MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 26-103

A RESOLUTION APPROVING THE KELLY A. BATES REVOCABLE TRUST COASTAL DEVELOPMENT PERMIT AND DESIGN REVIEW 3445 STATE ROUTE 1, STINSON BEACH ASSESSOR'S PARCEL: 195-194-05, 06, AND 26

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SECTION I: FINDINGS

1. **WHEREAS**, Michael Mitchell, on behalf of the owners, Kelly A. Bates Revocable Trust (Kelly Anne Bates and Bill Scott), has submitted a Coastal Development Permit and Design Review application to demolish an existing 2,466 square foot commercial building and construct a new mixed-use building with commercial office space and a residence, and a new septic system on a developed lot in Stinson Beach. The 1,761 square feet of proposed development would consist of 534 square feet of ground level commercial space facing State Route 1 and a 1,227 square foot, two-story residence located at the rear of the commercial structure. The proposed development would result in a floor area ratio of 24 percent on the 7,495 square foot lot. The proposed building would reach a maximum height of 24 feet, 6 inches above surrounding grade and the exterior walls would have the following distances from the property lines: 23 feet from the northern front property line; 6 inches from the western side property line; 27 feet from the eastern side property line; 32 feet from the southern rear property line.

   Various site improvements would also be entailed in the proposed development, including a waste bin enclosure, concrete and gravel driveway, ADA ramp, onsite parking, landscaping, and two bike lockers. The materials proposed to be utilized in construction include a copper standing seam roof, wood siding in a clear finish, and dark bronze window and door trim.

   The property is located at 3445 State Route 1, Stinson Beach, and is further identified as Assessor's Parcels 195-194-05, 06, and 26.

2. **WHEREAS**, on November 5, 2026, the Marin County Deputy Zoning Administrator held a duly noticed public hearing to take public testimony and consider the project.

3. **WHEREAS**, the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302, Class 2 of the CEQA Guidelines as the project would not result in significant impacts to the environment.

4. **WHEREAS,** the project is consistent with the goals and policies of the Marin Countywide Plan for the following reasons:

   A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.

   B. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide habitat for special-status species of plants

or animals as confirmed by the Biological Site Assessment dated January 2025 and prepared by JK Botany and Wetland Science.

C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, baylands, or woodlands.

D. The Marin County Geographic Information System identifies Easkoot Creek as a perennial stream in the Coastal Corridor and, thus, the project is subject to the Marin Countywide Plan stream conservation area policies (CWP Policies BIO 4.1 through 4.2, 4.4, 4.6 and 4.8). As shown on the site plan, most of the property is located entirely within the 100-foot Stream Conservation Area (SCA) buffer. Only 180 square feet of the 7,495 square foot lot sits outside the SCA. As a result, it is not feasible to locate the proposed development outside of the SCA due to the property's constrained size. Therefore, an exception to full compliance with the SCA criteria and standards is allowed per CWP Policy BIO-4.1.

   The proposed project would result in the demolition of an existing 2,466 square foot commercial building and construction of a new mixed-use building with commercial office space and a residence, and a new septic system on a developed lot in Stinson Beach. Site improvements would entail a waste bin enclosure, onsite parking, a concrete and gravel driveway, ADA ramp, landscaping, two secure bike lockers, and a bike rack for short-term bike parking. The new mixed-use structure would be located approximately 48 feet from the stream top of bank while the existing structure it would replace is located just 17 feet north from the creek top of bank.

   Overall, the project would result in a net benefit to habitat values over existing conditions because the project would:

   1. Restore the riparian corridor by replacing existing degraded riparian habitat, removing nonnative vegetation, and restoring native vegetation;
   2. Improve degraded conditions for wildlife habitat;
   3. Improve flood protection by removing structures from the AE flood zone; and
   4. Increase permeability thereby reducing and improving the quality of stormwater runoff.

   The riparian corridor would be restored by replacing existing degraded riparian habitat with native vegetation and removing nonnative vegetation. The vegetation within the project area along Easkoot Creek is highly disturbed and dominated by several invasive non-native species, which limit the creek's habitat value. The Biological Site Assessment found no native riparian trees, shrubs, or herbaceous plants along the creek channel or its banks and determined that the overall condition of the creek corridor to have low functional value.

   Riparian restoration is proposed along the property's southern boundary adjacent to the creek channel. The restoration would include the installation of over 88 native and drought tolerant trees, shrubs, herbaceous perennials, and ground cover to revegetate the creek area, and would also include long-term maintenance and removal of invasive non-native species. According to the revised Biological Site Assessment, approximately 2,467 square feet are proposed for habitat restoration. An additional 487 square feet would be planted with drought tolerant native landscaping species, and invasive species would be removed and managed. The habitat restoration includes installation of two willow trees, two live

oak, and 12 riparian shrubs, as well as maintenance to prevent the growth of invasive species that border the parcel.

The proposed project would improve degraded conditions by taking measures that create a net environmental benefit over existing conditions. First, the existing septic system that is situated just 15 feet from the top of creek bank would be abandoned in favor of new mounds located along the property's frontage. According to the Biological Site Assessment, this would result in a reduction of potential septic system flows leaking into the creek. The new septic system would be moved approximately 85 feet north of its existing location, farther away from the creek as feasible, given the property's size constraint. This action would potentially improve overall cumulative water quality within Easkoot Creek. Second, as discussed above, landscape enhancements would restore natural and native habitat to improve the creek's habitat value.

The proposed project would increase permeable surfaces on the site through the reduction of the new building footprint over existing, removal of the concrete slab on the eastern half of the parcel, reduction in parking, and use of gravel for the parking, walkway, and pavers. The existing structure and concrete hardscape total 4,585 square feet while the proposed project would reduce the total amount of impervious area down to 2,669 square feet, a reduction of 1,916 square feet, and a 42% reduction. The total amount of pervious area would improve from 2,874 square feet to 4,790 square feet, representing a 66.7% increase. Conversion of impervious surfaces to permeable surfaces would decrease the amount of runoff originating from the parcel as water would infiltrate the soils.

Therefore, the project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and BIO-4.1) as the project would result in the removal and replacement of invasive exotic plants with native plants, the restoration of damaged portions of the SCA to its natural state, reestablish herbaceous woody riparian vegetation through the planting of native species, and reduce stormwater runoff that could otherwise impair the creek and the SCA.

E. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.

F. The project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during review of the Building Permit application and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.

G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during review of the Building Permit application.

H. The project is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines and the natural environment from adverse impacts related to development.

5. **WHEREAS,** the project is consistent with the goals and policies of the Stinson Beach Community Plan for the following reasons:

   A. The project is consistent with the Environmental Goals and Policies related to tree protection (3.0 A, B, G, and H) because no large cypress, bay, or alder trees would be removed.

   B. The project is consistent with the Land Use Goals and Policy related to building height (4.0 G) because the project would not exceed the height limit for a residence in the area.

6. **WHEREAS,** the project is consistent with the Marin County Coastal Code Mandatory Findings for Coastal Development Permit approval (Marin County Coastal Zoning Code Section 20.70.070):

   A. Public Coastal Access. The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Coastal Access section of the Marin County Land Use Plan and the applicable standards contained in County Coastal code Section 20.64.180). Where the project is located between the nearest public road and the sea, a specific finding must be made that the proposed project, as conditioned, is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act (commencing with Section 30200 of the Public Resources Code)

   The subject property is located between the sea and the first public road or adjacent to a coastal area identified by the Local Coastal Program where public access is desirable or feasible. During routine field inspection, no evidence of historic public use of this site was evident. Furthermore, the site is not located near any shorelines, tidelands, submerged lands, or lands subject to the public trust doctrine. The project is consistent with the Land Use Plan (LUP) public coastal access policies (C-PA-1, C-PA-3, C-PA-15, and C-PA-16) including Chapter 3 of the California Coastal Act, because the project site is not located near a coastal bluff or beach access and would not interfere or impact existing coastal access.

   B. Biological Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Biological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.050 of the Marin County Coastal Code.

   The project site is developed with an existing commercial structure and is highly disturbed. The project site sits adjacent to Easkoot Creek, which is within the Easkoot Creek sub-watershed and part of the larger Bolinas Lagoon watershed. A Biological Site Assessment prepared by Julia King of JK Botany and Wetland Science, dated January 2026, states a USGS 7.5-minute quadrangle map for Bolinas shows a dashed blue line in the study area, indicating an intermittent drainage feature. The Assessment also concludes that Easkoot Creek meets the California Coastal Commission and U.S. Army Corps of Engineers (USACE) wetland definition. Thus, Easkoot Creek is an Environmentally Sensitive Habitat Area (ESHA).

   The LCP contains policies regarding coastal stream ESHAs, specifically Policy C-BIO-24. This policy states that buffers should be established to protect streams from the effects of adjacent uses, including development impacts from construction and post construction

activities, and that such buffers should be maintained in a natural condition. The policy goes on to state that the buffer shall be wider of the following on both sides of the stream, "…(a) the area 50 feet landward from the outer edge of riparian vegetation; or (b) the area 100 feet landward from the top of the stream banks, or (c) as recommended by the biological assessment…". The LCP provides for adjustments to ESHA buffer requirements however, Policy C-BIO-25(4) states that "the buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the stream/riparian ESHA…."

The following table summarizes the existing and proposed development:

Table 1: Comparison of Existing to Proposed

Project Element	Existing	Proposed Project	Change
Building Size	2,466 square feet (sf)	1,761 sf (534 sf office, 1,227 sf residential)	Decrease of 705 sf or 28.9%
Building Footprint	2,466 sf	923 sf (first floor only – includes 534 sf office & 389 sf residential)	Decrease of 1,543 sf or 63%
Floor Area Ratio	33%	25%	24% reduction
Total impervious area	4,585 sf	2,669 sf	Decrease of 1,916 sf or 42%
Total permeable area	2,874 sf	4,790 sf	Increase of 1,916 sf or 66.7%
Permeable surface area in 50' buffer	0	1,095 sf	100% increase
Amount of development within the 100' stream buffer	2,466 sf	1,761 sf	Decrease of 705 sf or 28.6%
Amount of development within the 50' stream buffer	744 sf	1.5 sf associated with two posts and 12 sf of second-story cantilevered fill associated with the roof overhang	98.2% reduction
Development within AE flood zone	Portion of existing structure & septic system	None	100% reduction

Table 1: Comparison of Existing to Proposed			
Project Element	**Existing**	**Proposed Project**	**Change**
Septic system	Located within AE flood zone and within 50' buffer	New septic system located outside of AE flood zone and 50' buffer	Existing system abandoned
Onsite parking	None	5	Request to reduce 5 to 4
ADA parking	none	1 parking space	100% increase
Electric Vehicle charging station	none	1 parking space	100% increase
Offsite parking	2 parking spaces	2 parking spaces	No change
Riparian vegetation	None – low functional value per the Biological Site Assessment	2,647 sf proposed for habitat restoration	100% increase

With the exception of two posts totaling 1.5 square feet of lot coverage and 12 square feet of second-story cantilevered fill associated with roof overhangs, the proposed mixed-use structure would be located outside of the 50-foot ESHA buffer and would replace an existing commercial structure, a 744-square-foot portion of which is located within the 50-foot buffer located just 17 feet north of the creek top of bank.

Three of five parking spaces would also be located in the 50-foot buffer. Marin County Code Chapter 24.04, Division III, Parking and Loading require a minimum number of five paved off-street parking and loading spaces for the type of development proposed with the project. The Department of Public Works, Land Division (DPW), has approved a parking plan showing a minimum of five on-site parking spaces as required by Marin County Code Section 24.04.340, where no on-site parking was previously provided. The applicant has submitted an exception request from this requirement to reduce the amount of on-site parking from five to four spaces. This request will be formally reviewed by DPW pursuant to Marin County Code Section 24.15, prior to issuance of a building permit for the project. An independent parking study may be required to analyze parking availability, transit access, walkability to transit services, potential for shared parking, and the effect of the parking requirements on the cost of market-rate and subsidized developments.

As discussed above, two posts and a portion of the roof overhang at the rear of the proposed structure would encroach into the 50-foot ESHA buffer. These structural components could potentially result in loss and degradation of buffer function as the posts would occupy a small area that could potentially support vegetation and promote drainage, and the roof overhang may lead to shadowing, which could potentially inhibit plant growth. However, at a total of 13.5 square feet, the total amount of encroachment is minimal compared to existing site conditions as the proposed project would result in a 98.2-percent

reduction in the amount of impervious development currently in place at the site. Further, the project has been designed to employ drainage improvements including gutters and downspouts that would capture rainwater and route project flows to splash blocks. Project drainage would be directed to percolation swales as shown on Sheet C3 (Drainage Plan), minimizing site run off. DPW will require the approval of an erosion and sediment control plan and a stormwater control plan, in addition to compliance with the Bay Area Stormwater Management Agency requirements, prior to the issuance of project building permits.

The applicant has revised the exception to DPW from Chapter 24.04 parking and loading standards to not only reduce the overall number of parking spaces required but to allow gravel surfacing for the portion of the parking area within the ESHA buffer to minimize buffer encroachment. The revised parking plan would utilize gravel surfacing for the parking and turnaround area within the buffer to minimize buffer encroachment, where paved surfaces are required, in addition to reducing the number of required onsite parking spaces from five to four. Consequently, a condition of approval has been included below that requires the applicant to modify plans to be internally consistent and substantially conform to Sheets C3 (Drainage Plan) and C6 (Parking and Management Plan) prior to issuance of a building permit consistent with DPW requirements.

The revised parking configuration would result in a total of 204 square feet of impervious area (concrete) within the 50-foot ESHA buffer for the ADA parking stall, driveway, and turnaround area compared to existing conditions where there is 2,119 square feet of impervious surface area. According to the Revised Biological Site Assessment Report, received on July 13, 2026, the exception would result in 1,065 square feet of permeable driving surface area within the 50-foot buffer. To further reduce the amount of impervious area proposed with the project, a condition of approval has been included below that requires additional coordination between the applicant and DPW regarding the use of permeable surfacing for the 204 square-foot impervious area, prior to building permit issuance.

The project applicant originally submitted a drainage plan that included two linear drainage dissipators located within the 50-foot ESHA creek buffer but has since revised the design removing the dissipators from the buffer and instead has proposed percolation swales elsewhere on the site outside of the 50-foot ESHA buffer. Prior to issuance of a project building permit, the Department of Public Works will require that the project civil engineer demonstrate that the proposed site drainage patterns match existing site drainage patterns, and detailed drainage plans would be subject to review and approval by DPW prior to issuance of a project building permit. In addition, a construction management plan would be required that includes an erosion and sediment control plan, prior to issuance of a Building Permit. To ensure that the plans submitted for building permit review are internally consistent, a condition of approval has been included below that requires the applicant to revise all plan sheets for internal consistency with Sheet C3 (Drainage Plan).

In assessing whether a buffer adjustment and exceptions can be considered to the ESHA buffer policies, LCP Policy C-BIO-25 sets forth the following requirements, "...(a)...the development is proposed on a legal lot of record located entirely within the buffer or (b) It can be demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or (c) It is demonstrated that that the permitted development outside the buffer would have greater impact on the stream or riparian ESHA and the continuance of its habitat than development within the buffer..."

The property is a legal lot of record, located entirely within the 100-foot ESHA buffer where only a 180 square foot portion of the site - fronting State Route 1 – is located outside of this buffer. As a result, it is not feasible to locate the proposed development outside of the 100-foot buffer due to the property's constrained size. Therefore, consistent with LCP Policy C-BIO-25(1) the proposed project is eligible for buffer adjustments and exceptions to full compliance with the EHSA buffer policies.

LCP Policy C-BIO-25(2) and (3) set forth the requirements to grant a buffer adjustment as follows:

- Policy C-BIO-25(2) states that a buffer adjustment can only be granted if supported by the findings of a site assessment which demonstrates the adjusted buffer, in combination with incorporated siting, design or other measures, will prevent impacts that significantly degrade the stream or riparian vegetation, and will be compatible with the continuance of the stream/riparian ESHA.

- Policy C-BIO-25(3) states, in part, that a Coastal Development Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by a site assessment or other technical documents. Appropriate measures may include but are not limited to: (a) retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater runoff and improve the quality of stormwater runoff (e.g., permeable hardscape materials and landscape or site features designed to capture, absorb and filter stormwater); (b) elimination of on-site invasive species; (c) increasing native vegetative cover; and (f) other measures that reduce overall similar site-related environmental impacts.

The Biological Site Assessment evaluated plant and animal species occurring within the project area. A site visit was conducted on January 30, 2024. Animal species recorded in the CNDDB and shown on USFWS Critical Habitat Maps as potentially occurring within the vicinity of the Study Area include California red-legged frog (*Rana draytonii*), foothill yellow-legged frog (*Rana boylii*), tidewater goby (*Eucyclogobius newberryi*), steelhead (*Oncorhynchus mykiss irideus*), western pond turtle (*Actinemys marmorata*), marbled murrelet (*Brachyramphus marmoratus*), and northern spotted owl (*Strix occidentalis caurina*). No special-status animals were recorded as present within study area by CNDDB Bios mapping or by Marin County. California red-legged frog (CRLF) and foothill yellow-legged frog (FYLF) are recorded to inhabit several freshwater drainages that are tributaries to north and west of the Bolinas Lagoon within approximately 3.6 miles of the Study Area. California giant salamander (CGS) is known along several eastern tributaries to the Bolinas Lagoon. The majority of the Bolinas Lagoon to the north is mapped as critical habitat for tidewater goby. The western pond turtle has been recorded northwest of Olema Bolinas Road and Highway 1 and on the Bolinas Mesa. Critical habitat for marbled murrelet occurs north from Stinson Beach on the slopes of Mt. Tamalpais State Park. Northern spotted owl occurrences are known from the ridge to the east of Stinson Beach. While the tidewater goby, foothill yellow-legged frog, California giant salamander, steelhead, marbled murrelet, and northern spotted owl would occur within the study area, the property's urban and ruderal status does not provide suitable habitat to support these species. Regardless, outdoor construction activity that involves grading or other site disturbance shall occur in accordance with Marin County Code Section 22.20.040 regarding roosting bat, nesting bird, and Northern Spotted Owl protection measures.

Regarding plants, the assessment states that the parcel is highly developed and fits the "Urban" classification used in the "Guide to Wildlife Habitats of California". Special status plant species were not observed during the site visit and specific habitat conditions that would support such species were not found in the study area. The developed portion of the site consists of an existing commercial structure, paved patio, and intensively landscaped surface that are not suitable to support special status plant species.

A search of the California Natural Diversity Database, prepared by the State Department of Fish and Wildlife, indicates the subject property is located near habitat for coastal bluff scrub, coastal scrub, coastal prairie, closed-cone coniferous forest, north coastal coniferous forest, mixed evergreen forests, cismontane woodland, broadleaf upland forest, foothill woodlands, serpentine seeps, serpentine outcrops, riparian forest, riparian woodlands, coastal dunes, and valley and foothill grassland. These plant species were not present on the project site. In fact, many of these special status plant species are from historic collections and have not been observed in the field for the past 50-100 years. In addition, many of these special status plant species require serpentine soil requirements, which are not present within the study area.

The creek channel to the south of the property is identified as ruderal, which is defined as a plant species that are first to colonize disturbed lands. In many California developed landscapes, non-native invasive plant species dominate ruderal vegetation. A ruderal zone of vegetation, mostly herbaceous annual and perennial weed species, are identified along the slope of Easkoot Creek. No native riparian vegetation was observed along the creek channel or its banks.

The site assessment states that the vegetation present along the creek is dominated by invasive plant species that limit the habitat values along the creek channel, including forked nightshade (*Solanum furcatum*-UPL), a non-native species, and other common weeds found throughout the coastal areas. These and other invasive plants have resulted in the loss of native herbaceous vegetation next to the creek and impede the growth of native plants and decrease the overall habitat value for native wildlife.

The project includes a detailed landscape restoration and enhancement plan, as shown on Plan Sheets L1.0, L2.0, L2.1, L3.0, and L4.0. The habitat restoration would include monitoring as detailed in the Revegetation and Monitoring Plan prepared by Julia Benz, Benz Botany and Wetland Science, dated January 26, 2026. According to the landscape enhancement plan, at least 1,200 square feet of habitat restoration and enhancement would occur adjacent to the top of the creek bank. A landscaped area currently exists which will be enhanced through the installation of over 88 native and drought tolerant trees, shrubs, herbaceous perennials, and ground cover along the top of the bank to revegetate the creek area. A mixture of Larner's Coastal California Pollinator Conservation Seed Mix, which contains seed for a long season of attracting pollinators, will be applied as show in Plan Sheet L2.1. The seed in this mix consists of a variety of California native annuals and perennials that grow in full sun and include white yarrow (*Achillea millefolium*), mountain garland clarkia (*Clarkia unguiculata*), California poppy (*Eschscholzia californica*), gumplant (*Grindelia camporum*), common sunflower (*Helianthus bolanderi*), baby blue eyes (*Nemophila menziesii*), California phacelia (*Phacelia californica*), tansy phacelia (*Phacelia tanacetifolia*), red fescue (*Festuca rubra*), purple needlegrass (*Stipa pulchra*), and vinegar weed (*Trichostema lanceolatum*).

The footprint of the proposed restoration and enhancement area would be 50 percent larger than existing landscape conditions. This would include the installation of native

plants along the creek and long-term maintenance to remove invasive and non-native species. An approximately 2,647 square feet area is proposed for habitat restoration and invasives species would be removed and managed to prevent reintroduction. As sited and designed, the project would not substantially reduce the number or restrict the type of rare, endangered, or threatened plants.

Overall, the project would result in a net benefit to habitat values over existing conditions as summarized below:

- The project would result in the removal of an existing structure that is located not only within the AE flood zone but also in the 50-foot ESHA buffer. The new structure would be outside of both the ESHA 50-foot buffer and AE flood zone;
- The existing septic system – located just 15 feet from the top of creek bank and also within the AE flood zone - would be removed. A new septic system, comprised of two mounded "planter box style" septic fields, would be located at least 74 feet from the top of creek bank, between State Route 1 and the north side of the structure;
- An existing propane tank located in the southwestern rear of the property and located within both the 50-foot ESHA buffer and AE flood zone, would be removed;
- A 6-foot wire fence located along the Easkoot Creek flood control easement and nearby the top of creek bank would be removed;
- All proposed development would be sited in areas of existing disturbance with no new disturbed areas;
- Habitat restoration activities would occur over a 2,647-square-foot area;
- Habitat restoration would include irrigation, an irrigation schedule, maintenance, invasive species management, and monitoring over a three-year period;
- Nonnative vegetation would be removed and managed to prevent reintroduction;
- Stormwater improvements that would reduce the rate and volume of stormwater, improving the quality of stormwater runoff would be installed site wide;
- Impervious surfaces would be reduced by 42-percent and pervious surfaces would be increased by 66.7-percent, reducing the amount and improving the quality of stormwater runoff.

In conclusion, while the proposed project would require an adjustment to the ESHA buffer, the adjustment is supported by a biological site assessment, and the project would result in net benefits to habitat values consistent with the LCP policies as described above. Further, while an adjustment to the 50-foot ESHA buffer is sought for parking and access improvements and minimal lot coverage associated with the proposed structure (13.5 square feet), the improvements would consist primarily of permeable surfacing that would encourage the capture, absorption and filtration of stormwater consistent with the LCP policies regarding buffer adjustments. When taken in its totality, the project would result in improvements to stream ESHA and ESHA buffer over existing conditions and is therefore consistent with the Biological Resource policies contained in the LCP.

C. Environmental Hazards. The proposed project, as conditioned, is consistent with the applicable policies contained in the Environmental Hazards section of the Marin

County Land Use Plan and the applicable standards contained in Section 20.64.060 (Environmental Hazards).

The property is developed with an existing commercial structure on relatively level topography with an average slope of 3 percent and is located in a village commercial area of Stinson Beach. No natural dunes exist on the project site. The proposed project is not located within a bluff erosion zone and does not have an impact on coastal access. The project site is not located within the Alquist-Priolo earthquake hazards zone for the nearby San Andreas fault. The Marin County Community Development Agency, Building and Safety Division will require seismic compliance with the California Building Code prior to the issuance of a building permit. Therefore, the project is consistent with the LUP environmental hazard policies and this finding.

Miller Pacific Engineering Group prepared a geological feasibility evaluation of the site dated October 22, 2024. A site visit on September 5, 2024, concluded that the primary geologic hazards which could affect the proposed development are strong seismic ground shaking, liquefaction, flooding, and erosion. The nearest known active faults are the San Andreas and San Gregorio Faults, which are located are approximately 2.2 kilometers (1.4 miles) and 3.4 kilometers (2.1 miles) to the west of the site, respectively. The site will likely experience moderate to strong ground shaking from future earthquakes originating on any of several active faults in the San Francisco Bay region. However, the site does not lie within the limits of an Alquist-Priolo Special Studies Zone. The Department of Public Works has required that the applicant demonstrate conformance with Marin County Title 24 and California Building Code prior to building permit issuance.

The site is located adjacent to the northern bank of Easkoot Creek and potentially subject to future erosion. Although the planned structure will be set back 50 feet from the top of creek bank, which suggests a low risk to the structure, future erosion within the stream channel should be anticipated that may encroach upon the southern portion of the site. The Department of Public Works has conditioned the project to require the project civil engineer to demonstrate that proposed site drainage patterns match existing site drainage patterns. In addition, a construction management plan must be provided that includes an erosion and sediment control plan prior to issuance of a Building Permit. Moreover, a condition of approval will require the applicant to update all plan sheets to be internally consistent with sheets C3 and C6.

Finally, no grading will occur within the 50-foot creek buffer. Other geologic hazards, such as tsunami, seismically induced ground settlement, expansive soils, and settlement pose minimal risk. The Department of Public Works will require the applicant to demonstrate conformance with Marin County Title 24 and California Building Code. In addition, the applicant will be required to 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. Therefore, the project is consistent with the LUP environmental hazard policies and this finding.

D. Agriculture and Mariculture. The proposed project, as conditioned, is consistent with the applicable policies contained in the Agriculture and Mariculture sections of the Marin County Land Use Plan and the applicable agricultural and maricultural standards contained in Chapter 20.32.

The subject property is zoned C-VCR (Coastal, Village Commercial/Residential). The purpose of the C-VCR zoning district is to maintain the established historical character of village commercial areas; provide village commercial self-sufficiency; foster opportunities for village commercial growth; maintain a balance between resident-serving and non-resident serving commercial uses; protect established residential, commercial, and light industrial uses; and maintain community scale in compliance with Marin County Local Coastal Program policies. The project proposes a mixed-use commercial and residential structure and related site improvements in a zoning district where commercial is principally permitted and single-family residences are permitted. Therefore, this finding does not apply because the proposed mixed-use project does not include agricultural or maricultural uses.

E. Water Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Water Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.080 (Water Resources).

The existing commercial structure is served by the Stinson Beach County Water District (SBCWD), which provides municipal water service within the unincorporated area of Stinson Beach. The proposed mixed-use structure will be served by the existing water meter and the SBCWD has indicated that an adequate quantity and quality of water is available to serve the proposed mixed-use development. Additionally, the applicant provided a preliminary grading and drainage plan that the Department of Public Works, Land Development Division reviewed and found the plan acceptable subject to the standard conditions required by the County including, but not limited to, a construction management plan and an erosion and sediment control plan. The applicant has also submitted an erosion control and sedimentation plan that utilizes erosion control provisions consistent with standard best management practices during construction as well as permanent long-term erosion control features throughout the property. As such, the project as designed will result in modest grading impacts. Therefore, the project is consistent with the LUP Water Resources policies (C-WR-1, C-WR-2, C-WR-4, C-WR-5, CWR-6, and C-WR-7) because the project will be further reviewed for compliance with all standards related to water quality and stormwater control before the issuance of related permits.

F. Community Design. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Design section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.100 (Community Design).

The project site is in the downtown area of the unincorporated village of Stinson Beach. Development on the subject property and in the surrounding neighborhood is governed by the standards of the C-VCR (Coastal, Village Commercial/Residential) zoning district and is located within a neighborhood commercial/mixed-use area. The C-VCR zoning district establishes a 25-foot height limit for all structures. The proposed mixed-use structure would reach a maximum height of 24 feet, 6 inches above the surrounding grade, consistent with this standard. The C-VCR zoning district does not establish specific setback requirements for commercial structures so that development may be designed for maximum compatibility with sensitive site characteristics. However, setback distances are provided for residential uses. The mixed-use project would be sited 23 feet from the

northern front property line; 6 inches from the western side property line; 27 feet from the eastern side property line; and 32 feet from the southern rear property line. The residential portion of the project, which is sited on the upper level and to the rear of the commercial portion of the structure, is setback 5 feet from the western side property line and 32 feet from the southern rear property line where 5 feet and 15 feet are required, consistent with zoning requirements. An earth-tone color pallet would be utilized for the exterior materials including horizontal siding, anodized window and door frames in dark bronze, and copper standing seam roofs, flashing, rain gutters, leader boxes, and downspouts, which would not distract from the natural environment. As such, the siting, scale, and design of the proposed project, including materials and colors, would be compatible with the character of the surrounding natural and built environment.

The subject property is highly developed and disturbed, featuring over 2,000 square feet of existing paved patio, not counting the existing structure, along the eastern and southern portion of the site, a creek channel composed primarily of non-native invasive plant species to the south, and common ornamental landscaping throughout the site. Several nonnative Japanese maples would be removed from the northern front portion of the property; no other trees would be removed with the project. The project would not disrupt significant views of the ocean or scenic coastal areas because it is not highly visible from public viewing areas and would be located in a developed village commercial/residential neighborhood. The proposed mixed-use improvements are compatible with the height, scale, and design of the surrounding natural and built environment, sited away from visually prominent ridgelines and visual resources, and is designed to include downlit and exterior lighting. Therefore, the project is consistent with the LUP Community Design policies (C-DES-1, C-DES-2, C-DES-3, C-DES-4, C-DES-7, C-DES-8), and this finding because the project is compatible with surrounding development, protects visual resources, conforms to the height limit for new structures, minimizes exterior lighting, and would not require the removal of a substantial number of mature, native trees.

G. Community Development. The proposed project, as conditioned, is consistent with the applicable policies contained in the Community Development section of the Marin County Land Use Plan and the applicable standards contained in Chapter 20.64.110 (Community Development).

The proposed project is developed with an existing commercial structure along State Route 1 in downtown Stinson Beach, where commercial uses, including retail and service businesses, professional offices, and restaurants, are the primary form of development. The proposed project entails a new 1,761 square-foot two-story mixed-use commercial office space and residence. The 1,761 square feet of proposed mixed-use development includes 534 square feet of principally permitted ground level commercial facing State Route 1 and 1,227 square feet of permitted residential use on both the upper and lower floors, consistent with the governing C-VCR (Coastal, Village Commercial/Residential) zoning district and the C-NC (Neighborhood Commercial/Mixed Use) Land Use Designation. The C-NC designation is established for small-scale retail, neighborhood, and visitor-service office and service uses in conjunction with residential development oriented toward pedestrians and located in close proximity to residential neighborhoods. Therefore, the project is consistent with LUP Community Development Policies (C-CD-1, C-CD-2, C-CD-20) and this finding because the development would be located in close proximity to existing developed areas with adequate resources where development would not have significant adverse impacts on environmental and natural resources.

H. Energy. The proposed project, as conditioned, is consistent with the applicable policies contained in the Energy section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.120 (Energy).

The proposed project would be required to satisfy all energy-saving standards as required by the County's Building and Safety Division prior to the issuance of a building permit. Therefore, the project is consistent with the LUP energy policies (LUP Policies EH-2.1, EH-2.3, and CD-2.8) and this finding because it would be constructed in conformance with County energy efficiency standards, as verified during the review of the Building Permit application.

I. Housing. The proposed project, as conditioned, is consistent with the applicable policies contained in the Housing section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.130 (Housing).

The proposed project would not result in the demolition of existing deed restricted very low-, low-, and moderate-income housing. The proposed project would include one new residential unit in a mixed-use coastal village commercial/residential zone that will add to the existing housing stock in Stinson Beach. Therefore, it is consistent with the LUP housing policies to address low— and moderate- income housing needs in the Coastal Zone (LUP Policies C-HS-1) because it does not entail the demolition of existing deed-restricted affordable housing and would, in fact, increase the available housing stock in the surrounding community.

J. Public Facilities and Services. The proposed project, as conditioned, is consistent with the applicable policies contained in the Public Facilities and Services section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.140 (Public Facilities and Services).

The Stinson Beach County Water District (SBCWD) regulates individual onsite wastewater treatment systems (OWTSs) in Stinson Beach. SBCWD has reviewed and approved Resolution No. 2023-01, dated November 18, 2023, for a variance from the district's Onsite Waste Management Code to replace the existing gravity system, which is currently located close to the Easkoot Creek top of bank, with a new pretreatment system farther away from the creek and closer to the property's frontage, to serve the proposed development. The SBCWD resolution allows a variance for the following:

- Setback from Easkoot Creek reduced from 100' to 74'
- Setback of septic tank to dispersal field reduced from 5' to 0'
- Increase maximum design flow to 170 gpd from 150 gpd.

According to Resolution No. 2023-01, the variance is needed because of the constrained nature and geometry of the property, its proximity to Easkoot Creek, and lack of available space to satisfy the regulations. Resolution 2023-01 states that the proposed development "represents an improvement" and will not result in a cumulative, detrimental effect on surface or ground waters, and would not adversely affect the watercourse or wetlands, health and safety of the residents, surrounding neighborhood, or the public. In addition, the proposed mixed-use structure will be served by the existing water meter. The SBCWD has indicated that an adequate quantity and quality of water is available to serve the development. Therefore, the project is consistent with the LUP public facilities and services policies (C-PFS-1 and C-PFS-7) and this finding because the project would be

adequately served by the existing water service, and the proposed septic system is adequately sized to meet the needs of the development.

K. Transportation. The proposed project, as conditioned, is consistent with the applicable policies contained in the Transportation section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.150 (Transportation).

The proposed project includes a new mixed-use structure and associated site improvements on a developed site in Stinson Beach. The property will continue to be accessed from State Route 1, which is a public right-of-way that is not owned nor maintained by the County of Marin. The Department of Public Works states that prior to issuance of a building permit, the applicant shall coordinate with Caltrans for proposed work in the right-of-way. In addition, the applicant may be required to trim existing vegetation at the driveway entrance to the property to maintain visual sightlines prior to issuance of a building permit. Two existing on-street parking spaces located along the property's frontage would be retained with the project and on-site parking would be required pursuant to DPW standards. The proposed project does not include off-site transportation elements or bicycle or pedestrian paths. The project would not increase demand for public transportation or adversely impact the scenic quality of State Route 1. Therefore, the project is consistent with the LUP transportation policies and this finding.

L. Historical and Archaeological Resources. The proposed project, as conditioned, is consistent with the applicable policies contained in the Historical and Archaeological Resources section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.160 (Historical and Archaeological Resources).

Marin County Assessor-Recorder records indicate the existing structure was originally constructed in 1953 and, therefore, the project does not involve modifications or alterations to a pre-1930 building. However, the project site is located within the designated historic preservation boundary for the Stinson Beach community as identified on Local Coastal Program Map 23a: Stinson Beach Historic Area. The siting, scale, design, materials, and texture of the proposed structure maintain the special character and visitor appeal of the Stinson Beach community consistent with LCP Policy C-HAR-5.

Review of the Marin County Archaeological Sensitivity Maps indicates that the subject property is located in an area of high sensitivity for cultural resources. There are no previously recorded cultural resources or historic mapped resources located in or within proximity to the project area. Pursuant to Marin County Development Code Section 22.20.040.E, in the event that archeological or historical resources are discovered during construction, construction activities shall cease and the County shall be notified so the extent and location of discovered materials may be recorded by a qualified archaeologist and disposition of artifacts may occur in compliance with State and Federal regulations. Based on the above, the project is consistent with the LUP historical and archaeological resources policies and this finding because the project would not affect historical, archaeological, or paleontological resources.

M. Parks, Recreation, and Visitor-Serving Uses. The proposed project, as conditioned, is consistent with the applicable policies contained in the Parks, Recreation, and

Visitor-Serving Uses section of the Marin County Land Use Plan and the applicable standards contained in Section 20.64.170 (Parks, Recreation, and Visitor-Serving Uses).

While the project site is located nearby the Village Green Park, Stinson Beach State Park, and the Golden Gate National Recreation Area, it is not located adjacent to any public park or open space, nor does the project entail any development that would encroach into existing public access points to and from surrounding public parks.

The proposed project is located within the mapped village commercial core area of the C-VCR zoning district in downtown Stinson Beach, which permits a mixture of residential and commercial uses subject to Land Use Policy C-PK-3 (Mixed Uses in the Coastal Village Commercial/Recreation Zone) and Coastal Zoning Code Section 20.64.170. The proposed two-story, mixed-use structure would front State Route 1 and include 534 square feet of principally permitted commercial use on the ground floor and 1,761 square feet of permitted residential use on both the upper and lower floors. Of the 1,761 square feet of residential, 838 square feet would be located on the upper floor, and 389 square feet would be located on the lower floor to the rear of the structure in conformance with this policy. Finally, the development does not displace an existing lower-cost visitor-serving use and is sited and designed to minimize impacts on the environment and other uses in the area. Therefore, the development is consistent with this finding.

7. **WHEREAS,** the project is consistent with the mandatory findings for Design Review approval (Marin County Code Section 22.42.060):

   A. The proposed development complies with either the Single-family or Multi-family Residential Design Guidelines, as applicable, the characteristics listed in Chapter 22.16 (Discretionary Development Standards) and 22.32.168 (Tidelands), as well as any applicable standards of the special purpose combining districts provided in Chapter 22.14 of this Development Code.

   There are no standards provided in Chapter 22.14 that apply to the project, and the development would not occur within a tidelands area. The proposed project is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources or the character of the local community. The project's consistency with the standards and guidelines most pertinent to the subject property is discussed below.

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

   Discretionary Development Standards J.1 through J.6 primarily address how the site design of the proposed development would affect natural systems, such as changes to the conveyance of stormwater runoff. The proposed project entails minimal grading: 7.8 cubic yards of cut, 94.47 cubic yards of fill, and a net import of 86.68 cubic yards of fill since the site is relatively level. The applicant would be required to install drainage improvements consistent with Department of Public Works requirements, and stormwater would be collected and conveyed via percolation swales. Marin County Fire has reviewed the project for compliance with fire hazards. Therefore, the project meets the objectives of Discretionary Development Standards J.1 through J.6.

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

The project would be located in the most accessible portion of the site. The project is not located near a ridgeline, and the property is relatively flat with an average slope of 3-percent based on the property records on file with the County of Marin.

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

Discretionary Development Standards I.1 through I.2 specify structure height limits based on designation (primary or accessory), use (residential, agricultural, etc.), and location (e.g., ridgeline) and also address the exterior finishes of the development. The maximum height of the proposed structure would be 24 feet, six inches above surrounding grade and below the 25-foot height limit established by the C-VCR (Coastal, Village, Commercial/Residential) zoning district. An earthen-tone color pallet would be utilized for the exterior materials and would include a variety of complementary exterior finishes. This design would include use of natural wood siding and a copper standing seam roof. Therefore, the project is consistent with this finding.

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

The proposed structure is a modest two-story 1,761 square foot mixed-use structure. As such, the structure does not include long linear unbroken rooflines in excess of 50 feet. The proposed design does not include any cantilevered elements. Therefore, the project is consistent with this finding

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

Discretionary Development Standard G addresses exterior lighting. Exterior lighting consisting of low-wattage fixtures with full-shield cut-offs, positioned at the lowest elevation necessary for safety, would be provided with the project. The lighting would not interfere with the hillside silhouette or nightscape. Additionally, the project will be subject to Standard Condition 4 of the Uniformly Applied Conditions 2026, requiring adherence to these standards and guidelines. The proposed fixtures will be reviewed to ensure they are shielded, and the lighting is directed downward before issuing a Building Permit. Therefore, Discretionary Development Standard G has been met.

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

Discretionary Development Standard F addresses the aesthetic and ecological effects of landscaping, including the removal of trees and vegetation. The subject property is highly developed and disturbed and is established with common ornamental landscaping throughout the site. There are no protected or heritage trees on the site. The southern boundary of the property adjacent to Easkoot Creek is dominated by several invasive non-native species. The proposed project would remove the existing commercial structure, all the existing hardscape, and most of the ornamental vegetation. A vegetation management plan includes removal and thinning of existing vegetation to establish defensible space zones, and thoughtful selection, placement, and design of proposed landscaping.

The project's landscape enhancement plan will not only restore habitat along the degraded Easkoot Creek riparian corridor but also improve overall ecological conditions on the project site. The riparian vegetation enhancements will including the planting of two willow trees, two Coast live oak, and 12 riparian shrubs, while several

invasive non-native species will be removed, including two nonnative Japanese maples. The landscape plan utilizes a total of 88 California native, drought tolerant, fire resistant, and microclimate-appropriate species designed to bloom throughout the year and provide pollen sources for insects and birds in the area. The habitat creation and uplift with the proposed species assemblage will provide cover and potential breeding habitat for common bird and insect species moving through the Stinson Beach community. The proposed landscaping is designed to minimally disturb natural areas and will not block scenic views from adjacent properties or disturb wildlife trails and is compatible with the native plant setting. Therefore, the project complies with Discretionary Development Standard F.

ACCESS: Development standard C; Design Guidelines A-1.5

Discretionary Development Standard C addresses the means of vehicular access for development. As the project site is located entirely within the legal boundaries of the property, unencumbered by any access easements, and does not encroach on adjoining properties, public lands, or public easements, it complies with Discretionary Development Standards C.

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

The downtown Stinson Beach area is composed of a mix of one- and two-story mixed-use structures where commercial uses, including retail and service businesses, professional offices, and restaurants, are the primary form of development with some residential. The proposed mixed-use two-story structure is consistent with the key design principles of the Single-family Residential Design Guidelines in that the project maintains adequate space, light, and a sense of openness from surrounding structures in the neighborhood. In addition, the new development is not disharmonious with the existing street setback patterns. Further, the amount of grading is minimized to the extent necessary to accommodate construction of the mixed-use structure and modest site improvements. Further, the materials proposed to be utilized in the construction of the new residence are aesthetically compatible with residences in the surrounding neighborhood.

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

The proposed development preserves the physical characteristics of the community, including architectural design, massing, materials, and scale. With specific respect to massing and scale, the development standards for the C-VCR (Coastal, Village, Commercial/Residential) district, as set forth in Coastal Zoning Code Section 20.64.030, Table 5-4-a, allow the maximum floor area ratio of a development subject to a Coastal Development Permit to be determined through Design Review, in accordance with Note 5 of the table. At 1,761 square feet in size, the mixed-use commercial and residential structure would have a floor area ratio of 0.24 on the 7,459 square foot property. Accordingly, the project is proportionate to the property. The materials proposed to be utilized in construction of the mixed-use structure are compatible with the surrounding neighborhood and the Stinson Beach community at large. Therefore, this finding is met.

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 project employs a site layout design that would not affect the environmental attributes of the community, such as eliminating significant sun and light exposure, causing light pollution and glare, obstructing primary views and vistas, or compromising the privacy enjoyed by adjacent properties. The proposed project is positioned to complement the site and locale and, therefore, would not unduly affect the prevailing environmental attributes of the community. 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 encroach into any streets or pathways and would not detract from the appeal of the streetscape. 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 proposed development would maintain appropriate intermediary spaces, including providing adequate separation between buildings, retaining natural features, and ensuring appropriate landscaping consistent with fire safety requirements. Therefore, this finding is met.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED that the project described in condition of approval 1 is authorized by the Marin County Deputy Zoning Administrator 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.

SECTION III: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Kelly A. Bates Revocable Trust Coastal Development Permit and Design Review subject to the conditions as specified below:

CDA-Planning Division

a. This Coastal Development Permit and Design Review approval authorizes the demolition of an existing 2,466 square-foot commercial building and construction of a new mixed-use building with commercial office space and a residence, and new septic system on a developed lot in Stinson Beach. The 1,761 square feet of development shall consist of 534 square feet of ground level commercial space facing State Route 1 and a 1,227 square foot, two-story residence located at the rear of the commercial structure. The development shall result in a floor area ratio of 24 percent on the 7,495 square foot lot. The approved structure shall reach a maximum height of 24 feet, 6 inches above surrounding grade and the exterior walls shall have the following distances from property lines: 23 feet from the northern front property line; 6 inches from the western side property line; 27 feet from the eastern side property line; 32 feet from the southern rear property line. Various site improvements shall also be entailed in the approved development, including a waste bin enclosure, concrete and gravel driveway, ADA ramp, onsite parking spaces, landscaping, and two bike lockers.

b. Plans submitted for a Building Permit shall be identified as Exhibit A and updated to be internally consistent and substantially conform to Sheets C3 and C6, prepared by AYS Engineering Group, Inc and received in final form on September 2, 2026. Exhibit A also includes 7 sheets prepared by AYS Engineering Group, Inc and received on July 13, 2026; 10 sheets prepared by Michael Matthews, one sheet received in final form on August 12, 2026 and 9 sheets received in final form on August 12, 2026; two sheets prepared by Phelps and Associates Land Surveyors, received in final form on July 13, 2026; two sheets prepared by CivicKnit, received in final form on July 13, 2026; five sheets prepared by Herin Landscape Design Inc, one of which was received in final form on August 12, 2025 and four received in final form on July 13, 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. Modify plans to be internally consistent and substantially conform to Sheets C3 (Drainage Plan) and C6 (Parking and Management Plan).

   b. The applicant shall further explore the feasibility of the use of permeable surfacing for the 204 square foot impervious area sited in the 50-foot ESHA buffer with the Department of Public Works (DPW). Should DPW determine that the use of permeable surfacing complies with code requirements, the applicant shall revise the project plans and install permeable materials in the 204-square foot area.

   c. 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: 4, 8, 10 and 15.

   PRIOR TO FOUNDATION INSPECTION (BUILDING PERMIT), the applicant shall provide the following:

   d. Provide written certification prepared and stamped by a licensed surveyor or civil engineer with proper surveying certification verifying the following (1) the first and second stories of the residential portion of the building maintain distances of at least five feet from the western side property line; and (2) the office portion of the building maintains a distance of at least six inches from the western side property line.

SECTION IV: VESTING

NOW THEREFORE, BE IT RESOLVED that unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within two 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.

SECTION V: APPEAL RIGHTS

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County 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 10 business days from the date of this decision (November 20, 2026).

SECTION VI: ADOPTION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 5th day of November 2026.

Megan Alton

Megan Alton
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Michelle Reed

Michelle Reed
DZA Recording Secretary