

**MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION**

Williams-Ballin Revocable Trust et al. Design Review

Decision: Approved, as Conditioned
Date: June 5, 2026

Project ID No:	P6070	Applicant(s):	Brooks McDonald Architecture
		Owner(s):	Williams-Ballin Revocable Trust et al.
		Assessor's Parcel No(s):	071-072-19
		Property Address:	437 Palm Avenue, Kentfield, California 94904
		Project Planner:	Easton Ehlers (415) 73-7023 easton.ehlers @marincounty.gov
		Signature:	<i>Easton Ehlers</i>
Countywide Plan Designation:	SF5 (Single-Family 5, a Low-Density Residential Land Use Designation)		
Community Plan Area:	Kentfield/Greenbrae Community Plan (1987)		
Zoning District:	R1-B2 (Residential, Single-Family District, together with the Minimum Lot Size "-B2" Combining District)		
Environmental Determination:	Categorically exempt, pursuant to CEQA Guidelines section 15301, Class 1, and section 15304, Class 4		

PROJECT SUMMARY

The applicant requests Design Review approval to authorize the construction of additions to an existing primary residential structure (single-family residence) and the installation of certain detached residential accessory structures (barbeque, pool equipment area, bike shed, retaining wall, and sports court), all located on a developed lot in the unincorporated community of Kentfield.

The proposed additions to the existing single-family residence would total approximately 668 square feet and would be constructed across three levels on the southern front façade of the building. The approximately 668 square feet of proposed development would appear to result in

a total building area of 3,721 square feet, a total floor area of 3,569 square feet, and a total floor area ratio of 30 percent on the 11,900-square-foot (0.27-acre) lot, as calculated pursuant to the applicable definitions set forth in Marin County Code Section 22.130.030 (*Definitions of Specialized Terms and Phrases*). The total floor area, maximum height, and minimum setbacks for each proposed addition are provided below and enumerated as items a through c.

- a. The first addition would be located on the first and lowest level of the residence and would consist of 451 square feet of floor area. It would reach a maximum height of 11 feet, 3 inches above grade, and would maintain the following minimum setbacks: 67 feet, 4 inches from the southern front property line; 10 feet from the eastern side property line; 49 feet, 10 inches from the western side property line; and 89 feet, 4 inches from the northern rear property line.
- b. The second addition would be located on the second level of the residence and would consist of 284 square feet of floor area. It would reach a maximum height of 18 feet, 9 inches above grade, and maintains the following minimum setbacks: 73 feet from the southern front property line; 10 feet from the eastern side property line; 50 feet, 9 inches from the western side property line; and 85 feet, 2 inches from the northern rear property line.
- c. The third addition would be located on the third and highest level of the residence and would consist of 62 square feet of floor area. It would reach a maximum height of 22 feet, 5 inches above grade, and maintains the following minimum setbacks: 83 feet from the southern front property line; 10 feet from the eastern side property line; 39 feet, 9 inches from the western side property line; and 84 feet, 7 inches from the southern rear property line.

The proposed detached residential accessory structures consist of affixed improvements, including pool equipment, retaining walls, and a sports court. The majority of these accessory structures would exceed a development standard established either by the governing Minimum Lot Size “-B2” Zoning District pursuant to Marin County Code Section 22.14.050, Table 2-11 (Minimum Lot Size “-B” Combining District Standards), or by the general development standards set forth in Marin County Code Chapter 22.20 (General Property Development and Use Standards). The sports court, however, requires Design Review irrespective of its conformance with development standards. The maximum height and/or minimum setbacks for each proposed site improvement are provided below and enumerated as items a through c.

- a. The pool equipment area would be located within the minimum required 25-foot front yard setback for the Minimum Lot Size “-B2” Zoning District, maintaining a minimum distance of 13 feet, 2 inches from the southern front property line and reaching a maximum height of 3 feet above grade.
- b. The outward facing retaining walls, situated within the front yard, would exceed the maximum height of 4 feet above grade established for such walls pursuant to Marin County

Code Section 22.20.050(A)(1)(a) (*Fencing and Screening Standards*), reaching a maximum height of 5 feet, 3 inches and 6 feet, 3 inches above grade.

- c. The sport court would be located within the front-yard of the property and would reach a maximum height of 8 feet, 6 inches above grade, calculated pursuant to the height measurement standards for parallel fences and walls established in Marin County Code Section 22.20.050(A)(4) (*Parallel Fences and Walls*), which accounts for the combined height of the 6-foot retaining wall and the 3-foot, 6-inch guard rail above it. The court would be located within the minimum required 25-foot front yard setback for the Minimum Lot Size “B-2” Zoning District and would abut the front property line at its most restrictive point.

The proposed residential development would include additional improvements to both the residence and the property. Improvements to the residence would include exterior modifications, such as new materials and finishes and changes to fenestration, as well as the construction of an attached accessory dwelling unit (ADU) with an attached porch and the conversion of an existing detached accessory structure into an accessory dwelling unit, both of which would conform to the objective standards for a Category 1 ADU established in Marin County Code Section 22.32.120(A)(1) (*Category 1—Statewide Exemption*). Improvements to the property would include recreational amenities such as a pool, spa, and outdoor kitchen area; access and hardscaping improvements, including reconfiguration of the parking area and entrance pathway and installation of a new vehicle gate; and landscaping and aesthetic enhancements, including the removal of a heritage coast live oak (*Quercus agrifolia*) with a diameter at breast height (DBH) of 30 inches that, according to the submitted arborist report, exhibits structural and health deficiencies and therefore qualifies for removal without permit approval pursuant to Marin County Development Code Section 22.62.040 (Exemptions). Additionally, tree removal activities would also be involved, consisting of the removal of a protected bay laurel with a DBH of 6 inches and a protected coast live oak with a DBH of 15 inches, both of which may be removed without permit approval pursuant to Marin County Development Code Section 22.62.040 (Exemptions), as the proposed removal would not exceed two protected trees in good condition within a one-year period and neither tree is located within a Stream Conservation Area (SCA).

Design Review approval is required pursuant to Sections 22.42.020(B), 22.54.045(F), and 22.32.130(B) of the Marin County Development Code because the project is located on a lot within a Conventional zoning district and would exceed 3,500 square feet of floor area with the proposed development; entails the construction of various detached residential accessory structures (barbeque, pool equipment area, bike shed, and retaining wall) that do not meet applicable height and setback requirements; and proposes a private, non-commercial outdoor sport court accessory to a residential use.

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 project is consistent with the goals and policies of the Kentfield/Greenbrae Community Plan pertaining to Subarea "I" as established in the "Conservation and Development Standards" and as determined by the Kentfield Planning Advisory Board (KPAB), which considered the application during a duly noticed public hearing held on January 14, 2026.

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

DEVELOPMENT CODE CONSISTENCY

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

- 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.**

The project is consistent with the standards in Chapter 22.14 that apply to the project and the development would not occur within a tidelands area. The proposed project is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources or the character of the local community. The project's consistency with the standards and guidelines most pertinent to the subject property is discussed below.

SITE PREPARATION: Development Standards J.1 through J.6; Design Guidelines A-1.2 through A-1.4

The site preparation associated with the project would be consistent with Discretionary Development Standards J.1 through J.6, as well as Single-Family Residential Design Guidelines A-1.2 through A-1.4. In the context of Discretionary Development Standard J.1 (Grading) and Residential Design Guideline A-1.4 (Grading), grading activities associated with the proposed project would be held to a minimum and undertaken in compliance with the applicable provisions of Title 23 (Natural Resources). The limited extent of such grading would preserve the natural features of the site and employ desirable grading practices that would ensure such modifications to the terrain remain consistent with the existing topographical conditions of the property. The site preparation associated with the proposed project would likewise minimize the extent of impervious surfaces and preserve the natural condition of adjacent creeks, consistent with Discretionary Development Standard J.2 (Drainage) and Residential Design Guidelines A-1.2 (Drainage) and A-1.3 (Streams). Site design and construction-related measures would be implemented to ensure that drainage is managed in a manner that avoids significant erosion or adverse impacts to adjacent properties, thereby maintaining compliance with Discretionary Development Standard J.2 (Drainage) and Residential Design Guideline A-1.2 (Drainage). Other reviewing agencies would evaluate the project for hazard-related concerns related to site preparation, including the Department of

Public Works for identified seismic or geologic hazards, and the Kentfield Fire Protection District for fire-related hazards. Both agencies may impose additional requirements on the project to address such concerns, and their review of the project would ensure consistency with Discretionary Development Standards J.4 (Fire Hazards) and J.5 (Geologic Hazards). The project has demonstrated that it would not remove native tree species, nor would its construction cause the loss of native tree species, rare plant communities, or wildlife habitats, consistent with Discretionary Development Standard J.3 (Drainage). Therefore, this finding is met.

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

The building location selected for the project would be consistent with Discretionary Development Standards D.1 through D.4, as well as Single-Family Residential Design Guideline D-1.6. In relation to Discretionary Development Standard D.1 (Clustering Requirement), the building location has been selected to site development on portions of the property that are most accessible, least visually prominent, and most geologically stable. In addition, existing on-site vegetation in the vicinity of the proposed building location would provide visual screening of the project, consistent with Discretionary Development Standard D.1 (Clustering Requirement). The selected building location has also been evaluated to consider solar access and minimize noise effects, consistent with Discretionary Development Standards D.3 (Energy Conservation) and D.4 (Noise Mitigation), through placement that prioritizes exposure to available sunlight while reducing potential noise transmission to adjacent properties. Other considerations include that the selected building location has been demonstrated not to occur on or adjacent to a visually prominent ridgeline; therefore, Discretionary Development Standard D.2 (Development Near Ridgelines) and Residential Design Guideline D-1.6 (Ridgelines and Knolls) and their associated measures would not apply. Therefore, this finding is met.

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

The design of the project would be consistent with Discretionary Development Standards I.1 and I.2, as well as Single-Family Residential Design Guideline D-1.7. With respect to Discretionary Development Standard I.1 (Height Limits for Structures), the project design would conform to the maximum height limits applicable to the governing Minimum Lot Size “-B2” Combining District, as established by Marin County Development Code Section 22.14.050, Table 2-11. In addition, the project has also demonstrated that it would utilize exterior materials and finishes that, to the greatest extent possible, would harmonize unobtrusively with the natural environment, given the environmental setting of the project, consistent with Discretionary Development Standard I.1 (Materials and Colors) and Residential Design Guideline D-1.7 (Exterior Materials and Colors). Therefore, this finding is met.

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

The mass and bulk of the project would be consistent with Single-Family Residential Design Guidelines D-1.1 through D-1.5. The project would incorporate a compartmentalized massing approach, consistent with Single-Family Residential Design Guideline D-1.1 (General Massing). The proposed roof forms and rooflines would reinforce this articulation of massing while reflecting the scale and character of the surrounding neighborhood, consistent with Guideline D-1.2 (Roof Design). In addition, the overall visual effect of mass and bulk would be further reduced through the avoidance of excessive cantilevered elements and the incorporation of horizontal and vertical building components, as well as surface relief, to achieve appropriate wall articulation. These additional design aspects would ensure consistency with Single-Family Residential Design Guidelines D-1.3 (Cantilevered Elements) and D-1.4 (Wall Articulation). The project would also be consistent with Single-Family Residential Design Guideline D-1.5 (Hillside Design), which applies to sites with an average slope of 25 percent or greater, by further refining the massing to reduce perceived mass and bulk relative to the hillside setting. Therefore, this finding is met.

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

The exterior lighting associated with the project would be consistent with Discretionary Development Standard G and Single-Family Residential Design Guideline C-1.11. The exterior lighting associated with the project that would be visible from off-site vantage points would be limited to safety purposes, would be downward-directed and fully shielded, and would consist of low-wattage fixtures, consistent with Discretionary Development Standard G. Furthermore, such lighting would be designed to complement the architectural character of the project and would be mounted at low elevations, consistent with Single-Family Residential Design Guideline C-1.11. Therefore, this finding is met.

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

The project would be consistent with Discretionary Development Standard F and Single-Family Residential Design Guideline A-1.1. Vegetation removal associated with the project would be limited to ornamental tree species and native tree species that may be removed pursuant to applicable exemptions due to poor health or similar conditions. The proposed landscaping plan would retain and enhance the site's visual and natural resources while furthering the objectives of the applicable design guidelines and development standards. Therefore, the project would be consistent with Discretionary Development Standard F and Single-Family Residential Design Guideline A-1.1.

ACCESS: Development Standard C; Design Guidelines A-1.5

Discretionary Development Standard C and Single-Family Residential Design Guideline A-1.5 are not applicable to the project, as it does not propose the development or expansion of any street, driveway, parking area, or emergency vehicle access.

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

The project would be compatible with the neighborhood per Single-Family Residential Design Guidelines B-1.1 and C-1.1 through C-1.3 and C-1.7. In relation to Single-Family Residential Design Guideline B-1.1, the project would comply with the minimum setback requirements of the governing Minimum Lot Size “-B2” Combining District for primary structures, as established by Marin County Development Code Section 22.14.050, Table 2-11. The project would further comply with the applicable stepback requirements of this guideline and would maintain adequate space, light, and a sense of openness necessary to avoid the appearance of excessive bulk. The project would also comply with the street setback requirement prescribed by Single-Family Residential Design Guideline C-1 and, in so complying, has considered the relationship of scale, mass, and composition of surrounding residences in the neighborhood to ensure compatibility. The project would be consistent with Single-Family Residential Design Guidelines C-1.2 (Hillside Street Stepbacks), C-1.3 (Hillside Interior Setbacks), and C-1.7 (Fences and Retaining Walls). The proposed development has been designed to respect the site's hillside setting through appropriate setbacks and site design measures that reduce visual prominence and maintain compatibility with surrounding development. In addition, any proposed fences and retaining walls would be designed and located to minimize visual impacts and remain consistent with the objectives of the applicable design guidelines. Therefore, this finding is met.

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

The project would reinforce the prevailing character of the neighborhood and build upon its defining qualities through its architectural design. The massing and scale of the project have been configured to maintain compatibility with the surrounding context and are consistent with the general pattern of development in the area. The materials selected are likewise compatible with the site and its setting and are intended to avoid undue visual contrast with the surrounding environment. Therefore, this finding is met, as the project provides architectural design, massing, materials, and scale that are compatible with the site surroundings and the broader 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 proposed development has been designed and sited to abate potential effects on adjacent properties, including maintaining access to natural light and air, limiting the potential for light spill and glare, preserving existing view opportunities to the extent feasible, and avoiding undue effects on the privacy of neighboring properties. These considerations have been incorporated into the overall site layout and design of the project, which would not eliminate sun and light exposure, primary views and vistas, or privacy on adjacent properties, nor would it result in light pollution or glare. Therefore, this finding is met.

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.

This finding is not applicable because the project would occur entirely on private property that is not encumbered by any access easement or other provision for vehicular or pedestrian access.

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

The project has been designed to provide appropriate separation between structures and to maintain existing healthy native vegetation and natural site features to the extent feasible. The proposed landscaping would be subject to fire safety requirements. Therefore, this finding is met.

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 additions to an existing primary residential structure (single-family residence) and the installation of certain detached residential accessory structures (barbeque, pool equipment area, bike shed, retaining wall, and sports court), all located on a developed lot in the unincorporated community of Kentfield.

The approved additions to the existing single-family residence shall total approximately 668 square feet and shall result in a total building area of 3,721 square feet, a total floor area of 3,569 square feet, and a floor area ratio of 30 percent on the 11,900-square-foot (0.27-acre) lot.

The first addition shall consist of 451 square feet of floor area. It shall reach a maximum height of 11 feet, 3 inches above grade, and shall maintain the following minimum setbacks: 67 feet,

4 inches from the southern front property line; 10 feet from the eastern side property line; 49 feet, 10 inches from the western side property line; and 89 feet, 4 inches from the northern rear property line.

The second addition shall consist of 284 square feet of floor area. It shall reach a maximum height of 18 feet, 9 inches above grade, and shall maintain the following minimum setbacks: 73 feet from the southern front property line; 10 feet from the eastern side property line; 50 feet, 9 inches from the western side property line; and 85 feet, 2 inches from the northern rear property line.

The third addition shall consist of 62 square feet of floor area. It shall reach a maximum height of 22 feet, 5 inches above grade, and shall maintain the following minimum setbacks: 83 feet from the southern front property line; 10 feet from the eastern side property line; 39 feet, 9 inches from the western side property line; and 84 feet, 7 inches from the southern rear property line.

The approved detached residential accessory structures shall consist of the following:

The pool equipment area shall reach a maximum height of 3 feet above grade and shall maintain a minimum setback of 13 feet, 2 inches from the southern front property line.

The outward facing retaining walls shall reach maximum heights of 5 feet, 3 inches and 6 feet, 3 inches above grade.

The sport court shall reach a maximum height of 8 feet, 6 inches above grade (the combined height of the 6-foot retaining wall and the 3-foot, 6-inch guard rail above it) and shall abut but not exceed the front property line.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "437 PALM AVE," consisting of 36 sheets prepared by Brooks McDonald Architecture, received in final form on April 1, 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.

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 (June 17, 2026).

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

DPW – Land Development

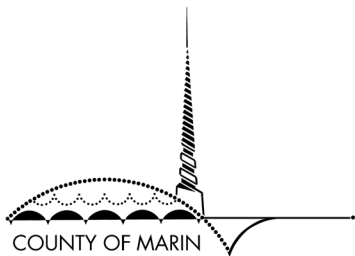
Marin Water District

Ross Valley Sanitary District

Kentfield Planning Advisory Board

Attachments:

1. Marin County Uniformly Applied Conditions 2026
2. Department of Public Works Interoffice Memorandum – Third Transmittal, dated April 7, 2026
3. Kentfield Planning Advisory Board Recommendation



**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: April 7, 2026

DUE: April 24, 2026

TO: Easton Ehlers

FROM: Cara E. Zichelli

APPROVED: 

RE: Williams-Ballin Revoc Trust et al. Tree

Removal Permit & Design Review P6070

APN: 071-072-19

ADDRESS: 437 Palm Avenue, 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: _____

Substantial Modification to Conform:

1. This transmittal included civil drawings and a preliminary stormwater control plan. Based on the area of new plus replaced impervious surfaces, the project is required to provide a stormwater control plan per MCC 24.04.627 and follow direction in the BASMAA manual for a small project. The proposed run-off reduction measures and drainage improvements are proposed in the road right of way. This is not acceptable and the selected runoff reduction measure or measures and all drainage improvements must be on the subject parcel.
2. Plans are internally inconsistent. Civil plans depict a portion of the retaining wall for the sports court extending over the property line and into the road right of way. The retaining wall must be entirely on the subject property.

NOTE TO APPLICANT: Palm Avenue is a County maintained road. As of this writing, Palm Avenue is not on the Summer 2026 Paving Schedule. DPW still recommends that the applicant endeavor to have the proposed work in the right of way completed ahead of the County paving project. Once the road is paved, any cuts into the road surface or any work on the curb, gutter and apron will require extensive restoration paving.

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. Per Marin County Code § 24.04.277, A turnaround may be required at the end of any driveway and/or adjacent to any parking area where, in the opinion of the Agency, the alignment, grade or street connection of the driveway is such that backing along the driveway or out onto the street would be inordinately difficult or dangerous. The alignment and dimensions of turnarounds shall be such as to allow the attainment of the desired direction by a standard sized car in no more than one movement. Demonstrate compliance.
- b. Per Marin County Code § 24.04.280, maximum gradient measured along the centerline shall not be steeper than twenty-five percent. Where a segment of a driveway has a grade

exceeding eighteen percent, the length of that segment shall not exceed three hundred feet. Any two driveway segments with a grade greater than eighteen percent shall be joined by a flatter segment not exceeding fifteen percent grade and at least one hundred fifty feet in length. Demonstrate compliance.

- c. Per Marin County Code § 24.04.285, the driveway vertical positions shall start at least four feet back from the edge of the adjoining road. Demonstrate compliance.
 - d. Per Marin County Code § 24.04.290, driveway approaches shall be constructed in accordance with the appropriate U.C.S. drawing unless prior approval to do otherwise is obtained from the agency. Demonstrate compliance.
 - e. Per Marin County Code § 24.04.295, driveway culverts shall be a minimum fifteen inches in diameter. Demonstrate compliance.
 - f. Per Marin County Code § 24.04.300, when it is required that a driveway be paved, the pavement section shall consist of a base course approved by the agency covered with a minimum thickness of two inches of A.C. or three and one half inches of P.C.C. **Driveways over eighteen percent grade shall be surfaced with P.C.C. and given a broomed or otherwise roughened finish. More stringent standards will apply when required by the responding fire protection district.** Demonstrate compliance.
 - g. Per Marin County Code § 24.04.310, all driveways within the city-centered corridor and village areas shall be paved regardless of grade. Demonstrate compliance.
2. **Parking:** Adequate on-site parking shall be provided for the home and ADU. Plot, label and dimension all on-site parking spaces that confirm to the following code section:
- a. Per Marin County Code § 24.04.380(a), head-in parking spaces shall be a minimum eight and one-half feet by eighteen feet. Parallel spaces shall be a minimum eight feet by twenty feet. For constrained locations such as garages serving single-family dwellings, spaces shall be a minimum nine feet by twenty feet.
 - b. Per Marin County Code § 24.04.400, the maximum cross-slope or grade of a parking area shall not be more than eight percent.
3. **Grading & Drainage Plans:** Grading and Drainage Plans provided in the design review application are preliminary in nature and are not acceptable for construction. Provide a grading and drainage plan prepared by a licensed professional engineer or by a registered architect:
- a. Plan shall provide existing and proposed topographic contours, or a sufficient number of spot elevations, to describe drainage patterns. The proposed project shall maintain existing drainage patterns.
 - b. 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. Note that California Plumbing Code (CPC) §1101.12.1 requires roof areas of buildings to be drained by roof drains and gutters. Note as well that CPC §1101.6.5(2) indicates that the point of discharge shall not be less than 10 feet from the property line.
 - c. Per California Residential Code § R401.3, lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. Where lot lines, walls, slopes, or other physical barriers prohibit 6 inches of fall within 10 feet, drains or swales shall be constructed to ensure drainage away from the structure. Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum 2 percent away from the building. Demonstrate compliance.
 - d. The plan shall also incorporate any recommendations from the Geotechnical Engineer.
 - e. The plan shall tabulate the existing and proposed areas of impervious surface for the property, and specifically indicate the area of new plus replaced impervious surfaces (this may not just be the difference between existing and proposed). Demonstrate that there will be no net increase in runoff from the developed site compared to pre-existing development.
 - f. Plan shall show and label the limit of disturbance. Provide the total area to be disturbed and the proposed cut and fill earthwork volumes. Indicate to where off haul will be taken.
 - g. Indicate means of restoring all disturbed areas.
 - h. Add a note on the plans indicating that the Design Engineer/Architect shall certify to the County in writing upon the completion of work that all grading and drainage improvements were installed in accordance with the approved plans and field direction. Be aware that a

DPW Engineer will need to inspect and accept work after receipt of certification letter. Certification letters shall reference building permit number or numbers for specific work being certified, the address of the property and the Assessor's Parcel Number (APN), and shall be signed and stamped by the certifying professional.

4. **Geotechnical Review and Acceptance:** The plans must be reviewed and approved by the soils engineer. Certification shall be either by his/her stamp and original signature on the plans or by a stamped and signed letter. Certification shall reference plans reviewed, specifying site, structural, and drainage plans with date of drawings, and verify that plans address any recommendations previously offered.
5. **Site Retaining Walls:**
 - a. Clarify the proposed heights for all site retaining walls. Building & Safety may require a separate Building Permit for each site/driveway retaining wall greater than 4ft in height, or for any wall that is subject to a surcharge such as a sloped backfill or vehicular load. The total height shall be measured from the bottom of the footing to the top of the wall.
 - b. For each retaining wall, provide a cross-sectional reference on the site plan which corresponds to a structural detail provided in the plan set.
 - c. Sport court wall shall be entirely on the subject parcel and shall not extend over the property line into the right of way.
6. **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. Provide **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.
 - a. 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.
 - b. 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.
7. **Stormwater Control Plans:** Provide a Stormwater Control Plan as required by Marin County Code § 24.04.627 Permanent Stormwater Controls for New and Redevelopment. You may refer to the BASMAA Post Construction Manual which you can access at the County's website for post-construction stormwater management requirements, publications and resources at:
<http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/new-and-redevelopment-projects?panelnum=2>. **Direction for this residential project is in Appendix C of the BASMAA manual, Stormwater Control Plans for Small Projects / Single Family Homes. Provide the completed Appendix C project data table with your submittal. All proposed improvements shall be on the subject property.**
8. **Utilities:** Plan shall show the location of all the existing utility laterals and indicate which, if any, will be upgraded or relocated with this project. Be certain to include water, sanitary sewer, gas, electric and telecommunications.
9. **Swimming Pool Drainage:** The plans shall provide details for the pool drainage and demonstrate that the drainage would comply with MCC 23.18 (Urban Runoff Pollution Prevention Code). Discharge into a watercourse is prohibited pursuant to MCC 23.18.094. You may refer to the Marin County Stormwater Pollution Prevention Program's website, www.mcstoppp.org, for more information.
10. **Encroachment Permit:** Palm Avenue is a County maintained road. An Encroachment Permit from DPW is required for any work within the County's road right-of-way, including, but not limited to, utility trenching, installation of new utility connections, and modifications to the driveway apron, curb and gutter. Additionally, fences, landscaping and boulders are unauthorized encroachments under Streets and Highways Code section 1480, and Marin County Code Chapter 13.12. The plans shall clearly identify all proposed work in the right of way. **For any anticipated utility upgrades or work to the driveway approach, curb and gutter, the applicant is urged to have a properly licensed**

contractor obtain an Encroachment Permit from this office as soon as possible, and complete this work ahead of the County paving project.

11. **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. Dust reduction plan.
 - c. A traffic control plan.
 - d. 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.

-END-

Re: Fw: Inquiry from the Marin Independent Journal

BF

Bitsa Freeman <bitsa@boulevardmarin.com>

To: Easton Ehlers



Thu 1/15/2026 2:45 PM

Some content in this message has been blocked because the sender isn't in your Safe senders list.

You replied on Fri 1/16/2026 9:51 AM

Trust sender

Show blocked content

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Start reply with:

Ok, thank you.

Thank you for the clarification.

Great, thanks for the update.

Hi Easton,

We approved it with no conditions. As you know we only consider the set back questions not the tree removal. We received no complaints from any adjoining neighbors.

Regards,

Bitsa

On Thu, Jan 15, 2026 at 12:15 PM Easton Ehlers <Easton.Ehlers@marincounty.gov> wrote:

Hi Bitsa,

I hope you're well!

When you have a moment, could you please share the outcome of last night's meeting regarding the Williams-Ballin Revocable Trust et al. Tree Removal Perm. and Design Review (P6070)? Gary Klien from the Marin IJ is interested. Thank you!

Best,

Easton Ehlers (he/his)

Planner

