

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2021-10**

**APPROVAL OF A DESIGN REVIEW PERMIT TO CONSTRUCT A 5,120 SQUARE
FOOT SINGLE-FAMILY RESIDENCE PLUS A 1,465 SQUARE FOOT
SUBTERRANEAN GARAGE AT LOT 5, WOLFBACK ESTATES (APN 200-310-07
AND 200-310-13)
DR 2018-00276**

WHEREAS, Applicant Scott Couture of Couture Architecture, on behalf of property owners Tsedendamba Tserenpuntsag and Bazarsad Oigonjargal, requested Planning Commission approval of a Design Review Permit for the construction of a new single-family residence at 99 Wolfback Ridge Road (Lot 5 of Wolfback Estates). The proposed project includes an approximately 5,165 square-foot residence with structural projections into the side yard setbacks, a water feature, and a 1,425 square-foot subterranean garage; and

WHEREAS, the project site is located within the Very Low Density Residential land-use designation and the Single-Family Residential (R1-20) Zoning District; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on November 6, 2019 at which time the Commission reviewed and considered the information contained in the staff report dated November 6, 2019 for the project, and continued the public hearing to a date uncertain to allow further consideration of issues raised during the public hearing; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on October 7, 2020 at which time the applicant requested that the hearing be continued to October 21, 2020; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on October 21, 2020 at which time the Commission reviewed and considered the information contained in the staff report dated October 21, 2020 for the project, and continued the public hearing to a date uncertain to allow further consideration of issues raised during the public hearing; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on February 24, 2021 at which time the Commission reviewed and considered the information contained in the staff report dated February 24, 2021 for the project, and continued the public hearing to April 21, 2021 to allow further consideration of issues raised during the public hearing; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on April 21, 2021 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the staff report dated April 21, 2021 for the project; and

WHEREAS, the Planning Commission has reviewed and considered the project plans prepared by Couture Architecture date stamped received on March 31, 2021 and the Structural Projection Exhibit prepared by Couture Architecture, date stamped received on March 31, 2021; and

WHEREAS, the Planning Commission finds that the project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the Staff Report; and

WHEREAS, the project is Categorically Exempt from the California Environmental Quality

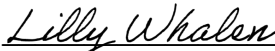
Act (CEQA) pursuant to Sec 15303.A (construction of a new single-family residence) of the CEQA Guidelines.

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES:

1. The project is Categorically Exempt under Sec 15303.A of the CEQA Guidelines.
2. A Design Review Permit for the construction of a new single-family residence at Lot 5 of Wolfback Estates/proposed 99 Wolfback Ridge Road (APN 200-310-07 and 200-310-13) to include 5,120 square feet of floor area plus a 1,465 square foot subterranean garage, a spa and water feature, and structural projections into the side yard setbacks is approved based upon the findings provided in Attachment 1 and subject to the conditions of approval provided in Attachment 2. The project plans are provided in Attachment 3 and the Structural Projection Exhibit is provided in Attachment 4.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 21st day of April 2021, by the following vote:

AYES: Commissioner: Feller, Pierce, Saad
NOES: Commissioner: Graef, Luxenberg
ABSENT: Commissioner: None
ABSTAIN: Commissioner: None



Lilly Whalen, Secretary to the Planning Commission

ATTACHMENTS

1. Design Review Permit Findings | 2. Conditions of Approval | 3. Project Plans – Received Date March 31, 2021 | 4. Structural Projection Exhibit – Received Date March 31, 2021

**PLANNING COMMISSION RESOLUTION NO. 2021-10
APRIL 21, 2021
DR 2018-00276
99 WOLFBACK RIDGE ROAD/LOT 5 WOLFBACK ESTATES
ATTACHMENT 1: DESIGN REVIEW PERMIT FINDINGS**

Design Review Permit Findings

In order to approve the Design Review Permit, the Planning Commission must determine whether the project is in conformance with the Findings contained in SMC 10.54.050.D. The individual Findings are below and include staff's assessment of the project within the context of the respective Findings.

- 1. The proposed project is consistent with the General Plan, any applicable specific plans, any applicable design guidelines and this chapter (chapter 10).*

With the exception of projections into side yard setbacks, which is allowed subject to Planning Commissions review and approval, the project has been designed to conform to the General Plan, Zoning Ordinance, Wolfback Estate Settlement Agreement, and Wolfback Estates CC&Rs. The proposed projections into the side yard setbacks can be accommodated by the Planning Commission during the Design Review process per Sausalito Municipal Code Sec 10.40.090.D.

- 2. The proposed architecture and site design complements the surrounding neighborhood and/or district by either maintaining the prevailing design character of the neighborhood and/or district or introducing a distinctive and creative solution, which takes advantage of the unique characteristics of the site and contributes to the design diversity of Sausalito.*

The surrounding homes have a variety of architectural styles and therefore the proposed home takes a distinctive approach to the design by utilizing the natural characteristic of the site and employing materials that reflect the natural rock color tones. Additionally, the material palette will weather quickly to a variegated patina. The forms of the proposal are shaped to reflect the windswept hillside and trees and are articulated in forms that reflect the varied nature of the natural forms along the hillside.

- 3. The proposed project is consistent with the general scale of structures and buildings in the surrounding neighborhood and/or district.*

The applicant has worked to design a residence that keeps the visible, above grade footprint of the proposed home in scale with the four surrounding neighbors. This is achieved by excavating the garage and lower floor areas into the site. Below is a list of the proposed home's above grade footprint size & number of stories in comparison to the neighboring homes.

- **Lot 5 (Project Site):** 3,900 square foot 1 story uphill side & 2 stories downhill side
- **1 Canto Gal:** 4,500 square foot 1 story uphill side, 3 stories downhill side
- **1 Rose Bowl:** 4,100 square foot 1 story all sides
- **51 Wolfback Ridge Road:** 5,200 square foot 1-3 stories
- **34 Wolfback Terrace:** 4,100 square foot 1 story uphill side, 3 stories downhill side.

Although the floor area and garage of the proposed structure are similar in size to the neighboring homes, the entire lower floor and garage areas are well below the existing grade, which minimizes the visible mass of the home. This allows the exposed mass of the proposed home to be far less than the neighboring structures. The parcel size for Lot 5/99 Wolfback Ridge is also significantly larger than 1 Canto Gal, 1 Rose Bowl & 34 Wolfback Terrace and approximately the same size as 51 Wolfback Ridge Road. While the overall size of the proposed residence is at the large end

of the scale for the area, it is a larger lot and not much larger overall than 51 Wolfback Ridge Road.

- 4. The proposed project has been located and designed to minimize obstruction of public views and primary views from private property.*

View impacts, particularly from 51 Wolfback Ridge Road are a significant concern for this project. The views from 51 Wolfback Ridge Road are expansive, with a panorama starting at the Tiburon Peninsula, continuing past Angel Island and Alcatraz, and coming around to the San Francisco skyline and the Golden Gate Bridge, and this resulted in the developers of the Wolfback Estates subdivision to impose further site development restrictions on Lot 5 (the project site). The building site on Lot 5 sits in the center of the panoramic view from 51 Wolfback Ridge Road, located between the Golden Gate Bridge and views of downtown San Francisco.

That being said, there are portions of 51 Wolfback Ridge Road that have been constructed without proper Building Permits or an amended Design Review Permit, and there is some question as to whether view impacts can and should be assessed from improvements constructed without appropriate permits. Despite this question, and taking into account the enhanced development restrictions imposed on Lot 5 from the Wolfback Estates Settlement Agreement, the applicants have expended substantial effort in designing and re-designing the project to minimize intrusions into the viewshed enjoyed by 51 Wolfback Ridge Road while still exercising their rights to develop a residence on Lot 5/99 Wolfback Ridge Road. As such, the proposed residence on Lot 5 is located between two tall trees on the western portion of Lot 5 and an evergreen shrub located on Lot 4. With this location and the proposed roof heights, the downtown San Francisco skyline and Golden Gate Bridge tower views will be well preserved from the vast majority of the primary living areas at 51 Wolfback Ridge Road. Although there will be minimal view blockage of Cow Hollow & Marina districts, these areas sit directly above the 99 Wolfback Ridge project site and complete unobstruction of this view area would impede directly with the ability of the property owners to build upon this property. The remaining portions of the existing panoramic views from 51 Wolfback Ridge Road of the Tiburon Peninsula, Angel Island, Alcatraz, Marin Headlands and the Pacific Ocean will not be impacted at all.

There will be no view blockage from the other three nearby homes at 1 Canto Gal, 1 Rose Bowl and 34 Wolfback Terrace, and there will be no view blockage nor impact from any Public Areas.

- 5. The proposed project will not result in a prominent building profile (silhouette) above a ridgeline*

Given the nature of the site, a previously graded flat plateau, the project has been designed to reduce a potential ridgeline/plateau profile by locating almost one half of the floor area and garage well below the existing grade. The above grade portions of the building are limited to one story and employ architectural massing techniques and a material palette to minimize the visual impact of the home. Furthermore, by leaving the existing two hedges that boarder the home site and the two trees located on the western edge of the property, the structure will be further concealed by existing elements on the site.

- 6. The proposed landscaping provides appropriate visual relief, complements the buildings and structures on the site and provides an attractive environment for the enjoyment of the public.*

The current proposed landscape plan will enhance the existing flat gravel covered home site. By leaving the existing two hedges that boarder the eastern and southern edges of the home site, leaving the two trees located on the western edge of the property and adding new native landscaping to surrounding the proposed home, the site should appear more attractive than exists currently. The inclusion of the sedum green roof will further integrate the residence into the landscape palette, particularly for those above who can view it, such as 51 Wolfback Ridge Road. A condition of approval has been included requiring the green roof to be maintained in a healthy, living state.

7. The design and location of buildings provide adequate light and air for the project site, adjacent properties and the general public

The proposed home is set back into the northwest corner of the flat portion of the building site and leaves the southeast and northeast portions open creating open buffer spaces. These two corners are adjacent to 1 Canto Gal & 1 Rose Bowl, approximately 37 feet and 55 feet away, respectively. 51 Wolfback Ridge Road, is located to the north of the site, separated by approximately 225 feet. Due to this, there will be no shadowing on the adjacent homes caused by the proposed home.

8. Exterior lighting, mechanical equipment and chimneys are appropriately designed and located to minimize visual, noise and air quality impacts to adjacent properties and the general public

The project has been designed with all proposed exterior lighting minimized to just necessary areas and specified to be shielded down lights. The proposed lighting should not impact the adjacent residences. Additionally, there will be no external mechanical equipment. All such equipment will be located within the envelope of the structure, including pool equipment which will be located within the underground garage. Finally, the roof top chimney is design to be the minimum height and diameter required by code.

9. The project provides a reasonable level of privacy to the site and adjacent properties, taking into consideration the density of the neighborhood, by appropriate landscaping, fencing, and window, deck and patio configurations

Assessment of the project site relative to the surrounding properties is as follows:

- **Eastern side of proposed home & 1 Canto Gal:** This side of 1 Canto Gal has a driveway, garage, entry walk patio, entry and secondary living spaces. The main living spaces and outdoor living areas of 1 Canto Gal are on the southern and eastern portions of the home taking advantage of the city and bay views. The proposed home leaves the existing mature screening hedge along the eastern edge in place to provide a high level of visual privacy between 1 Canto Gal and the proposed home. The proposed windows have been located to look over the residence at 1 Canto Gal and avoid looking down into any windows or outdoor living spaces of 1 Canto Gal. The location of the pool acts as a buffer between the two residences since this makes it impossible to stand and look over the existing hedge.

- **Southern side and 1 Rose Bowl:** This side of 1 Rose Bowl has a driveway, garage, entry and office area. The main living spaces and outdoor living areas of 1 Rose Bowl are on the southern, eastern, and western portions of the home taking advantage of the city, ocean and bay views. The proposed home leaves the existing screening hedge along the southern edge of the flat portion of the site to provide a visual privacy between the two residences from the proposed patio. Both the Dining Room and Master Suite sit further back from the property edge to avoid the ability to look down into the driveway and entry areas of 1 Rose Bowl.
- **Western side:** There is no existing home on this side, therefore, no privacy issues are created.
- **Northern side:** Since the driveway access to 1 Canto Gal & Lot 4 is located on the property of 99 Wolfback Ridge Road, this elevation is primarily solid to avoid privacy issues between the proposed home with auto and pedestrian access to the adjacent home at 1 Canto Gal, as well as any future home located on Lot 4.

This standard has been met.

10. Proposed entrances, exits, internal circulation and parking spaces are configured to provide an appropriate level of traffic safety and ease of movement

The existing driveway (Canto Gal) will be widened from 8'-10' to 12'-16' improving the auto and fire truck access & circulation to and from 99 Wolfback Ridge Road, 1 Canto Gal & Lot 4. Since the driveway (Canto Gal) is a shared driveway for 1 Canto Gal, 99 Wolfback Ridge and Lot 4, the proposal provides ample uncovered and garage parking spaces in order to discourage parking in the shared driveway easement. Circulation into and out of the motor court has wide sightlines in order to promote visibility, and the garage door is recessed from the driveway to 1 Canto Gal in order to promote visibility when entering or exiting the garage.

11. The proposed design preserves protected trees and significant natural features on the site to a reasonable extent and minimizes site degradation from construction activities and other potential impacts.

The existing driveway (Canto Gal) will be widened from 8'-10' to 12'-16' improving the auto and fire truck access & circulation to and from 99 Wolfback Ridge Road, 1 Canto Gal & Lot 4. Since the driveway (Canto Gal) is a shared driveway for 1 Canto Gal, 99 Wolfback Ridge and Lot 4, the proposal provides ample uncovered and garage parking spaces in order to discourage parking in the shared driveway easement. Circulation into and out of the motor court has wide sightlines in order to promote visibility, and the garage door is recessed from the driveway to 1 Canto Gal in order to promote visibility when entering or exiting the garage. Additionally, the new landscaping and sedum green roofing will enhance the overall natural appearance of the site.

12. The project site is consistent with the guidelines for heightened review for projects which exceed 80 percent of the maximum allowed floor area ratio and/or site coverage.

Heightened review findings are not required.

13. *The proposed project has been designed to ensure on-site structures do not crowd or overwhelm structures on neighboring properties. Design techniques to achieve this may include, but are not limited to: stepping upper levels back from the first level, incorporating facade articulations and divisions (such as building wall offsets) and using varying rooflines.*

The proposed home has been designed to minimize the visible impacts of the home's massing using several architectural techniques, including:

- 50% of the floor area and garage area proposed is below existing grade, including 1,830 SF of the lower level at approximately 7'6" below existing grade and 1,465 SF of the garage at approximately 11' below existing grade
- Reducing massing by keeping the eastern elevation facing 1 Canto Gal as a 1-story structure and leaving the existing screen hedgerow intact
- Reducing massing by splitting the southern elevation facing 1 Rose Bowl into two smaller pieces with an open recess between them
- Concealing the structure's mass by placing the tallest exposed portion of the home onto the western elevation, away from the existing homes and further concealing the mass by locating it between two Monterey Pines and the Lot 4 hillside bank
- Selecting a material and color palette designed to blend the structure into the surrounding landscape, including corton steel with its weathered patina, dark bronze trim, exposed concrete, low reflectivity glass, and green roof.

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DR 2018-00276
99 WOLFBACK RIDGE ROAD/LOT 5 WOLFBACK ESTATES**

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions apply to the following project plans prepared by Couture Architecture and entitled "99 Wolfback Ridge Road", with received date stamp of March 31, 2021.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION CONDITIONS OF APPROVAL:

Community Development Department Conditions:

General Items

1. It shall be the applicant's/property owner's responsibility to diligently proceed to carry out the conditions of approval and implement any approved permit/entitlement. This shall include establishing the approved use within the time limits set forth by the applicable chapter (reference SMC 10.50.120).
2. The project shall be designed as shown in the set of plans with received date stamp of March 31, 2021, except that the spa shall be reconfigured or relocated to eliminate any conflict with the setbacks, subject to approval by the Community Development Director.
3. The Design Review Permit shall expire two years following the effective date of the permit if the project entitlement has not been implemented, provided no extension has been filed prior to the expiration date. The project entitlement pursuant to the Design Review Permit is determined to be implemented if the applicable conditions of approval prerequisite to construction have been satisfied and any required construction permits have been issued.
4. The Community Development Director is authorized to approve minor modifications to the project, pursuant to the SMC Section 10.50.180 regarding changes to an approved project. Major project modifications will require review and approval by the Planning Commission.
5. The Applicant/Property Owners shall defend, indemnify (including reimbursement of all fees and costs reasonably incurred by separate counsel retained by the City) and hold harmless the City and its elected and appointed officials, officers, agents and employees, from and against any and all liability, loss, damage, or expense, including without limitation reasonable attorney's fees which City may suffer or incur as a result of any claims relating to or arising from the City's approval of the project or any portion of the project.
6. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
7. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (at a full cost recovery) shall be paid.
8. At the time of building permit application the applicant shall file a reasonable estimate of the value of the project, and based thereon, a construction time limit shall be established for the project in accordance with the criteria set forth in

SMC Section 10.54.100. The following conditions apply:

- (a) The applicant shall submit information reasonably requested by the Community Development Director to support the estimated value of the project such documentation may include without limitation an executed construction contract.
 - (b) The time for completion of the construction shall also be indicated on the construction permit.
 - (c) For projects exceeding \$500,000 in project valuation, a detailed GANTT chart (or other graphic display acceptable to the Community Development Director) depicting the sequence of steps necessary for completion of the project, including detailed information on the critical path of the project, duration of critical tasks, and predicted inspection dates, shall be submitted prior to the issuance of any construction permit.
 - (d) Once approved, the property owner shall provide the City with written quarterly job progress reports consistent with the approved chart.
9. Upon Building Permit submittal, the applicant shall provide electronic copies of the approved colors and materials board(s), including but not limited to all manufacturers' information related to materials, specifications, and cut sheets for all exterior lighting fixtures.
 10. As part of the Building Permit application, all final Conditions of Approval shall be restated on the construction drawings and applicant shall thoroughly and accurately document in writing compliance with each Condition of Approval at the time of Building Permit application and any other subsequent submittals.
 11. Prior to issuance of a building permit, applicant shall provide documentation verifying that any and all necessary driveway, utility, access, or other type of easement needed to facilitate development of the site and provide appropriate access to neighboring properties have been agreed to and recorded with the County of Marin.
 12. All exterior lighting shall be shielded and downward facing, and no ceiling lights or chandeliers may be installed in the stairwell. Louvers similar to the other window bays on the western elevation shall be installed on the stairwell window bay, with a similar "coverage" percentage as the other window bays. This condition shall be maintained permanently.
 13. Building permit plans shall indicate that all windows are specified as low-reflectivity and bird-friendly. This condition shall be maintained permanently throughout the life of the building.
 14. Upon building permit submittal, the applicant shall provide electronic copies of the approved colors and materials board(s), including but not limited to all manufacturers' information related to materials, specifications, and cut sheets for all exterior lighting fixtures.
 15. All mechanical equipment, including rooftop-mounted equipment, shall be designed, sited, and screened to minimize view impacts to neighboring properties. That shall be done to the satisfaction of the Community Development Director prior to issuance of building permits. All mechanical equipment shall be

designed to not exceed height restrictions in SMC 10.40.060 and the Wolfback Estates Settlement Agreement. Any mechanical equipment installed in connection with this project shall be subject to Sausalito Municipal Code section 12.16.130 - Machinery, equipment, fans and air conditioning. Any mechanical equipment not shown on the approved plans shall be subject to separate review per Condition of Approval #3.

During Construction

16. The applicant shall post signage on the project site in a location clearly visible to and readable by the public which lists the construction hours, contractor's name and cell phone number, and any special conditions of approval.
17. No alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or interior alterations and/or renovations not specified in the project plans, or alterations approved by the Community Development Director, shall be performed on the project site. In such cases, this approval shall be rendered null and void unless approved by the Community Development Director or the Planning Commission as a modification to this approval.
18. Prior to install of the roof sheathing, the applicant shall provide certification from a licensed surveyor stating that the roof height, materials, design, and location is in conformance with the Planning Commission-approved plans.
19. Prior to a framing inspection the applicant shall provide certification from a licensed surveyor stating that the perimeter walls are in conformance with the Planning Commission-approved plans with respect to their locations and distance to property lines.
20. Prior to issuance of a building permit for the project, the Applicant shall submit for review and approval by the Community Development Director, a Final Landscaping Plan that conforms with the Landscaping Plan approved by the Planning Commission. Any proposed changes to landscaping either under this or a future discretionary request shall be subject to review/approval by the Planning Division.

After Construction

21. The Applicant shall schedule a final inspection with the Community Development Department at the site that shall include a review of, among other things, landscaping, finished architecture and building materials, as well as compliance with any outstanding project conditions of approval.
22. Prior to Certificate of Occupancy the Applicant shall submit a wet-stamped and signed certification from a licensed landscape architect stipulating that all landscaping is installed in conformance with the project's final landscaping plan. This certification shall be submitted and approved prior to final inspection of the project by the Project Planner (Planning Division).

Landscaping/Trees/Green Roof

23. The additional screening provided along the western elevation to screen the west elevation glazing from GGNRA could impact views from 51 Wolfback Ridge Road. Prior to rough framing inspection, a screening plan shall be developed with the project applicant and their arborist, a representative from the GGNRA and a

representative from 51 Wolfback Ridge Road. The goal is for the group to align on a screening plan to submit for the approval of the Community Development Director. The plan shall address softening and screening the façade of the home facing GGNRA while at the same time not exacerbating view impacts from 51 Wolfback Ridge Road. The decision of the Director to approve the plan shall be provided in writing via email to the project applicant and their arborist, a representative from the GGNRA and a representative from 51 Wolfback Ridge Road and shall be appealable to the Planning Commission within 10 days of the decision. The plan shall be implemented prior to a final planning inspection.

24. The green roof shall be permanently maintained in a healthy, living condition that ensures the lifespan of the sedum and other materials and equipment, complies with applicable fire prevention/fire resistive regulations, and complies with all applicable building and structural standards.
25. The existing hedgerows along the perimeters with 1 Canto Gal and 1 Rose Bowl shall be preserved and protected in place utilizing tree protection methods as described in the following conditions of approval, and maintained in a healthy, living condition in perpetuity.
26. Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be endangered by the work shall be securely fenced off at the "protected perimeter," which shall be either the outer limits of the branches of such protected tree (the drip line) or such greater limits as may be established by the reviewing agency. Such fences shall remain in place for the duration of all such work. All tree protection measures shall be in accordance with the arborist report prepared for this project.
27. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No asphalt or other paving materials shall be added. No change in existing ground levels shall occur within four feet of the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
28. No storage or dumping of oil, gas, chemicals or other substances that may be harmful to trees shall occur within the protected perimeter of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within the protected perimeter. Wires shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.
29. Periodically during construction, the leaves of the protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit transpiration.
30. If any damage to a protected tree should occur during or as a result of work on the site, the contractor, builder or owner shall promptly notify the City of such damage. If such a protected tree cannot be preserved in a healthy state, the

reviewing agency shall require replacement of any protected tree removed with another tree or trees on the same site deemed adequate to compensate for the loss of the tree that is removed.

DEPARTMENT OF PUBLIC WORKS CONDITIONS OF APPROVAL:

General Items

27. As part of the Building Permit application, all final Conditions of Approval shall be restated on the construction drawings and applicant shall thoroughly and accurately document in writing compliance with each Condition of Approval at the time of Building Permit application and any other subsequent submittals.
28. Prior to issuance of a Building Permit the Developer's architect or civil engineer shall submit as applicable sealed site improvement plans, grading and drainage plans, public improvement plans and utility plans for review and approval by the Department of Public Works.
29. The applicant shall indemnify the City for any and all costs, including without limitation attorneys' fees, in defending this project or any portion of this project and shall reimburse the City for any costs incurred by the City's defense of the approval of the project.

Grading / Geotechnical Items

30. The project shall adhere to all recommendations in the Geotechnical Study Report, dated July 9, 2018, received March 31, 2021, and prepared by DAC Consultant & Associates.
31. Prior to the issuance of a Building Permit, a final grading and drainage plan shall be prepared and stamped by a registered civil engineer and shall be submitted to the City for review and approval. Limits of proposed grading (cut, fill, structural excavation, etc.) shall be clearly defined and their quantities shall be shown on the plan.
32. Prior to the issuance of a Building Permit a note shall be added to the grading plan stating that the applicant's geotechnical engineer shall inspect and certify in writing that geotechnical aspects of the project were performed in conformance with the approved grading plan and geotechnical report.
33. Prior to the issuance of a Building Permit, the project geotechnical engineer shall prepare and submit to the City a Plan Review Letter. The letter shall be on the geotechnical engineer's letterhead and shall confirm that the geotechnical engineer has reviewed the current project documents, including drainage grading, and that the design conforms to the intent of the geotechnical engineer's recommendations.
34. Prior to issuance of a Building Permit the foundation plans shall be reviewed and approved by City engineering staff.
35. Prior to issuance of a Certificate of Occupancy, the project geotechnical engineer shall prepare a letter on its letter head, stamped and wet signed, stating that construction was in conformance with the project geotechnical report.

36. Applicant is advised that Shoring and Foundation Systems that utilize tie backs shall be designed such that they do not extend beyond property boundaries in the absence of recorded tie-back easement(s) from affected adjacent property owner(s). No tie-backs are permitted that would encroach into the public right-of-way.
37. A Grading Permit Application shall be concurrently submitted with the Building Permit application for review and approval by the City of Sausalito. Details of the hauling operation including, but not limited to size of trucks and weight (in tons) that they will haul, haul route, dust and debris control measures and the time and frequency of haul trips shall be submitted to the City for review prior to issuance of the Building Permit. The truck haul routes shall comply with SMC Section 15.04.150.
38. Prior to issuance of a Grading Permit applicant's general contractor shall provide the City with evidence of a standard comprehensive general liability insurance policy containing coverage for bodily injury, property damage, completed operations, including liability resulting from earth movement. The policy shall provide limits of coverage not less than \$3,000,000 and the policy shall continue in full force until a date five (5) years following issuance of a Certificate of Occupancy.
39. Prior to issuance of a Grading Permit applicant shall provide proof that the adjacent property owners have been notified a minimum of 30 days prior to beginning excavation to give them the opportunity to perform underpinning and other work they deem necessary.
40. Prior to issuance of a Grading Permit, bonds shall be required by the City to ensure that sufficient funds are held in reserve to stabilize project slopes in case of an unforeseen halt in construction. The bonds shall be the full amount to ensure completion of the project foundations, retaining walls, grading, drainage, costs to install and maintain erosion and sediment controls, costs to make the site safe from landslide and other geologic and natural risk factors, and for implementing pollution prevention best management practices during the course of construction.
41. The bond amounts shall be based upon submitted construction estimates prepared by the developer's architect, civil engineer or contractor. Release of bonds shall be contingent upon completion of approved foundations and retaining walls and submittal of certification statements that the structures are in the position and elevation as approved by the City as well as the project geotechnical engineer's statement regarding conformance to recommendations including disclosure of substantial deviations which are subject to the review and approval of the City Engineer.
42. The Bond underwriter shall be licensed to do business in the State of California and have a Best's rating of not less than A: VII. A Cash Bond or Letter of Credit from a Financial Institution approved by the City may be submitted in-lieu of a Bond. Other assurance forms will be considered subject to a research fee comprised of actual staff costs.

43. No grading or excavation operations shall occur between October 15 and April 1 without the written approval of the City Engineer. The project excavation, construction of the main retaining walls and associated appurtenant features shall commence no later than August 1 of the dry season. The project excavation, construction of the main retaining walls and associated appurtenant features shall commence and conclude within a single dry season.
44. The project geotechnical engineer shall be on site during earthwork operations.
45. Construction operations shall be staged to prevent failure or yielding of slopes by providing continuous confinement of superficial deposits as may be recommended by the project geotechnical engineer.

Drainage Items

46. Prior to issuance of a Building Permit a hydrology/hydraulics study prepared by a registered civil engineer which shall be submitted for review and approval by the City Engineer, designee or independent consultant. Using the County of Marin Department of Public Works Hydrology Manual, or approved equal, this study shall compare the existing, and proposed project peak flows for a 10 year and 100 year storm. The proposed onsite storm drain system shall be designed such that there shall be no increase of peak flow off of the site for the 10 year storm. The analysis shall include surfaces created in the lands of others or in the public right of way.
47. Prior to issuance of a Building Permit, drawings shall show low impact development on-site stormwater treatment and complete the Stormwater Control Plan for Small Projects/Single-Family Homes per "Design Guidance for [Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa and Solano Counties](http://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/basmaa-postconstruction-manual.pdf?la=en)" (<http://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/basmaa-postconstruction-manual.pdf?la=en>).
48. Runoff shall be determined by the Rational Method: 10 year 6 hour and 100 year 6 hour.
49. Drainage facilities shall be designed by a registered civil engineer. Drainage analysis and plans shall be subject to the review and approval of authorized City staff or independent consultant.
50. Prior to issuance of a Building Permit all existing and proposed drainage facilities serving the property from the residence to the final termination point(s) shall be clearly shown, labeled and detailed on the project grading and drainage plans. This shall include but not be limited to: downspouts, piping, retention systems, stormwater routing, stormwater treatment facilities, hydraulic structures, energy dissipaters and foundation drainage systems.
51. New drainage facilities shall not increase the quantity or alter the path of storm water discharged from the property from the existing condition.

Stormwater Pollution Prevention

52. Prior to issuance of a Building Permit the developer's civil engineer or contractor shall submit a detailed erosion control plan, including cost estimate, for review and approval by the Department of Public Works. Erosion control plan shall

incorporate guidelines and measures from the **Marin County Stormwater Pollution Prevention Program's (MCSTOPPP)** publication "Minimum Erosion/Sediment Control Measures for Small Construction Projects".
[http://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/erosionsediment-control-measures-for-small-construction-projects-_2015.pdf?la=en]

53. The erosion control plan may need to be phased in order to clearly show how BMP's will be used during foundation work.
54. Applicant is advised that applicant's contractor shall be required to implement and maintain erosion control measures per the approved erosion control plan for the duration of the project.
55. Applicant is advised that applicant's contractor shall provide adequate dust and debris control measures for the duration of the project.
56. To the maximum extent feasible, drainage from paved surfaces and roofs shall be routed through grassy swales, buffer strips or filters prior to discharge into the storm drainage system in conformance with MCSTOPPP's Guidance for Applicants Stormwater Quality Manual for Development Projects in Marin County.
<http://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/basmaa-postconstruction-manual.pdf?la=en>
57. During construction, the applicant's contractor shall adhere to a water pollution prevention plan that at a minimum follows guidelines in MCSTOPPP's "Pollution Prevention It's Part of the Plan"
[http://www.marincounty.org/depts/pw/divisions/mcstoppp/~media/Files/Departments/PW/mcstoppp/business/Pollution Prevention Part of the PlanOctober 2011.pdf](http://www.marincounty.org/depts/pw/divisions/mcstoppp/~media/Files/Departments/PW/mcstoppp/business/Pollution%20Prevention%20Part%20of%20the%20PlanOctober2011.pdf)
58. The plan shall address construction related site management practices including demolition, general construction, concrete, paving, dewatering, contaminated soils, masonry, tile work, painting, litter control, motor vehicle washing and maintenance, storage of hazardous materials.

Sanitary

59. Prior to issuance of a Building Permit the proposed off-street staging platform shall be approved by the Department of Public works and the Building Department. The platform shall be designed for H2O loads. Coordinate with Bay Cities Refuse Services to design the platform to accommodate debris boxes.
60. Applicant is advised that encroachment permits shall be obtained from the City prior to using the public right-of-way for non-public purposes (e.g. private parking, material & debris box storage, curb, gutter or sidewalk construction or demolition, driveway connection).
61. Applicant is advised that a condition of issuance of an Encroachment Permit, a traffic control plan conforming to the current edition of Caltrans publication "California Manual on Uniform Traffic Devices, Part 6 – Temporary Traffic

Control” shall be submitted for review and approval by the City. The traffic control plan shall show all temporary traffic, pedestrian, and bicycle control measures and signage. Address shall remain open to traffic at all times throughout the duration of this project which shall be documented on the traffic control plan. The traffic control plan shall be revised to coordinate with other projects in the vicinity which may be ongoing or commence during the duration of this work.

62. Prior to issuance of a Building Permit a finalized construction staging plan and construction schedule shall be submitted for review and approval by the City Engineer or designee. The locations of construction materials, equipment, vehicles, debris box, portable restrooms, etc. shall be depicted. Approved plans shall be submitted to property owners adjacent to the subject property not less than one week prior to commencement of construction activities. The construction staging plan and schedule shall be revised to coordinate with other projects in the vicinity which may be ongoing or commence during the duration of this work.
63. Construction workers shall be prohibited from using on-street parking in the vicinity of the project and the applicant shall lease or otherwise provide an adequate number of parking spaces in a City parking lot to provide for construction workers. Workers shall carpool to the construction site which shall be documented on the construction staging plan.

Utility Items

64. Prior to issuance of a Building Permit a utility plan shall be submitted for review and approval. All utilities and meters shall be shown on the utility plan.
65. Pursuant to Sausalito Municipal Code Section 18.08.020, overhead electrical and communication service drops shall be placed underground when the main electrical service equipment (including the panel) is relocated, replaced, and/or modified. If undergrounding is required, the applicant shall work with affected utility companies to provide plans to the City for undergrounding of the utility services. Project plans shall be designed to avoid additional overhead lines, poles and/or transformers (i.e. potential view impacts) thereon to comply with Sausalito Municipal Code Section 18.08. If additional overhead lines, poles and/or transformers are required, visual simulations of the equipment from various viewpoints shall be provided, and may be subject to the Design Review Permit. **PG&E Underground Project Contact Information: Phone (877-743-7782) and Internet (www.pge.com/newconstruction/).**
66. The proposed development incorporates a water feature, conceptually similar to a shallow pool. In areas where a sewer systems exists, back flushing of a pool system needs to be deposited into a sanitary systems since the chlorine used in pool water disinfection can be harmful if deposited into the waters of the united states or within natural vegetation. This property utilize a septic system. Provide some explanation of how the water feature filter systems will be back flushed in order to not impact the septic system or damage the existing vegetation on the property. If salt water is used in water feature, please provide some definition of how this water can be distributed without damaging vegetation. If the

specifications and configuration of the water feature do not trigger the requirement for backflushing, please provide an explanation of this.

67. Prior to issuance of a Building Permit, the Developer shall provide proof of utility service agreements to the Department of Public Works. Developer shall submit evidence of service agreements to the City from the respective utility agencies (MMWD, PG&E, AT&T, CABLE, and County Environment Health Services).
68. Prior to issuance of a Building Permit a utility plan shall be submitted for review and approval. All utilities and meters shall be shown on the utility plan.
69. Prior to issuance of a Building Permit the plans shall show the sewer lateral from the point that it exits the foundation to the point that it ties into the septic system. Show the lateral in plan and in profile. The plans shall clearly state the material, diameter, and depth of cover.
70. Prior to issuance of Certificate of Occupancy all utility services to the site shall be undergrounded.
71. Prior to approval from the City of Sausalito's Sewer Systems Coordinator, no backfill of the sanitary sewer lateral or main trench shall occur. Sewer pipe material and sewer appurtenances shall be per the recommendations of the City Sewer Systems Coordinator. Allowable pipe material shall depend upon the depth of the proposed new sanitary sewer below grade.
72. Prior to issuance of Certificate of Occupancy an as built video inspection shall be submitted of the new sanitary sewer system for inspection and verification by the Sewer System Coordinator.
73. The Applicant is advised that the Septic System is subject to approval by Marin County Environmental Health Services. Prior to submitting the designs to County Environmental Health Services, a recommendation letter is required from the Sausalito Sewer System Coordinator.
(<https://www.marincounty.org/depts/cd/divisions/environmental-health-services/septic-systems>)

Southern Marin Fire District

74. WUI Requirements: This property is located within the Wildland Urban Interface (WUI) and shall be noted on the title sheet of the plans. The materials used in construction on the exterior of the structure shall comply with building standards in Chapter 7A of the California Building Code and/or section 337 of the California Residential Code.
75. **Prior to construction** a Vegetation Management Plan (VMP) shall be submitted for review and approval by the Fire District which includes:
 - a. The entire plan content elements described in narrative form.
 - b. No less than three (3) sets of plans shall be sent for code official review which includes the house, zone, plant type and spacing.
 - c. The Hazard Assessment matrix.
 - d. The list of plants to be used and materials consistent with the approval plant list.

- e. Prepared according to Southern Marin Fire District Standard 220 Vegetation/Fuel Management Plan

- 76. Prior to framing, a new fire hydrant installation or existing fire hydrant upgrade shall be required. Hydrants to be spaced at 350 foot intervals shall be capable of providing a flow of **1,000 gallons per minute** to the site. For new structures up to 6200 square feet.

When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Fire Code Official, shall be upgraded to the minimum standard of one 4 ½ inch outlet 2 ½ inch outlet for single family dwellings.

Exception: If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.

- 77. A Fire sprinkler system will be required to be installed during this project. The Fire Sprinklers plans will be required by Southern Marin Fire Department as a deferred submittal:
 - i. A fire sprinkler system shall be provided for all new construction.
 - ii. Fire sprinkler coverage shall be provided through the entire structure according to Chapter 9 of the California Fire Code.
 - iii. Fire sprinkler system shall be installed according to NFPA **13R** and Southern Marin Fire Standard 401.
 - iv. Residential structures in excess of 5,000 square feet shall be designed using a four-head calculation as per N.F.P.A. Standard 13-R.
 - v. Plans for fire sprinkler system design and hydraulic calculations shall be completed by a licensed C-16 sprinkler contractor and submitted to the Southern Marin Fire District, Fire Prevention Bureau for approval prior to installation. Fire sprinkler system design and installation shall conform to the provisions of the Southern Marin Fire District Standard 401 and N.F.P.A. Standard(s) 13, 13D or 13R.
- 78. A vertical overhead clearance of 13' 6" shall be maintained free of obstructions above any roadbed (trees, brush, etc.).
- 79. The address shall be posted in accordance with requirements of the California Fire Code and SMFD standard 205 (Premises Identification).
 - a. Properties located within the Wildland Urban Interface are required to have an approved address marker visible from across the street in contrasting colors per CA Public Resource Code 4291. An address placard can be ordered by visiting

<https://www.southernmarinfire.org/prevention/public-safety-education/address-visibility>.

80. Smoke / CO Detectors shall be installed in accordance with the California Building Code.
81. Non-combustible roofing required:
 - a. Noncombustible roofing shall be provided for:
 - b. All new roofs shall be non-combustible.
 1. Roof Repairs or replacement:
 2. Less than 25% - no requirement
 3. 25% to 50% - Class C minimum
 4. 50% or more – Non Combustible
 - c. In no case shall the roofing material used be less fire resistive than the existing roof.

NOTE: A "noncombustible" roof is a Class A roof (for other than Group R Occupancies, a Class A or Class A assembly) as defined in the California Building Code.

82. This project shall comply with California Fire Code Chapter 33 – *Fire Safety During Construction and Demolition*. These requirements include but are not limited to: Temporary Heating Equipment, Precautions Against Fire, Flammable and Combustible Liquids, Flammable Gases, Owners Responsibility for Fire Protection, Fire Reporting, Access for Fire Fighting, Means of Egress, Water Supply for Fire Protection, Standpipes, Automatic Fire Sprinkler Systems, Portable Fire Extinguishers, Motorized Construction Equipment, and Safeguarding Roofing Operations.
83. Fire access to the project as well as the other surrounding properties shall be maintained at all times. Unapproved restrictions in roadway access shall result in citations and vehicles being towed at the owner's expense.

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

1. An approval granted by the Engineering Division of the Department of Public Works does not constitute a building permit or authorization for construction. Appropriate construction permit(s) issued by the Building Division must be obtained prior to construction.
2. Construction Impact Fees shall be paid in accordance with the Construction Impact Fee Ordinance. The fee is due prior to issuance of Building Permit.
3. All applicable City fees as established by City Council resolutions and ordinances shall be paid.
4. Encroachment permit, grading permit, third party review fees (cost plus 10%) fees shall be paid.
5. An encroachment permit shall be obtained from the Department Public Works prior to using the public right of way for non-public purposes (e.g., material storage, construction, staging or demolition) including any and all construction and demolition activities.
6. Grading/drainage permit(s) shall be obtained from the Department Public Works for earthwork of 50 cubic yards or more.
7. Grading on hillside lands composed of geologic formations known to slide will be limited to between April 15 and October 15 without written approval of the City Engineer.
8. Pursuant to Municipal Code Chapter 8.54, applicants shall submit a Recycling Management Plan to the Community Development Department prior to the issuance of any Building Permits, unless the requirement is waived pursuant to Section 8.54.050.
9. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.
10. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:
Weekdays – Between 8:00 a.m. and 6:00 p.m.
Saturdays – Between 9:00 a.m. and 5:00 p.m.
Sundays – Prohibited
City holidays (not including Sundays) – Prohibited
Homeowners currently residing on the property and other legal residents may

operate the equipment themselves on Sundays and City holidays between 9:00 a.m. and 6:00 p.m

11. Pursuant to Municipal Code Section 18.08.020, overhead electrical and communication service drops shall be placed underground when the main electrical service equipment (including the panel) is relocated, replaced, and/or modified. If undergrounding is required, the applicant shall work with affected utility companies to provide plans to the City for undergrounding of the utility services. Project plans shall be designed to avoid additional overhead lines, poles and/or transformers (i.e., potential view impacts) thereon to comply with Sausalito Municipal Code Section 18.08 Underground Electrical Wiring and Facilities. If additional overhead lines, poles and/or transformers are required, visual simulation(s) of the equipment from various viewpoints shall be provided, and may be subject to modifications to the Design Review Permit.

PG&E's Underground Project Contact Information:

Phone: 1-877-743-7782

Internet: pge.com/newconstruction.

12. Pursuant to Municipal Code Section 18.12.100, existing sewer service laterals shall be inspected for surface water connections and leakage at the time of remodeling of any building. Deteriorated sewer laterals shall be repaired prior to approval of the Building Permit.
13. Pursuant to City of Sausalito Resolution 5116, roadway and subdivision improvements shall comply with the Uniform Construction Standards All Cities and County of Marin and as may be modified by the City Engineer.
14. Pursuant to City of Sausalito Resolution 5117, new private sewer construction shall comply with the City of Sausalito Standard Specification.
15. Permits required by other agencies having jurisdiction within the construction area must be obtained in accordance with the respective agency's regulations.
 - a. Marin Municipal Water District – (415-945-1400), including landscaping and irrigation regulations;
 - b. Southern Marin Fire Protection District -- (415-388-8182); and
 - c. Bay Conservation and Development Commission – (415-352-3600).

**PLANNING COMMISSION RESOLUTION NO. 2021-10
APRIL 21, 2021
DR 2018-00276
99 WOLFBACK RIDGE ROAD/LOT 5 WOLFBACK ESTATES**

ATTACHMENT 3: PROJECT PLANS – RECEIVED DATE MARCH 31, 2021

**PLANNING COMMISSION RESOLUTION NO. 2021-10
APRIL 21, 2021
DR 2018-00276
99 WOLFBACK RIDGE ROAD/LOT 5 WOLFBACK ESTATES**

ATTACHMENT 4: STRUCTURAL PROJECTION EXHIBIT – RECEIVED MARCH 31, 2021

