within the immediate project setting. Therefore, the site layout of the proposed fuel cell system would not eliminate significant sun and light exposure, primary views and vistas, or privacy on adjacent properties, nor would it result in 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 proposed detached accessory structure would not adversely affect, and would enhance where appropriate, the rights-of-way, streetscapes, and circulation pathways passing through, fronting on, or leading to the property. The architectural and engineering plans, in conjunction with the preliminary title report, demonstrate that the proposed structure would not encroach upon any pedestrian or vehicular pathways or other recorded access easements and would not detract from the visual character of the streetscape. Accordingly, the project would not adversely affect, and would enhance where appropriate, the rights-of-way, streetscapes, and circulation pathways associated with the property.

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 proposed detached accessory structure would provide adequate separation between buildings, retain healthy native vegetation and other natural features, and incorporate landscaping consistent with applicable fire safety requirements. The structure is proposed to be sited in a topographically lower yet readily accessible portion of the residential property, thereby ensuring appropriate separation from surrounding development. The structure would maintain setbacks exceeding 20 feet from the nearest buildings, consistent with the prevailing community character. The project would preserve healthy native vegetation and existing natural site features, as it is located within a previously disturbed area and would not require the removal of regulated vegetation. Additionally, the project does not propose new landscaping that would otherwise trigger additional fire safety requirements. Therefore, the proposed detached accessory structure would provide adequate separation between buildings, retain healthy native vegetation and other natural features, and incorporate landscaping consistent with applicable 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 2,000-square-foot detached residential accessory structure on a developed lot located in Green Point, an unincorporated area of Novato. The 2,000 square feet of approved development shall result in a floor area ratio (FAR) of 10 percent on the 61,070-square-foot lot. The approved structure shall attain a maximum height of 16 feet above grade and shall maintain the following minimum setbacks from its exterior: 113 feet, 7 inches from the southern front property line; 211 feet, 1 inch from the eastern side property line; 20 feet from the western side property line; and 20 feet, 2 inches from the northern rear property line.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "WHITE RESIDENCE," consisting of 9 sheets prepared by Laura A. Hamlin Design, received in final form on February 5, 2026, 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 2026" with respect to all of the standard conditions of approval and the following special conditions: 6 and 7.

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 (April 27, 2026).

cc: *{Via email to County departments and Design Review boards}*
DPW – Land Development
North Marin Water District
Novato Sanitary District
Novato Fire Protection District

Attachments:

1. Marin County Uniformly Applied Conditions 2026
2. Department of Public Works Inter-office Memorandum – Second Transmittal, dated March 6, 2026

MARIN COUNTY UNIFORMLY APPLIED CONDITIONS
FOR PROJECTS SUBJECT TO PLANNING PERMITS

2026

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 Wildlife, 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 60 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 120 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 180 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 – Second Transmittal

DATE: March 4, 2026 DUE: March 6, 2026

		TYPE OF DOCUMENT	
TO:	Easton Ehlers	X	DESIGN REVIEW
FROM:	Maria Padilla	____	COASTAL PERMIT
APPROVED:		____	LAND DIVISION
RE:	Gonzalez White Family Trust et al.	____	VARIANCE
	Design Review P6059	____	USE PERMIT
APN:	143-171-42	____	ADU PERMIT
ADDRESS:	664 Atherton Avenue	____	ENVIRONMENTAL REV.
	Novato, CA 94945	____	OTHER:

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

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

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

____ Traffic
____ Flood Control
____ Other: ____

Merit Comments

Prior to Issuance of a Building Permit:

1. Have structural engineer confirm that "off hauling note" on sheet A1.1 does not conflict with his note 2 under Foundation on sheet S1.1, regarding the use of fill for the foundation.

-END-

PLANNING DIVISION SECOND TRANSMITTAL

TO: Department of Public Works (DPW), Land Development Division

FROM: Easton Ehlers, Planner, 415-473-7023 / easton.ehlers@marincounty.gov

DATE: February 19, 2026

RE: Gonzalez White Family Trust et al. Design Review (P6059), Green Point

MAIN PROJECT COMPONENT: Residential Addition/Accessory Structure

LOCATION: 664 Atherton Avenue, Novato, California 94945-2605
Assessor's Parcel No. 143-171-42

APPLICANT: Daniel White
415-686-9144 / dan.white2115@gmail.com

DECISIONMAKER FOR THIS APPLICATION: Agency Director (Administrative)

PROJECT SUMMARY

The applicant requests Design Review approval to authorize the construction of a 2,000-square-foot detached residential accessory structure on a developed lot located in Green Point, an unincorporated area of Novato. The proposed development would result in a floor area ratio (FAR) of 10 percent on the 61,070-square-foot lot, consistent with the definitions of floor area and floor area ratio set forth in Marin County Code Section 22.130.030 (Definitions of Specialized Terms and Phrases). The proposed structure would attain a maximum height of 16 feet above grade and would maintain the following minimum setbacks from its exterior: 113 feet, 7 inches from the southern front property line; 211 feet, 1 inch from the eastern side property line; 20 feet from the western side property line; and 20 feet, 2 inches from the northern rear property line.

Various site improvements would be undertaken as part of the proposed development, including grading to prepare the building foundation and address drainage. These activities would result in approximately 50 cubic yards of cut, 35 cubic yards of fill, and 15 cubic yards of off-haul.

Design Review approval is required pursuant to Marin County Code Section 22.42.020(A) because the project involves development that can neither be exempt nor waived from the requirement to obtain Design Review approval.

Zoning: ARP-2 (Agriculture, Residential Planned District; residential density of 0.5 units per acre, equivalent to 2 acres per unit)
Countywide Plan Designation: SF3 (Single-Family 3 Designation, a Rural/Residential Land Use Category)
Community Plan (if applicable): Green Point Community Plan (2016)

For more information on this application, please visit the Planning Division's website at: Projects Under Review | Marin County. Project plans and other documents related to the application are available on the project's webpage, where you can subscribe to receive email notifications and updates.

AGENCY RESPONSE

In your response to this transmittal, please provide the following information:

1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency's standards.
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.
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.
4. If the project needs to be substantially modified to comply with your agency's standards, please describe the scope of those modifications.

In your response, please indicate whether you would like to impose requirements on the project. We will forward your comments to the applicants/owners so they are aware of your agency's requirements. In some cases, we may incorporate your agency's discretionary requirements into conditions of approval. Please note that conditions of approval for discretionary planning permits may be overturned on appeal to the Planning Commission or Board of Supervisors. We will send you a copy of the final decision if the project is approved.

If you wish to recommend that the application be deemed incomplete, you must provide your request for additional information by **March 6, 2026.** Otherwise, please provide your comments on the merits of this application by **March 21, 2026.**

Please contact me at (415) 473-7023 or easton.ehlers@marincounty.gov if you have any questions. Thank you.

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - First Transmittal

DATE: January 5, 2026 DUE: January 7, 2026

TO: Easton Ehlers

FROM: Maria Padilla

APPROVED:

RE: Gonzalez White Family Trust et al.
Design Review P6059

APN: 143-171-42

ADDRESS: 664 Atherton Avenue
Novato, CA 94945

TYPE OF DOCUMENT

- X 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:

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

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

- ___ Traffic
- ___ Flood Control
- ___ Other: ___

Incompleteness Items:

1. In conformance with submittal checklist item 1B, plot, dimension, and label all existing and proposed easements.
2. In conformance with submittal checklist item 23, provide a current (within six-month) preliminary title report that must reflect the current status of the property, including all recorded easements.
3. In conformance with submittal checklist item 42, provide a construction management plan, including at a minimum the following:
   a. Provide a site plan showing areas where grading and construction will take place, soils will be stockpiled, storage area for material delivery, parking for construction workers, and temporary facilities such as portable toilets.
   b. Construction phasing and the timing during any given year when the various components of construction will occur, such as grading, tree and vegetation removal, loud external noise-making work, etc.
   c. It is not clear how the project site will be accessed during construction or after construction is complete. The plans must clearly identify the routes and methods by which construction vehicles and equipment will access the site, as well as how site access will be maintained post-construction.

Merit Comments

Prior to Issuance of a Building Permit:

1. **Construction Management Plan:** Provide a construction management plan, including at a minimum the following:
    a. Provide a site plan showing areas where grading and construction will take place, soils will be stockpiled, storage area for material delivery, parking for construction workers, and temporary facilities such as portable toilets.
    b. Construction phasing and the timing during any given year when the various components of construction will occur, such as grading, tree and vegetation removal, loud external noise-making work, etc.
    c. It is not clear how the project site will be accessed during construction or after construction is complete. The plans must clearly identify the routes and methods by which construction vehicles and equipment will access the site, as well as how site access will be maintained post-construction.
2. Have structural engineer confirm that "off hauling note" on sheet A1.1 does not conflict with his note 2 under Foundation on sheet S1.1, regarding the use of fill for the foundation.

-END-