

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

MARIN COUNTY PLANNING DIVISION

ADMINISTRATIVE DECISION

Approval of the Jouzi Design Review and Tree Removal Permit, Subject to Conditions,
and Denial of the Variance

Decision: **Approved the Design Review and Tree
Removal Permit, Subject to Conditions,
and Denied the Variance**

Date: **August 21, 2026**

Project ID No:	P6014	Applicant(s):	Nima Jouzi of Anytime Construction Inc.
		Owner(s):	4095 Paradise Drive LLC
		Assessor's Parcel No(s):	038-171-61 and
		Property Address:	4095 Paradise Drive, Tiburon, California 94920
		Project Planner:	Easton Ehlers Cheang (415) 473-7023 easton.ehlers@marincounty.gov
		Signature:	<i>Easton Ehlers Cheang</i>
Countywide Plan Designation:	SF3 (Rural/Residential), and SF5 (Low Density Residential)		
Community Plan Area:	Not Applicable		
Zoning District:	RSP-2.18-BFC (Residential, Single-Family Planned with a residential density of 2.8 units per acre and combined with the Bayfront Conservation Combining District); and RSP-1- BFC (Residential, Single-Family Planned with a residential density of 1 unit per acre and combined with the Bayfront Conservation Combining District)		
Environmental Determination:	The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302 (Class 2), 15303 (Class 3), and 15304 (Class 4)		

PROJECT SUMMARY

The applicant requests Design Review and Variance approvals to authorize the construction of a 6,518-square-foot primary residential structure (single-family residence) and associated accessory structures on a developed lot within the unincorporated area of Tiburon. The accessory

structures associated with the proposed residence would include a 2,733-square-foot upper-level attached deck, an 892-square-foot lower-level attached deck, and a detached 534-square-foot pool. The total 10,677 square feet of proposed development would result in a floor area ratio (FAR) of 25 percent based on the 26,232-square-foot dry lot area of the subject property. The maximum height and minimum setbacks of the proposed residence and associated structures are provided below.

The proposed single-family residence would reach a maximum height of 32 feet, 6 inches above grade and would maintain the following setbacks from its exterior: 37 feet, 7 inches from the southern front property line; 29 feet, 1 inch from the eastern side property line; 15 feet, 7 inches from the western side property line; and 75 feet, 3 inches from the northern rear property line.

The proposed upper-level deck would reach a maximum height of 25 feet above grade and would maintain the following setbacks from its exterior: 46 feet, 6 inches from the southern front property line; 10 feet from the eastern side property line; 7 feet, 6 inches from the western side property line; and 61 feet, 3 inches from the northern rear property line.

The proposed lower-level deck would reach a maximum height of 15 feet, 6 inches above grade and would maintain the following setbacks from its exterior: 51 feet, 10 inches from the eastern side property line; 7 feet, 6 inches from the western side property line; and 66 feet, 1 inch from the northern rear property line.

The proposed pool would reach a maximum height of 16 feet above grade and would maintain the following setbacks from its exterior: 74 feet, 2 inches from the southern front property line; 26 feet, 9 inches from the eastern side property line; 84 feet, 11 inches from the western side property line; and 71 feet from the northern rear property line.

The proposed development would also include various site improvements, primarily consisting of the demolition of the existing single-family residence and detached garage on the subject property, and the construction of a detached accessory dwelling unit (ADU) that would conform to the objective standards for a Category 1 ADU pursuant to Marin County Code Section 22.32.120(A)(1)(C) (Category 1—Statewide Exemption). Additional improvements would include access and hardscaping enhancements, such as reconfiguration of the motor court and pedestrian pathways, installation of a new vehicle gate, fencing, and retaining walls, and landscaping and aesthetic improvements featuring both native and nonnative plantings.

In addition to the approvals requested above, the applicant requests Tree Removal Permit approval to authorize the removal of one regulated tree, a protected-status Coast live oak (*Quercus agrifolia*) identified as Tree 30 (Tag No. 553), with a diameter at breast height (DBH) of 11 inches and classified as being in fair condition. The project would also involve additional tree removal activities that are not subject to Tree Removal Permit approval, including three non-native trees and three regulated native trees. The non-native trees would consist of Tree 1 (Tag No. 501), blackwood acacia (*Acacia melanoxylon*); Tree 28 (Tag No. 551), glossy privet (*Ligustrum lucidum*); and Tree 36 (Tag No. 559), incense cedar (*Calocedrus decurrens*). The regulated native trees would include two protected-status Coast live oaks (*Quercus agrifolia*) (Trees 27 and 29

(Tag Nos. 550 and 552)), which may be removed within a 12-month period pursuant to Marin County Code Section 22.62.040(J), and one heritage-status Coast live oak (Tree 2 (Tag No. 502)), which exhibits significant disease and reduced structural integrity and may be removed pursuant to Marin County Code Sections 22.62.040(B) and 22.62.040(C).

Design Review approval is required pursuant to Marin County Code Section 22.42.020(A) because the project involves the redevelopment of a property for which the proposed improvements cannot be exempted or waived from the requirement to obtain Design Review approval.

Variance approval is required pursuant to Marin County Code Section 22.54.020 because the proposed primary residential structure (single-family residence) would exceed the 30-foot maximum height limit applicable to the RSP (Residential, Single-Family Planned) district, as established by Marin County Code Section 22.10.040, Table 2-5.

Tree Removal Permit approval is required pursuant to Marin County Code Section 22.62.020 because the proposed project includes the removal of more than two otherwise healthy protected-status native trees within a 12-month period, exceeding the exemption criteria established under Marin County Code Section 22.62.040(J).

COUNTYWIDE PLAN CONSISTENCY

The proposed project is consistent with the Marin Countywide Plan (CWP) for the following reasons:

- A. The proposed project is consistent with CWP Policy BIO-1.3 because it would not result in the irreplaceable removal of a substantial number of mature native trees or materially diminish the woodland resources on the property. The Arborist Report inventoried 36 trees on the property, including 28 regulated native trees. Of these, one tree proposed for removal requires Tree Removal Permit approval: Tree 30 (Tag No. 553), an 11-inch DBH Protected Coast live oak (*Quercus agrifolia*) in fair condition.

As documented in the Biological Resource Analysis, the oak/bay woodland present on the property is predominantly concentrated along the shoreline, while Tree 30 is located at the periphery of, if not geographically isolated from, this woodland community and outside identified sensitive habitat areas. Accordingly, removal of this individual tree would not fragment the woodland, disrupt its continuity, or substantially alter its extent or ecological function. The substantial majority of regulated native trees would remain on the property, and removal of Tree 30 would be subject to a condition requiring two native replacement trees, unless a qualified arborist determines that a different replacement ratio is appropriate. Therefore, the project would preserve the property's woodland resources and is consistent with CWP Policy BIO-1.3.

- 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. The applicant submitted a *Biological Resources Analysis*, revised March 26, 2026

and prepared by Monk & Associates, Inc., which evaluated the potential presence of special-status species based on a review of the California Natural Diversity Database (CNDDDB), California Native Plant Society (CNPS) records, known regional occurrences, and a biological survey of the project site conducted on January 15, 2026.

Based on the conditions and habitat characteristics of the site, the Biological Resources Analysis concluded that no special-status plant or wildlife species are expected to occur on the project site and that the proposed project would not result in impacts to such species. In particular, the site lacks the specialized aquatic, tidal marsh, serpentine, mesic grassland, and marsh habitats required by special-status species known from the surrounding region. Although special-status aquatic species may occur in San Francisco Bay, the project would not involve in-water work or modification of Bay habitat, would remain buffered from the shoreline, and would provide onsite treatment of stormwater runoff.

The Biological Resources Analysis further determined that protected nesting birds could occur in trees or shrubs on or adjacent to the project site. Accordingly, if demolition or tree removal occurs during the February 1 through August 31 nesting season, a qualified biologist would conduct a preconstruction nesting-bird survey, with appropriate non-disturbance buffers established if active nests are identified. Therefore, with implementation of the applicable biological-resource protection measures, the proposed project would be consistent with CWP Policy BIO-2.2.

- 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. The project would maintain an approximately 59-foot setback from San Francisco Bay, thereby preserving the existing undeveloped bluff and shoreline area, with no grading, construction, or vegetation removal proposed within the shoreline area. The Biological Resources Analysis also determined that the site does not function as an important wildlife nursery area or movement corridor due to its existing residential development, fencing, surrounding development, and bluff location, and concluded that the project would not impede wildlife movement. Therefore, the project would preserve existing habitat transitions and would not substantially interfere with wildlife movement or connectivity, consistent with CWP Policies BIO-2.3 and BIO-2.4.
- D. The project is consistent with the CWP wetland, stream, and Baylands conservation policies (BIO-3.1, BIO-4.1, BIO-5.1, BIO-5.2, BIO-5.3, BIO-5.5, and BIO-5.8). Although BIO-3.1 generally requires a minimum 100-foot development setback from wetlands within the Baylands Corridor, Exception 4 permits a reduced setback where wetlands are avoided and a site assessment demonstrates that the incursion would not result in significant adverse direct or indirect impacts on wetlands. The applicant submitted a site-specific *Biological Resources Analysis*, which determined that the proposed development would be located approximately 59 feet landward of San Francisco Bay and that this setback would adequately protect Bay and sensitive biological resources. The project would not involve grading, filling, or development within baylands, tidal marsh, wetlands, or other habitat qualifying for protection under a Wetland Conservation Area or Stream Conservation Area. The existing

undeveloped bluff and shoreline would remain intact, with no grading, construction, or vegetation removal proposed within the shoreline area.

Consistent with the Baylands conservation policies, the project would also preserve the 10-foot Baylands Species Refuge Area landward of the mean high tide line contemplated by BIO-5.1 and would not involve development or disturbance within that area. Further, the project would avoid in-water work, filling, dredging, shoreline armoring, or modification of the existing bluff and shoreline and would incorporate stormwater treatment and construction best management practices to protect Bay water quality. The Biological Resources Analysis determined that the project would not adversely alter hydraulic capacity or result in a net loss of habitat acreage, value, or function. Accordingly, the site-specific biological assessment provides substantial evidence that the reduced setback satisfies Exception 4 of BIO-3.1 and that the project would preserve the wetland, stream, shoreline, and Baylands resources protected by BIO-4.1, BIO-5.1, BIO-5.2, BIO-5.3, BIO-5.5, and BIO-5.8. Therefore, the project is consistent with these policies.

- E. The project is consistent with CWP water quality policies WR-1.3, WR-2.2, and WR-2.3 because it would be designed and constructed to minimize erosion, sedimentation, and the discharge of pollutants to surface waters. The proposed grading and drainage improvements would be subject to applicable Marin County standards and Department of Public Works requirements, including construction best management practices for erosion, sediment, and pollutant control. In addition, stormwater generated by the project would be treated onsite prior to discharge toward San Francisco Bay. The Biological Resources Analysis determined that implementation of these measures would minimize the potential for turbidity, sediment loading, and pollutant introduction into the Bay and maintain water quality. Accordingly, the project would not result in substantial soil erosion or the discharge of sediments or pollutants into surface runoff and would be consistent with CWP Policies WR-1.3, WR-2.2, and WR-2.3.
- F. The project is consistent with CWP seismic and geotechnical hazard policies (EH-2.1, EH-2.3, and CD-2.8). The applicant submitted a Geotechnical Investigation prepared by GeoEngineering Consultants, Inc., dated November 18, 2025, which evaluated the site's subsurface conditions and seismic hazards and established criteria for the design of the proposed residence and foundations. The investigation determined that the property is not located within an Alquist-Priolo Earthquake Fault Zone and that the potential for surface fault rupture is negligible. It further determined that the potential for liquefaction, lateral spreading, differential compaction, and ground lurching is low based on the subsurface conditions encountered.

The report recognizes that strong ground shaking should be anticipated and identifies a moderate-to-high potential for earthquake-induced landsliding; accordingly, it establishes seismic design criteria consistent with the California Building Code and provides geotechnical recommendations for foundations, grading, retaining walls, drainage, and other site improvements. The report further requires geotechnical review and observation during grading and foundation construction, including review of grading and foundation plans and observation of foundation excavations and cut slopes. Compliance with these

recommendations and applicable County seismic and building standards would be verified during Building Permit review and construction. Therefore, the project would appropriately address identified seismic and geotechnical hazards and would be consistent with CWP Policies EH-2.1, EH-2.3, and CD-2.8.

- G. 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 the natural environment from adverse impacts associated with development. The project is not located on or near a visually prominent ridgeline, and its predominantly horizontal building form responds to the existing hillside topography and established development pattern. Further, the denial of the requested Variance would require compliance with the applicable 30-foot height limit, thereby reducing the vertical profile and visual prominence of the residence and further protecting scenic views and the visual character of the surrounding area. Therefore, the project, as modified to comply with the 30-foot height limit, would be consistent with CWP Policies and Programs DES-4.1 and DES-4.e.
- H. The project is consistent with CWP residential design policies and programs DES-3.b and DES-4.c because it would fit within the context of the surrounding neighborhood, respond to the hillside setting, and incorporate design measures that minimize the perceived mass and bulk of the residence. Further, the denial of the requested Variance would require the project to comply with the applicable 30-foot height limit, thereby reducing the residence's vertical profile and apparent mass and further improving its compatibility with the surrounding development pattern. As discussed in greater detail in the Discretionary Development Standards, Single-Family Residential Design Guidelines, and Design Review findings sections of this decision, the project, as conditioned to comply with the 30-foot height limit, would be consistent with the applicable residential development standards and guidelines. Therefore, the project is consistent with CWP Policies and Programs DES-3.b and DES-4.c.

DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for Variance (Marin County Code Section 22.54.050 and California Government Code Section 65906)

- A. There are special circumstances unique to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of this Development Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.**

The required finding cannot be made because the record does not establish special circumstances or conditions unique to the subject property, including its location, shape, size, surroundings, or topography, that would deprive the property owner of privileges enjoyed by other properties in the vicinity and under the same zoning district if the 30-foot height limit were strictly applied. Although the subject property contains sloping topography and other site constraints that influence the design and placement of development, these conditions do not demonstrate that a residence complying with the 30-foot height limit could not reasonably be

designed or constructed on the property. Nor does the record demonstrate that strict application of the height limit would substantially impair the property's residential use or otherwise deny a development privilege available to similarly situated properties.

Further, the requested maximum height of 32 feet, 6 inches is attributable, at least in part, to the proposed building design and configuration rather than to a physical characteristic of the property that necessitates an exception from the height standard. The proposed structure can be modified to comply with the 30-foot height limit without precluding the proposed residential use or otherwise preventing reasonable development of the property. Accordingly, the record does not demonstrate that the site's physical characteristics necessitate the requested 2-foot, 6-inch height deviation from the applicable height limit.

Accordingly, substantial evidence does not establish the requisite relationship between a special circumstance unique to the property and the requested 32-foot, 6-inch building height. Strict application of the 30-foot height limit would not deprive the property owner of privileges enjoyed by other properties in the vicinity and under the same zoning district. Therefore, the required Variance finding cannot be made for the requested maximum building height of 32 feet, 6 inches.

B. Granting the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.

Although the requested Variance is denied for the reasons set forth in this section, granting the Variance would not authorize a use or activity otherwise prohibited by the regulations governing the subject property. The Variance request pertains solely to the maximum building height of the proposed single-family residence and would not alter or expand the residential uses otherwise permitted on the property. Accordingly, this particular finding can be made; however, the Variance is denied because all required Variance findings cannot be made.

C. Granting the Variance does not result in special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the real property is located.

This finding cannot be made. Granting the requested Variance to allow the proposed residence to exceed the applicable 30-foot height limit would confer a special privilege that has not been demonstrated to be available to other similarly situated properties in the vicinity and within the same zoning district. As discussed in the Variance findings above, the record does not establish unique physical circumstances of the subject property that necessitate the requested height deviation or demonstrate that compliance with the 30-foot height limit would preclude reasonable residential development of the property. The proposed structure can be modified to comply with the applicable height limit while retaining the proposed residential use. Accordingly, granting the requested height Variance would provide relief from a development limitation that otherwise applies to similarly situated properties without a demonstrated property-specific basis for such relief. Therefore, this finding cannot be made.

D. Granting the Variance will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, or injurious to the property or improvements in the vicinity and zoning district in which the real property is located.

This finding cannot be made. Granting the requested Variance to exceed the applicable 30-foot height limit would be detrimental to the public interest because the subject property is located within the Bayfront Conservation (BFC) Combining District, which establishes specific development standards intended to protect the aesthetic and scenic qualities of bayfront areas. These standards call for development to be appropriately sited and designed to protect visual access to the bayfront and scenic vistas of water and distinctive shorelines and specifically direct that building design be low profile.

The requested Variance would authorize a maximum building height of 32 feet, 6 inches, thereby increasing the vertical profile of the residence beyond the otherwise applicable 30-foot height limit. As discussed in the BFC findings below, reducing the proposed building height would better maintain a low-profile building form, consistent with the BFC Combining District standards which require the protection of the scenic and aesthetic qualities of the bayfront setting. Because the proposed residence can be modified to comply with the 30-foot height limit without precluding the residential use or reasonable development of the property, the additional height is not necessary to accommodate development of the site.

Accordingly, granting the requested height Variance would authorize additional building height that is inconsistent with the standards of the BFC Combining District. Therefore, this finding cannot be made.

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 proposed development is consistent with the Single-Family Residential Design Guidelines and Discretionary Development Standards set forth in Marin County Code Chapter 22.16 because its placement, scale, height, massing, materials, and improvements are compatible with the character of the local community, and the project has been designed to respect the natural features of the site.

The project site is located within the Bayfront Conservation Combining District (-BFC) and is therefore subject to the applicable standards set forth in Marin County Code (MCC) Section 22.14.060 (Bayfront Conservation (-BFC) Combining District Standards). As set forth in the findings below and as conditioned herein, the proposed project complies with the applicable standards and requirements of the -BFC Combining District.

The proposed development is consistent with the applicable standards and requirements of the -BFC Combining District, as described below.

- i. The proposed development complies with MCC Section 22.14.060(C) (-BFC Standards, Environmental Assessment) because the applicant retained Monk & Associates, Inc., to prepare a Biological Resource Analysis for the property. The analysis evaluates the development capability of the property and relevant physical, biological, and policy constraints affecting the site, including the environmental resources present on and in the vicinity of the property and the regulatory framework applicable to those resources. The analysis also evaluates the proposed development in relation to the identified site conditions and provides findings, conclusions, and recommendations concerning potential impacts and appropriate measures for the protection of environmental resources.

The proposed development has been evaluated in consideration of the environmental conditions, constraints, and recommendations identified in the analysis, together with the project plans and other materials contained in the administrative record. Collectively, this information provides an adequate basis for identifying the applicable requirements governing the siting and design of the proposed project and demonstrates that reasonable development of the property can occur while protecting sensitive land and water resources consistent with the applicable goals, objectives, and policies of the Marin Countywide Plan. Therefore, the proposed project is consistent with the environmental assessment requirements of MCC Section 22.14.060(C).

- ii. The proposed development is consistent with MCC Section 22.14.060(F)(1)(a) (-BFC Standards, Habitats) because the project has been designed to avoid adverse effects on wetlands, sensitive wildlife habitat, wildlife movement, and fisheries and fish habitat. As documented in the Biological Resources Analysis prepared for the project, the development would occur within a previously developed and disturbed portion of the property and would maintain separation from San Francisco Bay and the existing shoreline area. No grading, construction, or vegetation removal is proposed within the buffer area separating the development from the shoreline, and the project would not involve in-water work or modification of Bay habitat. The Biological Resources Analysis further determined that the proposed development would not adversely affect sensitive biological resources or wildlife movement and identified measures to protect San Francisco Bay and nesting birds during construction. For the reasons stated above, the proposed development would maintain an appropriate buffer from sensitive shoreline resources and would not substantially interfere with wildlife access to food, water, or shelter or adversely affect fisheries or fish habitat. Therefore, the proposed project satisfies the applicable habitat protection standards of MCC Section 22.14.060(F)(1)(a).
- iii. The proposed development is consistent with MCC Section 22.14.060(F)(1)(b) (-BFC Standards, Habitats). This standard generally provides for a minimum 100-foot buffer

between wetland habitat and developed uses, with the appropriate buffer determined based on site-specific factors, including the biological significance and sensitivity of the habitat, the presence of threatened or endangered species, the type and scale of development proposed, and other considerations.

As documented in the Biological Resources Analysis prepared for the project, the development area does not contain jurisdictional wetlands, tidal marsh, riparian habitat, or other sensitive habitat areas that would be directly affected by the proposed development. The project would be located within a previously developed and disturbed upland portion of the property and would maintain an approximately 59-foot buffer between the proposed development and San Francisco Bay. The existing undeveloped bluff and shoreline area within this buffer would remain undisturbed, with no grading, construction, vegetation removal, in-water work, or modification of Bay habitat proposed within the intervening shoreline area. The Biological Resources Analysis determined that this separation would preserve the existing shoreline area and avoid adverse effects on Bay waters, baylands, and associated biological resources.

Although the proposed buffer is less than 100 feet, the Biological Resources Analysis determined that it provides adequate biological protection based on the site-specific conditions of the property, including the absence of wetlands, tidal marsh, and other sensitive habitat within the development area; the previously developed and disturbed character of the development area; the existing bluff and shoreline configuration; and the nature and location of the proposed development. The project would also incorporate measures to control erosion, sedimentation, and stormwater runoff and thereby protect adjacent Bay waters. Collectively, these site-specific conditions and project features provide adequate protection for the biological resources associated with the shoreline notwithstanding the reduced buffer. Therefore, the proposed project satisfies the applicable habitat buffer standard of MCC Section 22.14.060(F)(1)(b).

- iv. The proposed development is consistent with MCC Section 22.14.060(F)(1)(c) (-BFC Standards, Habitats) because vegetation removal has been minimized and evaluated on a site-specific basis through the Arborist Report and Biological Resource Analysis prepared for the project. The proposed development would be concentrated within previously developed or disturbed portions of the property and would retain the identified oak/bay woodland and sensitive habitat areas. As discussed in the Tree Removal Permit findings section, the proposed tree removal would not materially diminish the identified woodland community or adversely affect sensitive biological resources, and replacement planting would be provided in accordance with applicable County requirements. Therefore, the proposed project satisfies the applicable habitat protection standards of MCC Section 22.14.060(F)(1)(c).
- v. The proposed development is consistent with MCC Section 22.14.060(F)(1)(d) (-BFC Standards, Habitats) because the Biological Resources Analysis prepared for the project did not identify freshwater streams, riparian corridors, or other freshwater

habitats on the subject property. Consequently, the proposed development would not result in the removal, alteration, or disruption of freshwater habitat or interfere with the circulation, distribution, or flow of freshwater associated with such habitat. Therefore, the proposed project satisfies the applicable freshwater habitat protection standard of MCC Section 22.14.060(F)(1)(d).

- vi. MCC Section 22.14.060(F)(2)(a) (-BFC Standards, Design Guidelines, Access and Recreation) is not applicable to the proposed development because the project consists of the redevelopment of an existing residential property and would not affect existing public access to bayfront lands. Public access to the bayfront is already available within the surrounding community, and the proposed development would neither interfere with nor diminish those existing public access opportunities.
- vii. MCC Section 22.14.060(F)(2)(b) (-BFC Standards, Design Guidelines, Access and Recreation) is not applicable to the proposed development because the project consists of the redevelopment of an existing residential property and would not affect or interfere with existing public recreational access to bayfront lands. Public access to the bayfront is already available within the surrounding community and provides opportunities for shoreline recreation. The proposed development would neither diminish these existing recreational opportunities nor affect areas designated for public recreation or wildlife preservation.
- viii. The proposed development is consistent with MCC Section 22.14.060(F)(3)(a) (-BFC Standards, Design Guidelines, Buildings) because the residence would be sited and has been conditioned to maintain visual access toward the shoreline and provide a low-profile building form compatible with the established development pattern of the surrounding neighborhood. The residence would maintain setbacks generally comparable to those of surrounding residential properties and, due to the site topography and building design, would appear predominantly as a single-story structure when viewed from the street. The placement and spacing of the residence would retain open areas around the structure and would not substantially obstruct existing visual access toward the shoreline from the public street. The project would also maintain a floor area ratio that is compatible with the scale and intensity of residential development in the surrounding area. Further, a condition of project approval requires the maximum height of the residence to be limited to 30 feet, consistent with the maximum height limit applicable to the RSP District. Collectively, the condition limiting the height of the building, together with its siting, scale, and setbacks, would maintain a low-profile residential form and preserve visual access toward the shoreline.

With respect to wildlife movement, the Biological Resources Analysis determined that no wildlife movement corridors would be affected by the proposed development. The project would also maintain the existing undeveloped bluff and shoreline area between the proposed development and San Francisco Bay. Consequently, the proposed siting and design would maintain visual access to the shoreline, avoid interference with

identified wildlife movement corridors, and, as conditioned, provide a low-profile building form. Therefore, the proposed project satisfies the applicable building design standards of MCC Section 22.14.060(F)(3)(a).

- ix. MCC Section 22.14.060(F)(3)(b) (-BFC Standards, Design Guidelines, Buildings) does not apply to the proposed development because the project consists of the redevelopment of an existing residential property and does not involve a public activity center or similar use.
- x. MCC Section 22.14.060(F)(3)(c) (-BFC Standards, Design Guidelines, Buildings) does not apply to the proposed development because, although a portion of the subject property is located within Federal Emergency Management Agency (FEMA) Flood Hazard Zone VE, the proposed development would be located entirely outside the mapped Flood Hazard Zone VE and any other identified flood hazard area, as determined by the Marin County Department of Public Works and reflected in records maintained by the Marin County Community Development Agency. Accordingly, the proposed development would not be located within a designated flood zone and would therefore not be subject to the minimum development standards for identified floodplain areas established in Marin County Code Chapter 23.09 (Floodplain Management).
- xi. The proposed development is consistent with MCC Section 22.14.060(F)(4) (-BFC Standards, Design Guidelines, Utilities) because new utility lines serving the proposed development would be placed underground where appropriate and feasible for the project, including water and sewer lines. Therefore, the proposed project would satisfy the applicable utility standards of MCC Section 22.14.060(F)(4).
- xii. MCC Section 22.14.060(F)(5)(a) (-BFC Standards, Design Guidelines, Environmental Quality) does not apply to the proposed project as the project is categorically exempt from the requirement to prepare an environmental review document pursuant to Sections 15302 (Class 2), 15303 (Class 3), and 15304 (Class 4) of the State CEQA guidelines.
- xiii. The proposed development is consistent with MCC Section 22.14.060(F)(5)(b) (-BFC Standards, Design Guidelines, Environmental Quality) because the project has been designed to minimize earth disturbance, erosion, water pollution, and disruption of wildlife habitat. The project would incorporate the recommendations of the Geotechnical Investigation and the erosion, sediment, drainage, and stormwater control measures shown on the Grading and Drainage Plan to minimize soil disturbance and the potential for erosion, sedimentation, and polluted runoff during and following construction. The Geotechnical Investigation specifically provides recommendations for grading and surface drainage, including measures to control erosion and appropriately convey surface runoff. The Grading and Drainage Plan further incorporates an Erosion Control Plan and applicable construction-site stormwater pollution prevention measures.

As discussed in the preceding findings, the proposed development would also maintain separation from identified sensitive biological resources and incorporate applicable measures to minimize disturbance to wildlife habitat. For the reasons stated above, the project design and incorporated protection measures would minimize earth disturbance, erosion, water pollution, and disruption of wildlife habitat. Therefore, the proposed project satisfies the environmental quality standards of MCC Section 22.14.060(F)(5)(b).

- xiv. The proposed development is consistent with MCC Section 22.14.060(F)(5)(c) (-BFC Standards, Design Guidelines, Environmental Quality) because, although the project includes a stormwater drainage outfall, it would not involve in-water construction, shoreline armoring, dredging, or modification of San Francisco Bay or adjacent shoreline features. As established in the Biological Resources Analysis, the existing bluff and shoreline configuration would remain unchanged, no drainage features conveying Bay waters would be altered, and the project would not adversely alter hydraulic capacity. Stormwater runoff from the proposed development would also be captured and treated prior to discharge toward the Bay. Consequently, the proposed stormwater drainage improvements would not alter the movement patterns of Bay tides or currents in a manner that would result in significant adverse effects. Therefore, the proposed project satisfies the environmental quality standards of MCC Section 22.14.060(F)(5)(c).
- xv. MCC Section 22.14.060(F)(6) (-BFC Standards, Diking, Filling and Dredging) does not apply to the proposed development because the project does not involve diking, filling, dredging, or other alteration of areas subject to tidal action.
- xvi. The proposed development is consistent with MCC Section 22.14.060(F)(7) (-BFC Standards, Visual Resources) because the residence would be appropriately sited and designed to protect visual access to San Francisco Bay and the shoreline. The proposed setbacks, building height, scale, and low-profile design would limit the visual prominence of the residence, which would appear predominantly as a single-story structure when viewed from the street. The placement and spacing of the residence would retain open areas around the structure, broadly maintain visual access to the bayfront, and avoid substantially obstructing existing views toward the Bay and shoreline from public vantage points, including the street. Further, the placement of the residence would be generally consistent with the established pattern of other shoreline residences in the surrounding community. As a result of the denial of the requested Variance and the condition of approval requiring compliance with the applicable 30-foot height limit, the residence would have a reduced height and visual prominence. Therefore, the proposed project satisfies the applicable aesthetic and scenic quality standards of MCC Section 22.14.060(F)(7)(a).
- xvii. The proposed development is consistent with MCC Section 22.14.060(F)(7)(b) (-BFC Standards, Visual Resources) because it would not substantially diminish existing opportunities for the public to view and enjoy the bayfront. The property is located

within an established residential community where shoreline views from public areas occur within the context of existing development and are available to varying degrees between and across developed properties. Within this context, the proposed residence would maintain setbacks and open areas around the structure that would preserve such viewing opportunities to the extent they presently exist. In addition, as conditioned to comply with the applicable 30-foot height limit, the residence would further protect existing opportunities for open views toward the Bay and shoreline. Therefore, the proposed project satisfies the applicable aesthetic and scenic quality standards of MCC Section 22.14.060(F)(7)(b).

- xviii. The proposed development is consistent with MCC Section 22.14.060(F)(8)(a) (-BFC Standards, Design Guidelines, Protection from Geologic, Flooding, and Other Hazards) because it would be consistent with the applicable policies of the Environmental Hazards Element of the Countywide Plan, including Policies EH-2.1 (Avoid Geologic Hazard Areas), EH-2.2 (Comply with the Alquist-Priolo Act), EH-2.3 (Ensure Seismic Safety of New and Existing Structures), EH-3.2 (Retain Natural Conditions), and EH-3.5 (Encourage Modifications or Relocations of Existing Development). The geologic and seismic conditions of the property, including potential hazards associated with ground shaking, slope stability, settlement, and other ground failures, have been evaluated as part of the project, and the proposed development would be required to incorporate applicable geotechnical recommendations and County requirements addressing those conditions. The proposed development would also be located outside an Alquist-Priolo Earthquake Fault Zone and outside the identified flood hazard area. Although a portion of the subject property is located within FEMA Flood Hazard Zone VE, the proposed development would be located entirely outside that mapped flood hazard area and would not alter existing stream channels or floodplains. Accordingly, the proposed development would avoid or minimize exposure to identified geologic, seismic, and flooding hazards and would satisfy the applicable hazard protection standards of MCC Section 22.14.060(F)(8)(a).
- xix. MCC Section 22.14.060(F)(8)(b) (-BFC Standards, Design Guidelines, Protection from Geologic, Flooding, and Other Hazards) does not apply to the proposed development because the project site is not underlain by deposits of “young muds,” as the project-specific geotechnical report did not identify such deposits underlying the site.
- xx. The proposed development is consistent with MCC Section 22.14.060(F)(8)(c) (-BFC Standards, Design Guidelines, Protection from Geologic, Flooding, and Other Hazards) because the geologic and soil conditions of the property have been evaluated through a site-specific Geotechnical Investigation, and the project would be required to incorporate applicable geotechnical recommendations addressing site preparation, grading, foundations, drainage, and erosion. The project would also incorporate erosion, sediment, and stormwater control measures to minimize earth disturbance, erosion, water pollution, and other potential hazards associated with development of the property. As discussed above, the proposed development would be located outside the identified flood hazard area. Accordingly, the project would be

designed to minimize potential geologic, seismic, drainage, and flooding hazards and associated risks to public safety.

- xxi. MCC Section 22.14.060(F)(9)(a) (-BFC Standards, Design Guidelines, Agricultural Uses) does not apply to the proposed project because it does not entail agricultural activities that require the removal of natural vegetation.
- xxii. MCC Section 22.14.060(F)(9)(b) (-BFC Standards, Design Guidelines, Agricultural Uses) does not apply to the proposed project because it does not involve agricultural activities that require the use of pesticides or insecticides.
- xxiii. The proposed project complies with MCC Section 22.14.060(F)(9)(c) (-BFC Standards, Design Guidelines, Agricultural Uses) because it would be sited and designed in a manner that preserves and protects existing agricultural lands within the -BFC Combining District.
- xxiv. MCC Section 22.14.060(F)(10)(a) does not apply to the proposed development because, although the project includes the construction of new buildings within the -BFC combining district, those improvements would be located outside the 3.3-foot sea level rise inundation area depicted on CWP Safety Element Map 2-19. Further, the project does not involve the construction of new hardscape shoreline protection improvements.

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

The site preparation associated with the proposed project would be consistent with Discretionary Development Standards J.1 through J.6 and applicable Single-Family Residential Design Guidelines A-1.2 through A-1.4.

With respect to grading and drainage, the Grading and Drainage Plan identifies approximately 146 cubic yards of cut, 223 cubic yards of fill, 369 cubic yards of export, and no import, exclusive of the house pad. The proposed grading would generally conform to the existing topography and would be limited to that necessary to accommodate the proposed development. The site slopes from west to east, from approximately elevation 51 feet to elevation 30 feet, and existing drainage generally follows the same direction. The project would maintain this general drainage pattern while incorporating area drains, an infiltration/detention trench, retaining-wall drainage, and erosion-control measures. These improvements would manage stormwater runoff, promote infiltration, and minimize erosion and adverse drainage effects on adjacent properties. Accordingly, the project would minimize alteration of the existing landform and appropriately manage stormwater runoff, consistent with Discretionary Development Standards J.1 and J.2 and Residential Design Guidelines A-1.2 and A-1.4.

Consistent with Discretionary Development Standard J.3 (Trees and Vegetation), the project has been designed to avoid and minimize impacts to existing trees, native vegetation, rare

plant communities, and wildlife habitat, as further discussed in the biological resources and tree-removal findings.

With respect to geologic hazards, the Geotechnical Investigation prepared by GeoEngineering Consultants, Inc., dated November 18, 2025, determined that the site is outside an Alquist-Priolo Fault Study Zone and that the potential for liquefaction, lateral spreading, differential compaction, and ground lurching is low. The report identified expansive near-surface soils, variable depth to bedrock, strong seismic ground shaking, and moderate to high potential for earthquake-induced landsliding, and concluded that the proposed residential development is geotechnically feasible provided its recommendations are incorporated into the project plans and specifications. The project would be subject to Department of Public Works review and applicable geotechnical requirements. Therefore, the project would be appropriately designed in response to identified geologic conditions, consistent with Discretionary Development Standard J.5.

The project would also be required to comply with applicable fire-protection requirements established through review by the Tiburon Fire Protection District, including requirements related to emergency access, water supply, defensible space, and fire-safe construction, consistent with Discretionary Development Standard J.4. Discretionary Development Standard J.6 is not applicable because the property is not located within a water district watershed area.

Therefore, based on the project plans, technical studies, and applicable agency requirements, the project would comply with the applicable site-preparation standards and guidelines, and 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 and applicable Single-Family Residential Design Guidelines. With respect to Discretionary Development Standard D.1 (Clustering Requirement), the proposed development would be concentrated within an accessible and relatively less visually prominent portion of the property. Existing vegetation surrounding the proposed building area would provide additional visual screening and reduce the prominence of the development. Further, the Geotechnical Investigation concluded that residential development is feasible from a geotechnical standpoint, provided that the recommendations contained in the report are incorporated into the project plans and specifications. Accordingly, the proposed building location appropriately responds to the site's accessibility, visual, and geotechnical conditions.

The proposed building location and orientation have also been designed with consideration of solar access, consistent with Discretionary Development Standard D.3 (Energy Conservation). With respect to Discretionary Development Standard D.4 (Noise Mitigation), this standard does not apply to the proposed project because the project is exempt from environmental review under the California Environmental Quality Act (CEQA) and, therefore,

no further analysis of potential environmental noise impacts is required. Accordingly, no additional noise mitigation measures are required pursuant to this standard.

The proposed development is not located on or near a visually prominent ridgeline or knoll. Therefore, the siting restrictions and associated measures of Discretionary Development Standard D.2 (Development Near Ridgelines) and Residential Design Guideline D-1.6 (Ridgelines and Knolls) are not applicable to the project. 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), Marin County Development Code Section 22.10.040, Table 2-5 (Residential District Development Standards), establishes a maximum building height of 30 feet for the Residential Single-Family Planned (RSP) District. The proposed residence exceeds this height limit and therefore requires Variance approval. However, as discussed in the Variance findings above, the required findings for Variance approval cannot be made. Accordingly, the requested Variance is denied, and a condition of approval requires the residence to comply with the 30-foot maximum building height. As conditioned, the residence would comply with the applicable height standard and further the low-profile building form and visual resource protections established by the Bayfront Conservation (-BFC) Combining District standards.

With respect to Discretionary Development Standard I.2 (Materials and Colors) and Residential Design Guideline D-1.7 (Exterior Materials and Colors), the project would utilize exterior materials, colors, and finishes that, to the greatest extent possible, would blend unobtrusively with the natural environment and minimize the visual prominence of the development within its environmental setting. The project would be consistent with the applicable project design standards and guidelines, and this finding is met.

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

The proposed project, as conditioned, would be consistent with Single-Family Residential Design Guidelines D-1.1 through D-1.5. Consistent with Guidelines D-1.1 (General Massing), D-1.2 (Roof Designs), and D-1.4 (Wall Articulations), the residence would incorporate multiple offset building volumes, varied wall planes, recesses and projections, and distinct roof components that break up the apparent mass and scale of the structure. Rather than presenting a single continuous building form or roof plane, the project incorporates three distinct roof components, identified on the plans as Roof Parts “A” through “D.” Although Roof Parts “C” and “D” are identified separately on the plans, they function as a single roof form. These roof components correspond to variations in the underlying building form and comprise approximately 485 square feet, 760 square feet, and 3,173 square feet, respectively. These variations in building and roof form provide horizontal and vertical articulation and avoid the appearance of a single, uninterrupted building mass.

Further, as a result of the denial of the requested Variance and the condition of approval requiring compliance with the applicable 30-foot maximum building height, the residence would have a reduced vertical profile and apparent mass. Compliance with this height limit would reduce the vertical prominence and apparent mass of the residence. In conjunction with the varied roof planes and articulated building volumes, the 30-foot maximum height would further reduce the overall visual bulk of the residence and better integrate its profile with the hillside setting.

Consistent with Guideline D-1.3 (Cantilevered Elements), the project does not rely on excessive cantilevered building elements to accommodate development on the hillside. The proposed decks and outdoor living areas are integrated with the building and surrounding grade rather than designed as prominent unsupported projections that would substantially increase the apparent mass of the residence when viewed from surrounding properties.

Consistent with Guideline D-1.5 (Hillside Design), the project has been designed to respond to the sloping topography by incorporating a substantial portion of the residence into the hillside and varying the building form and elevations in response to grade. The proposed basement/lower level contains approximately 2,836 square feet of floor area beneath the main residential level, thereby reducing the amount of building volume expressed entirely above the surrounding grade. The proposed development is also generally concentrated within the previously developed portion of the property, while existing trees and vegetation surrounding the development area would be substantially retained. The project plans identify 36 surveyed trees and provide for protection of trees not designated for removal. The articulated building form, integration of the lower level into the hillside, compliance with the applicable 30-foot maximum building height limit as required below, and retention of surrounding vegetation would collectively reduce the apparent visual bulk of the residence and allow the development to relate more closely to the natural topography and vegetated setting of the site.

Therefore, as conditioned, the project's massing, roof design, treatment of cantilevered elements, wall articulation, and relationship to the hillside would be consistent with Single-Family Residential Design Guidelines D-1.1 through D-1.5, and 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 landscaping and vegetation removal associated with the project would be consistent with the applicable landscaping standards and Single-Family Residential Design Guidelines because it has been designed to minimize disturbance to existing native vegetation and maintain landscaping compatible with the natural setting of the property. As discussed in the Tree Removal Permit and biological resource findings, the project would remove seven trees, including one Protected Coast live oak (*Quercus agrifolia*) subject to Tree Removal Permit approval. The Biological Resource Analysis determined that this tree is located at the periphery of, if not geographically isolated from, the oak/bay woodland community and outside identified sensitive habitat areas; therefore, its removal would not fragment or materially diminish the woodland community or directly disturb sensitive habitat areas.

Further, consistent with Marin County Development Code Section 22.26.040(H), a condition of approval would require two native replacement trees for the Protected Coast live oak authorized for removal, unless a qualified arborist determines that a different replacement ratio is appropriate. Accordingly, the project would minimize disturbance to existing native vegetation, provide appropriate native replacement planting, and maintain compatibility with the natural vegetative setting of the property. Therefore, this finding is met.

ACCESS: Development standard C; Design Guidelines A-1.5

The proposed project would be consistent with Discretionary Development Standard C.2 (Driveways) and Single-Family Residential Design Guideline A-1.5 (Road Access). The project would continue to achieve vehicular access from Paradise Drive through the existing driveway serving the subject property. By utilizing the established access location, the project would avoid construction of a new roadway and associated disturbance of the hillside. The proposed driveway and access improvements would be subject to applicable requirements of Title 24 and review by the Department of Public Works and Tiburon Fire Protection District. Discretionary Development Standard C.1 (Roads) is not applicable because the project does not involve construction of a new road. As a whole, the project would utilize the established site access while minimizing new disturbance associated with vehicular access, consistent with the applicable access standards and guidelines. Therefore, this finding is met.

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

The proposed project would be consistent with Single-Family Residential Design Guideline B-1.1 (Building Setbacks and Stepbacks). The purpose of this guideline is to maintain adequate space, light, and a sense of openness between properties, reduce excessive building bulk as viewed from adjacent properties and public streets, and avoid the use of stepbacks that result in a “stacked box” design inconsistent with surrounding community character.

Based on staff observations and site photographs of the surrounding neighborhood, residences in the vicinity of the subject property are predominantly characterized by low-profile, rectilinear, and horizontally oriented building forms that generally follow the hillside and do not rely on pronounced upper-story additions or side-yard stepbacks as a defining architectural feature. The proposed residence would reflect this established development

pattern through a predominantly horizontal building form composed of offset and articulated building components.

Although the project does not incorporate substantial upper-level side-yard stepbacks throughout the residence, its massing would achieve the underlying objectives of Guideline B-1.1 and the residence would maintain sufficient distances from shared property lines. Rather than concentrating building mass vertically through stacked upper stories, a substantial portion of the proposed building volume would extend downslope and into the hillside. In particular, the proposed lower level contains approximately 2,836 square feet beneath the main residential level, integrating a substantial portion of the building volume into the slope rather than expressing that volume above the principal living level. The residence also incorporates offsets and variations in its building and roof forms that further break up its apparent mass.

The apparent vertical scale and bulk of the residence would be further reduced by the condition of approval requiring compliance with the applicable 30-foot maximum building height. Compliance with this height limit would reduce the uppermost building profile and the amount of building mass expressed above the hillside. The resulting reduction in building height would therefore further advance the objectives of Guideline B-1.1 by reducing the perceived vertical scale and bulk of the residence when viewed from surrounding properties.

Consistent with Guideline C-1.2 (Hillside Street Stepbacks), the proposed building placement responds to the existing hillside topography and established development pattern along Paradise Drive rather than establishing a repetitive or uniform setback pattern. The residence would utilize the existing access from Paradise Drive and would be positioned within the previously developed portion of the property. The resulting setback and building placement would maintain the varied relationship between residences and the roadway that characterizes hillside development in the surrounding area.

The proposed project, as conditioned, would be consistent with Single-Family Residential Design Guideline C-1.3 (Hillside Interior Setbacks). The residence incorporates interior hillside stepbacks that offset the upper building components from the lower level and distribute a substantial portion of the building mass downward and into the hillside. This configuration responds to the site's descending topography, reduces the apparent vertical mass of the residence, and increases separation and openness at the upper building levels, thereby minimizing potential interference with privacy and views from adjacent properties. Further, by denying the requested Variance and including a condition of project approval that requires the residence to comply with the applicable 30-foot maximum building height, the vertical profile and apparent mass would be further reduced and potential effects on privacy and views from adjacent properties would be minimized. Collectively, the proposed hillside stepbacks and compliance with the applicable 30-foot maximum building height would reduce the apparent building mass and increase openness at the upper building levels, consistent with the privacy, view, and openness objectives of Guideline C-1.3. Therefore, this finding is met.

The proposed project would be consistent with Single-Family Residential Design Guideline C-1.7 (Fences and Retaining Walls). The proposed retaining walls would comply with applicable height limits and would vary in height and location to respond to the existing topography and proposed site grading. The walls would be integrated into the hillside rather than forming a continuous wall along Paradise Drive or the property frontage, thereby avoiding the continuous walled appearance and “canyon effect” that the guideline is intended to prevent. Accordingly, the proposed retaining walls would be consistent with the purpose and intent of Guideline C-1.7. 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 potential light spill and glare, preserving existing view opportunities to the extent feasible, and avoiding undue effects on the privacy of neighboring properties. Further, as conditioned to comply with the applicable 30-foot maximum building height, the residence would have a reduced profile, thereby minimizing potential effects on access to natural light, views and vistas, and privacy on adjacent properties. As conditioned, the project would not eliminate sun and light exposure, primary views and vistas, or privacy on adjacent properties, nor would it result in substantial 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.

The proposed development would not adversely affect existing rights-of-way, streetscapes, or circulation routes fronting on or leading to the subject property. The project would continue to obtain vehicular access from Paradise Drive through the established access serving the property and would not require construction of a new roadway or materially alter existing circulation patterns. The existing driveway would be modified as necessary to comply with

applicable Department of Public Works access and safety standards, thereby improving safe vehicular access to the property. The proposed improvements would not obstruct or otherwise interfere with the use of Paradise Drive or other existing public circulation facilities. Therefore, this finding is met.

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 retain existing healthy native vegetation and natural site features to the extent feasible. As discussed in the Tree Removal Permit findings, the project would remove one Protected Coast live oak (*Quercus agrifolia*) subject to Tree Removal Permit approval, with replacement planting required pursuant to the applicable provisions of the Marin County Development Code. Although the project does not propose extensive landscaping, the Tiburon Fire Protection District would review the project for compliance with applicable fire-safety requirements, including emergency access and vegetation management. Accordingly, the project would balance the retention of existing native vegetation with applicable fire-safety requirements. Therefore, this finding is met.

Mandatory Findings for Tree Removal Permit (Marin County Code Section 22.62.050)

In considering a Tree Removal Permit application, the Director may only grant approval or conditional approval based on a finding that removal of the tree(s) is necessary for the reasonable use and enjoyment of land under current zoning regulations and Countywide Plan and Community Plan (if applicable) policies and programs, taking into consideration the following criteria:

A. Whether the preservation of the tree would unreasonably interfere with the development of land.

Preservation of the tree would unreasonably interfere with the development of the property. The Protected Coast live oak (*Quercus agrifolia*) identified as Tree 30 (Tag No. 553) is located within or immediately adjacent to the area necessary to accommodate the proposed development. Retaining the tree would require modification or relocation of project improvements and would constrain the reasonable development of the site. Further, the Arborist Report identifies Tree 30 as being in fair condition, and, as discussed in the biological resource findings, the tree is located at the periphery of, if not geographically isolated from, the oak/bay woodland community and is not integral to the continuity of that woodland. Accordingly, preservation of Tree 30 would impose an unreasonable constraint on development relative to its condition, location, and contribution to the woodland resources of the property. Therefore, this finding is met.

B. The number, species, size and location of trees remaining in the immediate area of the subject property.

The number, species, size, and location of trees remaining on the subject property support the proposed removal. The Arborist Report inventoried 36 trees on the property, including 28 regulated native trees consisting of Protected and Heritage Trees of varying sizes. Following the proposed tree removals, the substantial majority of the inventoried native trees would remain on the property, including trees within the oak/bay woodland community concentrated along the shoreline. As discussed in the Biological Resource Analysis, Tree 30 is located at the periphery of, if not geographically isolated from, this woodland community and is not integral to a contiguous stand of native woodland vegetation. Accordingly, removal of Tree 30 would not materially diminish the number, distribution, or continuity of native trees remaining on the property or within the identified oak/bay woodland. Therefore, this finding is met.

C. The number of healthy trees that the subject property can support.

The subject property currently supports numerous healthy native trees, demonstrating its capacity to continue supporting a substantial tree population following the proposed removal. The Arborist Report inventoried 36 trees on the property, including 28 regulated native trees, the substantial majority of which would be retained. In addition, removal of Tree 30 would be subject to a condition of approval requiring two native replacement trees pursuant to Marin County Development Code Section 22.26.040(H), unless a qualified arborist determines that a different replacement ratio is appropriate based on site conditions. Accordingly, the removal of Tree 30 would not impair the ability of the property to support healthy trees. Therefore, this finding is met.

D. The topography of the surrounding land and the effects of tree removal on soil stability, erosion, and increased runoff.

The topography of the site and the location of Tree 30 do not indicate that its removal would result in substantial adverse effects related to soil stability, erosion, or runoff. The property slopes generally from west to east toward the shoreline, and Tree 30 is located outside the shoreline oak/bay woodland and sensitive habitat areas. The project incorporates engineered grading, drainage, and erosion-control measures designed to manage runoff and maintain site stability. Further, the substantial majority of existing native trees and vegetation would remain on the property, thereby retaining vegetative cover and associated soil-stabilization functions. Accordingly, removal of Tree 30, in conjunction with the proposed drainage and erosion-control measures, would not be expected to materially increase erosion, runoff, or soil-instability conditions on the property. Therefore, this finding is met.

E. The value of the tree to the surrounding area with respect to visual resources, maintenance of privacy between adjoining properties, and wind screening.

The removal of Tree 30 would not substantially diminish the visual, privacy, or wind-screening functions provided by existing vegetation in the surrounding area. As documented in the Biological Resource Analysis, Tree 30 is located at the periphery of, if not geographically isolated from, the oak/bay woodland community and is not an integral component of the contiguous woodland vegetation concentrated along the shoreline. The substantial majority of

existing native trees and vegetation would remain on the property and would continue to contribute to the vegetated character and screening functions of the site. In addition, the removal of Tree 30 would be offset by required native replacement planting. Accordingly, the removal would not materially diminish the visual character or vegetative screening provided by the trees remaining on the property. Therefore, this finding is met.

F. The potential for removal of a protected or heritage tree to cause a significant adverse effect on wildlife species listed as threatened or endangered by State or Federal resource agencies in compliance with the California Environmental Quality Act (CEQA).

Removal of Tree 30 would not result in a significant adverse effect on wildlife species listed as threatened or endangered by State or Federal resource agencies. As documented in the Biological Resource Analysis, Tree 30 is located outside the sensitive habitat areas identified on the property, including wetlands, Wetland Conservation Area buffers, and the Baylands Species Refuge Area, and its removal would not directly disturb the habitat resources associated with those areas. Further, because the property provides suitable nesting-bird habitat, tree removal occurring during the nesting season would be subject to applicable nesting-bird protection measures, including preconstruction surveys and protective measures if active nests are identified. Accordingly, based on the Biological Resource Analysis and implementation of the applicable biological-resource protection measures, removal of Tree 30 would not result in a significant adverse effect on State- or federally listed wildlife species in compliance with CEQA. Therefore, this finding is met.

G. Whether there are alternatives that would allow for the preservation of the tree(s), such as relocating proposed improvements, use of retaining walls, use of pier and grade beam foundations, paving with a permeable substance, the use of tree care practices, etc.

The project has been designed to retain existing trees to the extent feasible. Although preservation of Tree 30 could require relocation or redesign of proposed improvements, such modifications could conflict with other applicable development standards, policies, and design guidelines governing the site, including those encouraging development to be clustered within accessible, less visually prominent, and geologically suitable portions of the property; minimizing grading and alteration of natural landforms; integrating development with the existing hillside topography; and avoiding or minimizing disturbance to sensitive biological resources. 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 and Tree Removal Permit authorizes the construction of a 6,518-square-foot primary residential structure (single-family residence), associated accessory structures, and the removal of one Protected Coast live oak (*Quercus agrifolia*), identified as Tree 30, on a developed lot in the unincorporated area of Tiburon. The authorized accessory structures include a 2,733-square-foot upper-level attached deck, an 892-square-foot lower-level attached deck, and a detached 534-square-foot pool. The total 10,677 square feet of authorized development shall result in a floor area ratio (FAR) of 25 percent based on the 26,232-square-foot dry lot area of the subject property.
2. The approved single-family residence, as conditioned, shall not exceed a maximum height of 30 feet above grade and shall maintain the following minimum setbacks from its exterior: 37 feet, 7 inches from the southern front property line; 29 feet, 1 inch from the eastern side property line; 15 feet, 7 inches from the western side property line; and 75 feet, 3 inches from the northern rear property line.
3. The approved upper-level deck shall reach a maximum height of 25 feet above grade and shall maintain the following minimum setbacks from its exterior: 46 feet, 6 inches from the southern front property line; 10 feet from the eastern side property line; 7 feet, 6 inches from the western side property line; and 61 feet, 3 inches from the northern rear property line.
4. The approved lower-level deck shall reach a maximum height of 15 feet, 6 inches above grade and shall maintain the following minimum setbacks from its exterior: 51 feet, 10 inches from the eastern side property line; 7 feet, 6 inches from the western side property line; and 66 feet, 1 inch from the northern rear property line.
5. The approved pool shall reach a maximum height of 16 feet above grade and shall maintain the following minimum setbacks from its exterior: 74 feet, 2 inches from the southern front property line; 26 feet, 9 inches from the eastern side property line; 84 feet, 11 inches from the western side property line; and 71 feet from the northern rear property line.
6. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "4095 PARADISE DRIVE, TIBURON, CA 94920," consisting of 42 sheets prepared by Anytime Construction, Inc., received in final form on June 3, 2026, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

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

- a. The residence shall be modified so that its maximum height does not exceed 30 feet above grade, consistent with the development standards applicable to the RSP zoning district.
 - b. The applicant shall replace the Protected Coast live oak (*Quercus agrifolia*) authorized for removal at a minimum ratio of two-to-one (2:1), using appropriately sized native tree species (generally a minimum 15-gallon container size) indigenous to Marin County, unless a qualified arborist determines that a higher or lower replacement ratio is warranted.
7. Tree removal shall not occur until the mandatory appeal period has passed, no appeal has been filed, and the approval is final.
 8. 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, 7, 8, 9, and 13.

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 (September 2, 2026).

cc: {Via email to County departments}

DPW – Land Development

Marin Water District

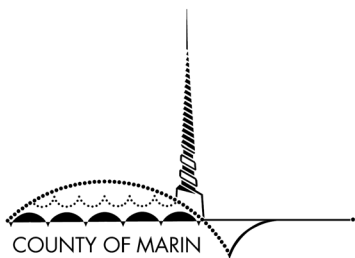
County No. 5 Sanitary District

Tiburon Fire Protection District

Attachments:

1. Marin County Uniformly Applied Conditions 2026
2. Department of Public Works, Inter-office Memorandum – Fourth Transmittal dated July 16, 2026

3. Marin County Environmental Health Services, Interdepartmental Transmittal dated December 9, 2025
4. Letters from the Public



**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 – Fourth Transmittal

DATE: July 26, 2025

DUE: July 16, 2025

TO: Easton Ehlers

FROM: Jack Bauer

APPROVED: JMB SKE Hanger

RE: Jouzi Design Review - P6014

APN: 038-171-61

ADDRESS: 4095 Paradise Drive, Tiburon, CA 94920

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:

☒ 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: 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. DPW suggests the applicant still review these comments at this time.

1. Driveway:

- a. Driveway gate shall be designed such that the driveway width is not reduced below 12 feet. A minimum 12-foot width is required per Marin County Code § 24.04.260(a).
- b. Pursuant to Marin County Code 24.04.310, the driveway shall be paved. When the driveway grade is steeper than 18% grade, it shall be surfaced with P.C.C. and given a broomed or otherwise roughened finish. Additionally, coordinate with the presiding Fire District for additional surfacing requirements (if any); deep-groove "kerf-cut" surfacing may be required when the driveway grade is 15% or steeper.
- c. Pursuant to Marin County Code § 24.04.280, the maximum gradient measured along the driveway centerline should not be steeper than 18% and shall not be steeper than 25%.
- d. Pursuant to Marin County Code § 24.04.290, driveway approaches shall be constructed in accordance with the appropriate Uniform Construction Standard (UCS) drawing unless prior approval to do otherwise is obtained from the agency. Approaches connecting to any road along a section with typical speeds over thirty-five mph or with severe sight distance limitations, as determined by the agency, may require modifications to the standard design. The UCS drawings are viewable via the following County webpage: <https://publicworks.marincounty.gov/uniform-construction-standards/>

- e. Pursuant to Marin County Code § 24.04.285, the driveway vertical positions shall start at least 4 feet back from the edge of the adjoining road. Driveways sloping downhill from the road shall be constructed so as to prevent diversion of roadside drainage down the driveway. The project shall include drainage improvements at the driveway approach if appropriate to meet this requirement while also maintaining existing drainage patterns.
- f. Pursuant to Marin County Code § 24.04.275, turnouts shall be required on driveways over 150 feet in length or if sight distance problems exist unless the driveway is at least 16 feet in width. The number, location and dimensions of required turnouts shall be subject to the review and approval of the agency and shall be no less than 18 feet wide (full driveway width) and 60 feet long including transitions.

2. **Grading & Drainage Plans:** Provide a grading and drainage plan prepared by a licensed professional engineer or by a registered architect:

- a. There will be further review of the hydrology and hydraulics report during review of the building permit application. Update the report to include the current version of the plans, including the most recently proposed types of surfacing at the site.
- b. 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.
- c. Per Marin County Code § 24.04.627, the agency may require, as a condition of project approval, permanent controls designed to remove sediment and other pollutants and to mimic the pre-project site hydrology by controlling the flow rates and/or the volume of stormwater runoff from the project's added and/or replaced impervious surfaces.
- d. 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.
- e. Plans shall demonstrate conformance to the following and label the slopes for all flatwork areas and softscape areas: Per 2022 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 (5% for 10 feet). Exceptions: 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% away from the building. Per 2022 California Building Code § 1804.4, the flowline for swales used for this purpose shall be sloped not less than 2%. Provide a minimum 5% pervious slope or 2% impervious slope from the building foundation to the swales, drains, or other features used for this purpose.
- f. Per 2022 California Plumbing Code § 1101.6, show and label footing and foundation subdrains for foundations with exterior grade that is higher than interior grade, unless otherwise recommended by the design professional.
- g. Pursuant to 2022 California Plumbing Code § 1101.6.5, clarify whether drainage outlet(s) servicing subsoil drainage can be relocated 10 feet away from the property lines, on the subject property. If not, provide explanation for DPW Land Development to review. Locations in the right-of-way will be subject to further review.
- h. Per 2022 California Plumbing Code § 1101.12.1, roof areas of a building shall be drained by roof drains or gutters. Demonstrate conformance.
- i. Pursuant to 2022 California Plumbing Code § 1101.13.1, if downspouts are tightlined away from the building, then show and label cleanouts at the base of the

downspouts before they connect to the horizontal drain.

- j. Per 2022 California Building Code § 3201.4, drainage water collected from a roof, awning, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface. Demonstrate conformance.
 - k. The plan shall also incorporate any recommendations from the Geotechnical Engineer, if such a professional is involved in the project.
 - l. Plan shall show and label the limit of disturbance. Provide the total area to be disturbed
 - m. Provide the proposed cut and fill earthwork volumes.
 - n. Plan set shall indicate that off-haul must be taken to a legal disposal location.
 - o. Plan set shall indicate means of restoring and stabilizing all disturbed areas.
 - p. Add a note on the plans indicating that the plan preparer 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.
3. **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.
4. **Site Retaining Walls:**
- a. Clarify the proposed heights for all site retaining walls. You will need to apply for 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. If any walls are structurally tied to the dwelling, indicate this on the plans, as these walls will not require a separate permit.
 - 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.
5. **During Construction Stormwater Pollution Prevention Controls:** Per MCC24.04.625, the applicant shall provide a plan and implement measures to prevent stormwater pollution during construction. Depending on the volume of earth movement and the proximity to any mapped watercourse, the application shall provide one of the following:
- a. **Best Management Practices Plan** for projects with less than 250 cy of earth movement and where the limit of disturbance is over 50 feet from any mapped watercourse. Per Marin County Code § 24.04.625(a)(c)(g)(k), provide a plan indicating construction-phase best management practices (BMPs) include erosion and sediment controls and pollution prevention practices. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices. You may refer to the Marin County Stormwater Pollution Prevention Program's website, <https://mcstoppp.org/wp-content/uploads/2020/09/esc-measures-for-small-construction-projects.pdf>
 - b. **Erosion & Sediment Control Plan** for projects with 250 cy or more of earth movement or where the limit of disturbance is less than 50 feet from any mapped water course. The following two items together make up the Erosion & Sediment Control Plan and must correspond to each other.

- i. Per Marin County Code § 24.04.625(b)(e), provide a comprehensive, site specific, phased Erosion and Sediment Control Plan (ESCP) in the plan set.
 - ii. Provide the completed accompanying document found in the "Construction Erosion and Sediment Control Plan Applicant Package" available at the following link (the actual template begins on page 11 of the document):
<https://mcstoppp.org/wp-content/uploads/2020/09/mcstoppp-erosion-and-sediment-control-plan-applicant-package.pdf>
6. **Stormwater Control Plans:** More clearly label the drainage management areas (DMAs) and other required information in the Stormwater Control Plan pursuant to Marin County Code § 24.04.627 Permanent Stormwater Controls for New and Redevelopment. You may refer to the BASMAA Post Construction Manual found on the County website:
<https://mcstoppp.org/wp-content/uploads/2020/09/basmaa-postconstruction-manual.pdf>
 - a. 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.
 - b. **Note to Applicant:** Be aware that the NPDES Phase II State Stormwater Permit is expected to be renewed in 2026 with State-mandated changes to post-construction stormwater requirements that may impact this project at time of building permit application.
7. **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.
8. **Construction Management Plan:** Provide a construction management plan, including at a minimum the following:
 - a. Construction management plan shall describe in further detail how parking, storage/staging areas, and other aspects of construction will be managed.
 - b. Truck routes, any turnarounds, any reverse travel requirements, concrete truck staging/parking areas;
 - c. Erosion and sediment control with consideration of activities during the rainy season (October 15 through April 15);
 - d. Add a note to the plans indicating that grading activities during the rainy season (October 15 through April 15) shall not be permitted pursuant to Marin County Code 24.04.625.
 - e. Groundwater management, if applicable;
Construction-phase stormwater management, such as temporary drainage improvements, if applicable;
 - f. Parking for construction workers;
 - g. Construction entrance, if applicable;
 - h. Areas for staging and storage of materials, equipment, soil stockpiles, deliveries, and facilities including but not limited to portable restrooms, concrete washouts, debris bins and dumpsters;
 - i. Emergency vehicle access to neighboring properties further down the street from this site;
 - j. Lane closure, traffic control, loading and unloading zones, road closure, wait time on road shall be no longer than 3 minutes, and there shall be a minimum 10 day notification of road closure to neighbors, sheriff, Fire district, other emergency responders via mail and door hangers;
 - k. Temporary power, if applicable;
 - l. Phone and email contact information for the contractor and disturbance coordinator;

- m. Other requirements and restrictions placed by other entities, such as the Fire district, State and local agencies, and County offices other than the Department of Public Works;
- n. Access route(s) to area of work

-END-

INTERDEPARTMENTAL TRANSMITTAL
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES
ROOM 236, 473-6907

DATE: December 9, 2025

TYPE OF DOCUMENT

TO: Easton Ehlers, Planner

☒ **DESIGN REVIEW**

FROM: Gwendolyn Baert, Supervising REHS

LAND DIVISION

RE: Jouzi Design Review (P6014)

USE PERMIT

Unincorporated Tiburon

VARIANCE

AP#: 038-171-61

MASTER PLAN

ADDRESS: 4095 Paradise Dr., Tiburon

COASTAL PERMIT

LOT LINE ADJ.

OTHER

THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:

WATER

☒ **SEWAGE**

SOLID WASTE

POOLS

HOUSING

FOOD ESTABLISHMENT

THIS APPLICATION IS FOUND TO BE:

FIND IT COMPLETE.

FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.

☒ **FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.**

RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.

1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency's standards.
The applicant has destroyed the septic system that serves this property. It appears that the property is served by Sanitary District #5.
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.
The applicant should provide a "will-serve" letter from the sanitary district.
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. **The project appears feasible as proposed.**
4. If the project needs to be substantially modified to comply with your agency's standards, please describe the scope of those modifications. **N/A**

Paul Good and Susannah Baldwin

4087 Paradise Drive

Tiburon, Ca 94920

paulgoodphd@gmail.com

415-298-0607

March 17, 2026

Mr. Easton Ehlers
Marin County Planning Division
3501 Civic Center Drive
San Rafael, CA 94903

RE: 4095 Paradise Drive Tiburon, CA 94920

Dear Mr. Ehlers:

I am writing for my wife and myself (4087 Paradise), as well as for Ms. Carol Requadt (4094 Paradise). We are significantly impacted by the new home proposed by Mr. Jouzi of Anytime Construction. We would like for the Planning Commission to consider the following comments regarding the subject property:

1. The proposed home is nearly 7000 square feet (not including the 504 sf ADU), dwarfing all of the surrounding homes which are under 3000 sf. We believe this home is too massive for the neighborhood and violates Marin County Development Code Title 22, section 22.42.060 B: *"The proposed development provides architectural design, massing, materials, and scale that are compatible with the site surroundings and the community."*
2. The proposed home and ADU are positioned 5 feet from the Eastern property line. This placement means that the structure blocks the view of Ms. Requadt and invades the front yard privacy of Good/Baldwin. We believe this placement violates Title 22, section 22.42.060 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."* We would like the Planning Division to consider requesting the owner to move the home and ADU by 10-15 feet to the opposite (left) side of the property, closer to the PG&E easement, where there are no

homes and therefore no impact on neighbors. This would leave Ms. Requadt with a view corridor and Good/Baldwin with less light pollution and greater privacy.

3. The ADU appears to have one window and one door on the Eastern property line. The placement of windows 5 feet from the property line is an unnecessary privacy intrusion and undermines Title 22, section 22.42.060 C.
4. At its closest, the pool is located about 28 feet from the Eastern property line. The Landscape plan (L1.1) shows an outdoor barbecue area even closer to the property line. This will create noise adjacent to the main deck area at 4087 Paradise drive. In accord with Title 22 section 22.42.060 C, a better and more private location for the pool would be closer to the PG&E Easement on the west side of the property where there are no homes in the adjacent area.
5. Another concern is the several retaining walls that are planned for the property along Mira Mar road and the gravel easement. The upper wall (the height of which has not been given) and the gated entrance are partially on community property. This is evident on pages A-0.7, A-0.8 and A-1.2 of the plan.
6. During decades of living at 4094 Paradise Drive, Ms. Requadt has observed the drainage of water coming down the hillside and traveling over the property at 4095 on its way to the bay. In some years, water originating above Paradise Drive does not properly drain because the Paradise Drive ditch is often full of dirt and so water continues running downhill on Mira Mar road towards 4095. Water originating below Paradise Drive, from the Requadt home at 4094 Paradise and the home at 4126 Paradise Drive, also contribute to the water flowing onto 4095.

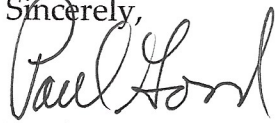
Page C.1 of the Civil Engineer report shows an existing drain for some of this water. But this drain no longer has sufficient drop and has malfunctioned. Our concern about drainage is that there are multiple retaining walls traversing the property from east to west. Presumably the purpose of these walls is to divert rainwater from the proposed structure. This is reasonable, but there is no indication as to where the diverted

Planning Division
RE: 4095 Paradise Dr.
Page 3.

water goes. The drainage lines need to be more clearly defined. The builder and the County needs to assure us that diverted water flows into the bay on both sides of the proposed structure. If this is not handled properly, Mira Mar road could become flooded, and block access to the main access and garage for 4126 Paradise Drive. Adjacent properties could flood as well.

Thank you for your consideration. We await the installation of story poles.

Sincerely,



Paul Good
4087 Paradise Drive



Carol Requadt
4094 Paradise Drive

Jouzi project at 4095 Paradise

From Carol Smith <lockason@yahoo.com>
Date Wed 7/22/2026 10:37 AM
To Easton Ehlers <Easton.Ehlers@MarinCounty.gov>
Cc Paul Good <paulgoodphd@gmail.com>

You don't often get email from lockason@yahoo.com. [Learn why this is important](#)

Easton,

I am writing in response to a proposal that has been submitted by Nima Jouzi for a project at 4095 Paradise Dr. in unincorporated Marin County. I am Carol Requadt, owner and resident at 4094 Paradise Dr. My concerns are regarding the recently installed story poles and flags as well as the request for a height variance. In March Paul Good and I had a very helpful meeting with you, and we are again asking for your help.

CONCERNS

1. Why are there no story poles for the A.D.U.? Does the state not require them? It would be very helpful to have them and are requesting that they be installed.
2. Mr. Jouzi has requested a variance for an increase in building height to approximately 32.5 feet above grade rather than the standard limit of 30 feet. He has given no reason for this request, and it is unclear where the increase would be. We are asking for clarification.
3. The story poles and flags are elaborate, and the building is very large. This creates confusion about the finished product. I am hoping that we can be provided with information that allows a better understanding of the placement and height of these

poles.

Thank you

Carol

Re: comments on 4095 contruction 8/19/20 [SENT FROM A PUBLIC FORM]

From No-Reply <No-Reply@MarinCounty.gov>

Date Wed 8/19/2026 1:42 PM

To Easton Ehlers <Easton.Ehlers@MarinCounty.gov>

Contact Us

Email To: Easton.Ehlers@MarinCounty.gov

Hosted <https://www.marincounty.gov/departments/cda/planning/projects/tiburon-unincorporated/jouzi-dr-vr-spr-trp-p6014>
Page:

To: Easton Ehlers

From: Carol Requadt

Sender's

Email lockason@yahoo.com

Address:

Subject: comments on 4095 contruction 8/19/20

Message: Easton,

Thank you for answering the questions that I sent earlier. Sorry for the long delay in getting back to you. I had a string of internet and computer disasters that are now resolved.

My earlier questions had to do with understanding the story poles as well as the necessity of the height variance. What prompted this is that from my property the location of the lower poles seems to be in the water, suggesting the location of the house would extend into the Bay. This also obstructs a portion of my view, which is from west to east. I have access to the Bay and yesterday I went down to the shore to get the east to west view. This is dramatically different, and the poles are actually located well above the water. The lower part of the building is quite high and results in the blocking of a portion of my view. It would be preferrable to me if this portion of the house were lowered or "stepped down". In my opinion this would result in a more pleasant design as well preserving the view. The location of the height variance is more obvious in the east to west view. It seems that if the grade were leveled out, the variance would be unnecessary and would not be blocking even more of the view.

Easton, you are doing a great job with the project and I have enjoyed working with you. Good luck with your future.

Sincerely,
Carol Requadt
4094 Paradise Dr.

2026-08-19 01:39PM -0700
IP:

Re: Jouzi Design Proposal Comment from 4126 Paradise Dr. [SENT FROM A PUBLIC FORM]

From No-Reply <No-Reply@MarinCounty.gov>

Date Thu 8/20/2026 4:20 PM

To Easton Ehlers <Easton.Ehlers@MarinCounty.gov>

Contact Us

Email To: Easton.Ehlers@MarinCounty.gov

Hosted <https://www.marincounty.gov/departments/cda/planning/projects/tiburon-unincorporated/jouzi-dr-vr-spr-trp-p6014>

To: Easton Ehlers

From: Victoria Canby

Sender's
Email victoriagcanby@gmail.com
Address:

Subject: Jouzi Design Proposal Comment from 4126 Paradise Dr.

Message: Hello Easton,

I am the property owner of 4126 Paradise Dr. in Tiburon overlooking the property of 4095 Paradise Dr. where the tear down and construction of a new home is being proposed. Our home at 4126 was built by my grandfather in 1951 and the house has been in my family for 3 generations. We have watched the landscape changed over generations and the impact of the changing hillside has had structural impacts on our home. We were made to reinforce our home to make it safe for any future elements like erosion or earthquakes. Looking at the proposed size for the home at 4095, it seems unsafe and reckless to build a structure of that size on a compromised hillside. It puts the other surrounding homes such as Paul Good's home at risk as well as the dock that I own below the home. The proposed home will also obstruct the view from our house of the bay. Currently this home is a rental and a primary draw for this property as a rental is the view of the Bay. This may impact our current tenants interest in the home as well as any future tenants. Our house at 4126 is currently a duplex and is meant to be passed onto my niece who will use it as a living space and source of revenue. Therefore it is important to consider that this may impact the livelihood and future of my niece to promote as a desired rental. The view obstruction is not only an aesthetic issue but it is also a safety concern since we are able to keep track of our dock from the balcony of the home. Recently two small boats were stolen from our

property when our current upstairs tenants were away. Our dock will also lose all privacy because of the impending size of the home which based on the projected image from Zillow will look down onto our dock. As a lifetime Marin County resident I strongly oppose not only the size of the proposed home but the height which will impact my home and surrounding neighborhood. I have attached images that include the scaffolding for the proposed size of the building and the view from the house. The images show that a good portion of the view of the water close to our dock will be obscured.

Sincerely
Victoria Canby
Property Owner at 4126 Paradise Dr.
(415)261-3642

Optionally [IMG_2316.JPEG](#)
Add an [IMG_2319.JPEG](#)
Attachment: [IMG_2318.JPEG](#)
[IMG_2312.JPEG](#)
[IMG_2314.JPEG](#)
[IMG_2313.JPEG](#)

2026-08-20 02:54PM -0700
IP:

Re: Opposition to P6014 [SENT FROM A PUBLIC FORM]

From No-Reply <No-Reply@MarinCounty.gov>

Date Thu 8/20/2026 6:26 PM

To Easton Ehlers <Easton.Ehlers@MarinCounty.gov>

Contact Us

Email To: Easton.Ehlers@MarinCounty.gov

Hosted <https://www.marincounty.gov/departments/cda/planning/projects/tiburon-Page: unincorporated/jouzi-dr-vr-spr-trp-p6014>

To: Easton Ehlers

From: Parker Puls

Sender's

Email parkergpuls@gmail.com

Address:

Subject: Opposition to P6014

Message: I am writing to express my strong opposition to the pending permit P6014 for the proposed 6,374-square-foot home at 4095 Paradise Drive.

As the future owner of the neighboring property at 4126 Paradise Drive, I am deeply concerned about the scale of this project. A structure of this size is excessive for this neighborhood and deviates from the established community standard size of homes that blend into the hillside to allow neighbors an unobstructed view of the beauty that is the San Francisco Bay.

I grew up at 4126 Paradise Drive and have fond memories of sitting on the porch with my family staring out at the water. Often watching the early morning paddleboarders or the many ships pass under the Richmond Bridge, it created a sense of peace I hope to one day share with my children. Building a home like the one proposed for this permit will permanently alter that serenity.

The current plans for the home will block part of the view of the bay visible from my property, which is necessary for monitoring the dock. This is a critical security concern, as two boats have been stolen from the dock within the past year. Additionally, building a house of this size on a fragile hillside will require a lengthy construction period. The resulting disruption will make it difficult to retain long-term tenants for the duplex on my family's property, which I plan to continue renting while my husband

completes his Army service.

My fellow neighbors, my family, and I ask that you please deny this permit.

Thank you for your time and consideration.

2026-08-20 09:26PM -0400

IP: