

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2021-19**

**APPROVAL OF A DESIGN REVIEW PERMIT WITH HEIGHTENED REVIEW AND
TREE REMOVAL PERMIT, AND RECOMMENDATION OF CITY COUNCIL
APPROVAL OF AN ENCROACHMENT AGREEMENT FOR THE DEMOLITION OF A
SINGLE-FAMILY RESIDENCE AND CONSTRUCTION OF A 3,731 GROSS SQUARE
FOOT SINGLE-FAMILY RESIDENCE, REMOVAL OF PROTECTED TREES, AND
CONSTRUCTION OF NEW DRIVEWAY AND ENTRY STAIRWAY IMPROVEMENTS
WITHIN THE SAUSALITO BOULEVARD RIGHT-OF-WAY, TO REPLACE EXISTING
IMPROVEMENTS THAT ENCROACH INTO THE RIGHT-OF-WAY AT 654
SAUSALITO BOULEVARD (APN 065-163-26)**

DR/EA/TRP 2019-00184

WHEREAS, Applicant Mason Wodham Architects, on behalf of property owners Jackson and Alison Buttles, requested Planning Commission approval of a Design Review Permit with Heightened Review, an Encroachment Agreement, and a Tree Removal Permit to demolish an existing single-family residence and construct a new 3,731 gross square foot single-family residence at 654 Sausalito Blvd, with portions of a new driveway and entry stairway to be constructed partially within the Sausalito Blvd. right-of-way; and

WHEREAS, the project site is located within the Medium Low Density Residential land-use designation and the Single-Family Residential (R1-6) Zoning District; and

WHEREAS, the Historic Preservation Commission conducted a duly-noticed public meeting on September 26, 2019 at which time they unanimously determined that the subject property does not constitute a Historic Resource under Sausalito Municipal Code Sec 10.50.050.D; and

WHEREAS, the Planning Commission conducted duly-noticed public hearings for the application on September 16, 2020, December 16, 2020 (which was a Study Session), July 7, 2021, and July 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 September 16, 2020, December 16, 2020, July 7, 2021, and July 21, 2021 Staff Reports for the project; and

WHEREAS, the Planning Commission has reviewed and considered the project plans entitled "Buttles' Residence" prepared by Mason Wodhams Architectural Corp with July 15, 2021 Received date; 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 15301.L.1 (demolition of a single-family residence) and 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 15301.L.1 and Sec 15303.A of the CEQA Guidelines.

2. A Design Review Permit for the demolition of the existing single-family residence and construction of a new single-family residence at 654 Sausalito Boulevard (APN 065-163-26) to include 3,731 gross square feet of floor area, and construction of new entry stairs and gates is approved based upon the findings provided in Attachment 1 and subject to the conditions of approval provided in Attachment 4. The project plans are provided in Attachment 5.
3. A Tree Removal Permit to remove four mature trees (2 protected and 2 undesignated) as identified on the ArborServices arborist report date received stamped July 15, 2021 and replace them with desirable trees is approved based on the findings contained in Attachment 2 and subject to the conditions of approval provided in Attachment 4. The Arborist Report is provided in Attachment 6
4. To recommend City Council approval of an Encroachment Agreement for new driveway, entry stairs, and other improvements based on the findings provided in Attachment 3 and subject to the conditions of approval provided in Attachment 4. The project plans are provided in Attachment 5.

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

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

Lilly Whalen, Secretary to the Planning Commission

ATTACHMENTS

1. Design Review Permit Findings | 2. Tree Removal Permit Findings | 3. Encroachment Agreement Permit Findings | 4. Conditions of Approval | 5. Project Plans – Date Received Stamped July 15, 2021 | 6. ArborServices Arborist Report – Date Received Stamped July 15, 2021

PLANNING COMMISSION RESOLUTION NO. 2021-19
JULY 21, 2021
DR/EA/TRP 2019-00184
654 SAUSALITO BOULEVARD

ATTACHMENT 1: DESIGN REVIEW PERMIT FINDINGS

Design Review Permit Findings

In order to approve or conditionally approve the Design Review Permit, the Planning Commission must determine whether the project is in conformance with the required Design Review Findings (Sections 10.54.050).

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

The project is consistent with all applicable policies, standards, and regulations of the General Plan and Zoning Ordinance as described in the Staff Report dated July 21, 2021. Additionally, the Historic Preservation Commission met on September 26, 2019 and unanimously voted to determine that the existing residence does not constitute a historic resource under CEQA.

- 2. The proposed architecture and site design complement the surrounding neighborhood and/or district by either: a) Maintaining the prevailing design character of the neighborhood and/or district or b) 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 Historic Resources Evaluation characterized the neighborhood as having no unified design period or styles. The six adjoining homes on the subject block include two homes from the 1900s, two from the 1920s, one from the 1930s, one from the 1950s, and one from the 1990s, with equally diverse styles ranging from variations on Spanish Colonial to bungalows and mid-century modern. A dated, dark residence would be replaced with a more modern, rectilinear design that incorporates a lighter color palette consisting of natural stained cedar, dark brown trim, and light stucco accent walls, which would blend into the natural landscape of the neighborhood, thus maintaining the prevailing design character of the neighborhood.

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

The proposed project is larger than the existing residence. However, with the exception of the clerestory section in the center of the residence, the height of the proposed residence is just over 1 foot shorter than the existing residence. The center section is approximately 3.5 feet taller than the existing residence. In general, the design and scale of the development is entirely consistent with the general scale of other buildings in the district and the larger vicinity.

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

The applicants have engaged their neighbors multiple times and engaged in a Planning Commission Study Session to identify concerns from their neighbors and explore changes to their design concept several times in an effort to minimize impacts to the neighbors. The overall design

of the proposed residence is largely consistent with the height of the existing residence, and the revised location on the property have minimized if not eliminated any obstruction of public views.

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

The proposed single-family home is not located near or above a ridgeline.

- 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 project proposes revision to the landscaping in the front entry courtyard area, and substantial revision to the landscaping in the rear yard and side yards. Two trees within the Sausalito Blvd right-of-way would be preserved, and the front yard courtyard area would be revised to include new entry fencing and gates and a mix of trees, shrubs, and groundcover. Trees and shrubs would also be planted along the side and rear perimeters, with lawn and other groundcovers to fill in the yard areas. A pool, spa, and deck are also proposed in the rear yard. to ensure privacy between the owners and neighbors to the sides and rear of their property. 2 mature Coast Live Oaks, 1 mature Portugal Laurel tree and 1 mature American Holly tree are proposed for removal. Finally, the driveway and entry stairs would be replaced and combined with the new front courtyard fencing to present an attractive viewscape for the public and an inviting environment for the residents.

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

The general location of the residential structure on-site is proposed to shift closer to the Sausalito Blvd right-of-way and the overall layout is several feet more narrow than the existing residence. Both of these changes increase separation from the residence at 678 Sausalito Blvd, ensuring that light and air movement to that property remain adequate. Additionally, the proposal generally maintains consistency with the height of the existing residence, ensuring there will be no additional restrictions on light and air to any of the adjacent properties or surrounding areas.

- 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.*

Details of mechanical equipment and lighting, both on-site and on the building and roof have not been detailed at this time. To ensure that impacts from those improvements will be minimized, a condition of approval has been included in the draft resolution requiring that mechanical equipment, particularly equipment located on the rooftop shall be designed, sited, and screened to minimize impacts to adjacent properties and the general public, and maintain conformance with the Sausalito Municipal Code, to the satisfaction of the Community Development Director. A similar condition has also been included requiring all site and building lighting to be screened and downward-facing.

- 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.*

The project has been designed first to ensure privacy of the owners and their guests. Additionally, efforts have been made to minimize privacy intrusions and impacts to the surrounding neighbors. On both the main and lower levels, floorplans have been configured so as to orient the majority of the windows to the front and rear of the residence, with smaller accent windows on the side elevations that have frosted glass specified.

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 residence has a 2 car garage, and the proposed project would include a 2 car garage. The existing driveway and entry walkway currently encroach into the right-of-way, and the proposed project would secure an encroachment agreement for these encroachments and upgrade the appearance of the driveway and entry improvements. No impacts from traffic or other circulation are expected.

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 arborist report prepared for the project identified 4 mature trees for removal to accommodate the development of the site, and a Tree Removal Permit has been included in the application. 3 of the 4 trees have been identified as having poor form but good health, and the 4th tree (Portugal Laurel) is not designated as a heritage or protected tree. The landscape plans indicate the removed trees will be replaced at a greater than 1:1 ratio.

12. The project site is consistent with the guidelines for heightened review for projects which exceed 80% of the maximum allowed Floor Area Ratio and/or site coverage, as specified in subsection E (see Heightened Design Review Findings).

The project proposes to expand the site's total floor area to approximately 89 percent of the maximum permitted amount and the building coverage would be reduced to 100 percent of the maximum permitted amount, both of which trigger the requirement for Heightened Design Review. Findings are addressed in the Heightened Design Review Findings section.

13. The 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 project does include a variety of such measures, including elimination of the previously proposed upper floor to reduce building height and articulations along all sides. Furthermore, the project eliminates a non-conforming side setback issue to the property to the east. As such, they do not crowd or overwhelm neighboring structures.

Heightened Design Review Permit Findings. In order to approve the Design Review Permit with Heightened Design Review, the Planning Commission must determine whether the project is in conformance with the following Findings (SMC 10.54.050.E):

a) Proposed development of the site maximizes preservation of protected trees.

There are twenty-three prominent trees identified in the Arborist Report date stamped July 15, 2021 for the project. Four of them have been identified for removal, all in the rear of the property, and the three in the front along with numerous trees on neighboring properties have designated to avoid by the arborist report, and a Tree Removal Permit has been included in the application. The trees identified for removal are all in construction areas, and the arborist report finds them to be generally in good health but having poor form. The landscape plans indicate the removed trees will be replaced at a greater than 1:1 ratio. The trees in the front to be retained are all located just off the subject property within the Sausalito Blvd right-of-way, and those plus the trees on neighboring properties are all designated as requiring the application of appropriate tree protection practices during construction.

b) The site is configured with adequate width and depth to provide yard spaces and setbacks, proportional to the size of the structure.

The site consists of an 8,790 square foot parcel, generally oriented parallel to the downslope from Sausalito Blvd to Sunshine Avenue, slightly irregular in shape. In the existing configuration of the residence, the east side setback is not in compliance with the R 1-6 setbacks, as it only offers a 2' 8" side setback for the existing residence, where a 5' setback is required. The proposed project would restore compliance with this by establishing a 5' 6" setback in place of the existing 2' 8" setback, and maintain compliance with all other applicable development standards for the R 1-6 District. Additionally, the proposed project would include development of the rear yard into a useable space, with lawn and a pool.

c) The site will be developed in a manner that minimizes the obstruction of views from surrounding properties and public vantage points, with particular care taken to protect primary views.

As noted previously, the applicants have engaged their neighbors multiple times and revised their design concept several times in an effort to minimize view impacts to the neighbors. The proposed project generally maintains consistency with the height of the existing residence, thereby minimizing or eliminating any impacts to views consistent with the existing residence.

d) The proposed development of the site presents no potential hazard to public safety in terms of vehicle traffic, pedestrian circulation, slope and tree stability, runoff, and public utilities.

The proposed project would demolish an existing single-family residence and replace it with a new single-family residence. Proper construction practices would be employed to ensure safety and minimize slope instability and runoff. The amount of building coverage on site is reduced over the current condition, and all site drainage will be managed to prevent any runoff, stormwater, or erosion impacts to neighboring properties. No new hazards or hazardous conditions have been identified.

e) The slope and topography of the site allow for limited excavation and minimal alteration to the site topography outside the footprint of the structures.

While the site is sloped, the excavation required for the proposed project would occur primarily within the footprint of the existing structures. The project would require a cut of 775 C.Y. of material and a fill of 250 C.Y. of material, resulting in an offhaul of 525 C.Y. of material.

- f) *The site will provide adequate guest parking either on site or within the immediate street frontage.*

The existing residence includes a 2 car garage for off-street parking. There is limited on-street parking available in the neighborhood. However, even though the driveway is partially within the right-of-way, there appears to be sufficient space outside of the paved traffic surface of Sausalito Blvd to potentially allow for guest parking. An Encroachment Agreement has been included in the project application to legitimize the driveway within the right-of-way.

- g) *The proposed plan provides adequate landscaping to maximize privacy and minimize the appearance of bulk.*

The project proposes revision to the landscaping in the front entry courtyard area, and substantial revision to the landscaping in the rear yard and side yards. Three trees within the Sausalito Blvd right-of-way would be preserved, and the front yard courtyard area would be revised to include new entry fencing and gates and a mix of trees, shrubs, and groundcover. Trees and shrubs would also be planted along the side and rear perimeters, with lawn and other groundcovers to fill in the yard areas. A pool, spa, and deck are also proposed in the rear yard. to ensure privacy between the owners and neighbors to the sides and rear of their property. 2 mature Coast Live Oaks, 1 mature Portugal Laurel and 1 mature American Holly are proposed for removal. Finally, the driveway and entry stairs would be replaced and combined with the new front courtyard fencing to present an attractive viewscape for the public and an inviting environment for the residents.

PLANNING COMMISSION RESOLUTION NO. 2021-19
JULY 21, 2021
DR/EA/TRP 2019-00184
654 SAUSALITO BOULEVARD

ATTACHMENT 2: TREE REMOVAL PERMIT FINDINGS

Tree Removal Permit Findings

In order to approve the Tree Removal Permit, the Planning Commission must determine whether the project is in conformance with the following criteria (SMC 11.12.030.B):

1. In order to grant a tree removal permit it must be determined that removal is necessary in order to accomplish any one of the following objectives:
 - a. To ensure the public safety as it relates to the health of the tree, potential hazard to life or property, proximity to existing or proposed structures, and interference with utilities or sewers.
 - b. To allow reasonable enjoyment of the property, including sunlight, and the right to develop the property.
 - c. To take reasonable advantage of views.
 - d. To pursue good, professional practices of forestry or landscape design.

The project arborist notes that the trees identified for removal are all located with the construction areas identified to enable development of the subject property. As a secondary consideration, the arborist report acknowledges that while the identified trees are generally in good health, they have poor form. Hence, Finding 1.b supports removal of the trees.

2. In order to grant a tree removal permit, it must be determined that any one of the following conditions is satisfied:
 - a. The tree to be removed will be replaced by a desirable tree.
 - b. The Planning Commission waives the above requirement based on information provided by the applicant/owner.

The project landscape plans indicate that the removed trees will be replaced by desirable trees.

3. A finding of any one of the following is grounds for denial, regardless of the finding in (2)(a) above:
 - a. Removal of a healthy tree of a desired species can be avoided by:
 - i. Reasonable redesign of the site plan, prior to construction;
 - ii. Thinning to reduce density, e.g., open windows;
 - iii. Shaping to reduce height or spread, using thinning cuts only (drop crotch);
 - iv. Heading or topping – this is the least preferable method, due to the tree’s health and appearance and cost of maintenance.
 - b. Adequate provisions for drainage, erosion control, land stability, windscreen, visual screening, privacy and for restoration of ground cover and/or other foliage damaged by the tree work have not been made in situations where such problems are anticipated as a result of the removal or alteration.

- c. The tree to be removed is a member of a group of trees in which each tree is dependent upon the others for survival.
- d. The value of the tree to the neighborhood is greater than its inconvenience to the owner. The effects on visual, auditory, and wind screening, privacy and neighboring vegetation must be considered.
- e. The need for protection of privacy for the property on which the tree is located and/or for adjacent properties.

*The removal of these tree cannot be avoided by the canopy reduction measures that are identified in **Finding a** listed above. **Findings b, c, d, and e** are addressed via the arborist report's recommendations for plan review requirements for the building permit's demolition, utility, grading and drainage plans to ensure that the necessary provisions for drainage, erosion control, land stability, and foliage damage are taken. The subject trees are identified as being mature specimens, but due to the proposed landscaping improvements plus the installation of replacement trees, removal will not have a substantial impact on the visual, auditory, wind screening and privacy benefits provided by the heavily wooded site. **Finding a.1** suggests redesign of the site to preserve the trees. The owners have gone through several site configurations in an attempt to design the home and property they desire for their family, shifting the location of the residence closer to the street and further away from the street to attempt to reduce the potential for their neighbors to feel overwhelmed by the new residence. Since the July 7, 2021 hearing, they have been able to modify the design of the pool retaining wall to retain one additional Coast Live Oak tree (reducing the trees to be removed from the five presented in the July 7 hearing to four under the current plans and arborist report). With this recent modification, it is their opinion that any further redesign of the site will alter or eliminate desired improvements necessary for their enjoyment and use of their property, and thus redesign of the site is not a viable option.*

None of the findings can be made for grounds for denial.

PLANNING COMMISSION RESOLUTION NO. 2021-19
JULY 21, 2021
DR/EA/TRP 2019-00184
654 SAUSALITO BOULEVARD

ATTACHMENT 3: ENCROACHMENT AGREEMENT PERMIT FINDINGS

Encroachment Agreement Findings

The Planning Commission may recommend approval of, and the City Council may issue, an encroachment agreement if the following findings can be made (SMC 10.56.060):

1. *The proposed encroachment is compatible with the surrounding area and will either improve or not significantly diminish visual or physical public enjoyment of the streetscape upon which the encroachment is proposed.*

The proposed encroachment is compatible with the surrounding area and will not diminish physical public enjoyment of the streetscape because it consists of revisions to existing improvements already within the right-of-way.

2. *The encroachment will not adversely affect the usability or enjoyment of adjoining parcels nor create or extend an undesirable land use precedent.*

The encroachment will not adversely affect the usability or enjoyment of adjoining parcels, because the area of encroachment is entirely along the frontage of the subject parcel. Additionally, there are other similar encroachments in the neighborhood around the City.

3. *The encroachment is necessary to the reasonable use and enjoyment of the property and the extent of the encroachment is justifiable.*

The area of encroachment already incorporates site and entrance elements (fencing, stairways) that are necessary to access and utilize the property due to the topographic conditions. The proposed project would revise and upgrade the improvements within the right-of-way, but generally remain consistent with the existing conditions.

4. *The proposed encroachment will not adversely affect the public circulation nor create or constitute a hazard to public safety.*

The proposed encroachment is primarily existing, and the project would generally maintain the existing encroachment while upgrading the appearance and usability of the improvements. No impacts to safety or circulation are noted.

5. *The value of the proposed improvements will not prejudice a policy decision to terminate the encroachment nor preclude or make difficult the establishment or improvement of streets or pedestrian ways.*

As the proposed encroachment consists mainly of fencing, entry stairways, and landscaping, the encroachment should not affect or preclude any policy decision to alter or terminate the encroachment or make difficult the improvement of street or pedestrian ways.

PLANNING COMMISSION RESOLUTION NO. NO. 2021-19
JULY 21, 2021
DR/EA/TRP 2019-00184
654 SAUSALITO BOULEVARD

ATTACHMENT 4: CONDITIONS OF APPROVAL

These conditions apply to the following project plans prepared by Mason Wodham Architectural Corporation and entitled "Buttles Residence", date received stamped July 15, 2021.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION CONDITIONS OF APPROVAL:

Community Development Department Conditions:

1. All conditions of approval shall be included on the first sheet after the cover sheet of the construction drawings submitted for a building permit.
2. At the time of building permit application the applicant shall provide a written demonstrating how each condition of approval in this resolution has been or will be met for review and confirmation by Planning staff.
3. At the time of building permit application the applicant shall include a Construction Management Plan within the set of construction drawings. Said construction management plans shall include contact information for the general contractor and site superintendent, phasing and staging areas for equipment and materials, flagging/road closure procedures, where employees will park so as to not overwhelm the surrounding neighborhood, and other information as requested by the Community Development Director.
4. The project shall be designed as shown in the set of plans date received stamped July 15, 2021.
5. Except as otherwise noted in these conditions of approval, the plans submitted to the Building Division for plan check shall be identical to those approved by the Planning Commission. If any changes are made to the approved plans the applicant is responsible for clearly identifying all such changes and reviewing them with the Planning Department prior to submitting for a Building Permit or a revision to the Building and/or Grading Permit. All changes made to the Design Review Plans approved by the Planning Commission (or any subsequent grant of approval for minor modifications to the project pursuant to SMC Section 10.50.180 granted by the Community Development Director) and the Building Permit construction document submittal must be clearly highlighted with a "bubble" or "cloud" on plans and marked with a "Delta 'P'" at the time of initial Building Permit submittal. A list describing in detail all such changes shall be submitted and attached to the plans. Any changes that have not been clouded on the plans and noted in a transmittal memo and explicitly approved by the Director through the required approval process in the Sausalito Municipal Code are not approved. Construction, demolition or grading that

does not conform to the Planning Commission/ Director approval is not valid and shall be subject to stop work orders and may require removal.

6. 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 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. The time for completion of the construction shall also be indicated on the construction permit. 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. Once approved, the property owner shall provide the City with written quarterly job progress reports consistent with the approved chart.
7. 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.
8. Prior to issuance of a building permit, the applicants shall reimburse the City for any known unpaid costs associated with the project, including work done by consultants, staff and the City Attorney. Prior to project final the applicants shall reimburse the City for any other unpaid costs associated with the project, including work done by consultants, staff and the City Attorney.
9. 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.
10. The windows along the eastern and western side elevations of the residence shall specify frosted glass for privacy, and shall be permanently maintained as opaque or frosted.
11. 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.
12. 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.
13. All exterior lighting shall be shielded and downward facing. Cut sheets for all exterior lighting shall be submitted as part of the building permit. Lighting shall be designed to focus the light onto only the areas necessary to be illuminated and

minimize overflow of lighting off-site. Exterior lighting shall not include unnecessary illumination of building or site walls. City staff will review compliance with this condition after installation of the lighting and reserves the right to require adjustment or elimination of lighting that violates this condition.

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. Prior to issuance of a building permit, a final landscaping plan shall be submitted for review and approval of the Community Development Director. The Director shall coordinate review of the final landscaping plan with the Fire District. The landscaping plan shall be substantially consistent with the approved landscaping plan and incorporate the following additional conditions:
 - (a) The trees identified for removal in the ArborServices arborist report shall be replaced with desirable trees at a 1:1 ratio in conformance with Sausalito Municipal Code Section 11.12.020.P.2.
 - (b) The species and locations of the replacement trees in Condition No. 15a shall be reviewed for approval by the Community Development Director, in consultation with the Fire District, prior to issuance of a building permit and after it has been demonstrated that substantive consultation has been conducted with the neighboring property owners at 678 Sausalito Blvd, 652 Sausalito Blvd, 56/64 Sunshine Avenue, and 44 Sunshine Avenue. Should the Director determine additional measures are necessary to achieve adequate privacy and visual screening the Director may require larger replacement trees, such as 48 inch box-size trees.
 - (c) New plantings along the shared property line between 654 Sausalito Blvd and 678 Sausalito Blvd shall be configured to ensure privacy of master bedroom windows and patio at the southwest corner of 678 Sausalito Blvd.
16. Before the start of any clearing, excavation, construction or other work on the site and prior to applying for building or grading permits, the applicant shall deposit funds with the City in an amount determined by the Community Development Director to retain the services of a third-party arborist. Said arborist shall peer review both the ArborSciences Tree Protection Plan/Arborist Report date received July 15, 2021 and the MacNair & Associates Tree Protection Plan dated July 5, 2021 and provide a final set of tree protection plan measures for the project, which shall be incorporated into the building permit plans prior to the issuance of a building permit. All trees, on-site and off-site, identified as "protected" or "avoid" in the ArborSciences arborist report shall be included in the final tree protection plan measures. During grading and construction, the third-party arborist shall be present on-site to monitor site conditions and construction activities, and the third-party arborist shall offer direction in the event tree roots are encountered or other potential tree damage is encountered. The City shall contract the third-party arborist and the applicant shall be responsible for paying the full cost of the third-party review and site monitoring.
17. 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.

18. 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.
19. 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.
20. 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.
21. Prior to applying for building or grading permits, the applicant shall submit a noise analysis that establishes a baseline ambient noise level at the property line between 654 Sausalito Blvd and 678 Sausalito Blvd, at the closest point between the pool improvements on 654 Sausalito Blvd and the master bedroom window and patio on 678 Sausalito Blvd. Upon completion of the installation of the pool, similar sound measurements will be taken while the pool is experiencing full operational conditions and activities. The noise (comparison of baseline conditions with full operational conditions and activities) shall be used to ensure compliance with the City of Sausalito residential noise standards in SMC Chapter 12.16. Should the latter sound measurements demonstrate a violation of City of Sausalito residential noise the applicant shall submit for review and approval by the Community Development Director a solution to mitigate the noise, such as additional landscaping or a more substantial wall barrier. Additional sound measurements shall be taken to ensure compliance with Chapter 12.16.
22. 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.
23. 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.

24. 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.
25. 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).
26. 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.
27. 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.
28. 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.
29. Pursuant to Sausalito Municipal Code Section 10.50.120 (Implementation of Permits), it shall be the applicant's responsibility to diligently proceed to carry out the Conditions of Approval and implement any approved permit. This shall include establishing the approved use/implementing the permit within the time limits set forth by the applicable chapter.
30. 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.

DEPARTMENT OF PUBLIC WORKS CONDITIONS OF APPROVAL:

General Items

31. 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.

Grading / Geotechnical Items

32. Prior to application for a Building Permit the project Geotechnical Engineer shall complete an updated soils report. The report shall include an evaluation of geological hazard (landslides, liquefaction, ground faulting, and subsidence), stability of the proposed development site including surrounding properties and

shall provide mitigation measures as may be required which shall be incorporated into the project drawings and constructed. The report shall include recommendation to correct identified hazards and to mitigate impacts of the development and provide recommendations for stability of all slopes in excess of 2:1 for static and seismic conditions under saturated conditions. Where instability is found structural improvements shall be designed by a structural engineer and installed as part of the project.

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 surface drainage, subsurface drainage, grading, and that the design conforms to the intent of the geotechnical engineer's recommendations.
34. 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, shoring, etc.) shall be clearly defined and their quantities shall be shown on the plan. If the amount of earthwork is greater than or equal to 50 cubic yards, a grading permit shall be required prior to commencement of excavation.
35. 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.
36. Pursuant to the specific recommendations of the geotechnical report, the carport retaining wall shall be retrofitted with a functional back drain and waterproofing. The Building Permit drawings shall include said drainage in drainage plans and details.
37. 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.
38. Applicant is advised that should a Grading Permit be required, 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.
39. 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.
40. No grading or excavation operations shall occur between October 15 and April 15 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.

Drainage Items

41. Prior to issuance of a Building Permit, provide details on the plan regarding the backflow system for the pool. In general, backflow systems for pools shall be discharged directly to the sanitary system. No pool water may exit the system onto the slope.
42. 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.
43. 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 dissipators and foundation drainage systems.
44. New drainage facilities shall not increase the quantity or alter the path of stormwater discharged from the property from the existing condition.

Stormwater Pollution Prevention

45. 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>]
46. The contractor shall implement and maintain erosion control measures per the approved erosion control plan for the duration of the project.
47. The contractor shall provide adequate dust and debris control measures for the duration of the project.
48. 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>]
49. 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)

50. 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.

Right of Way Items

51. 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.
52. 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).
53. 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.
54. 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.
55. 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

56. 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.

57. 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/).**
58. Prior to issuance of a Building Permit the utility plans shall include the required repairs and upgrades listed in the Sewer System Coordinator's (SSC) Sewer Lateral Inspection Result Letter, dated February 28, 2020. The sewer work is required and it is recommended to do it under a Plumbing Permit, concurrently with the entitlement process. If the applicant wishes to complete the required sewer work concurrently with the entitlement process, the completed work shall be well documented in the Building Permit drawings.
 - a. Install one access clean out as required on the sewer lateral solely serving 40 and 42 Marion Avenue.
 - b. Install one City-approved backwater prevention device on the access clean out as required.
59. Where the common lateral receives its third connection from a private residential unit, it shall upsize to 6 inches unless otherwise specified by the SSC. Pursuant to City of Sausalito Resolution No. 5117, new private sewer construction shall comply with the City of Sausalito Standard Specification.
60. Prior to approval from the City's SSC, 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 SSC. Allowable pipe material shall depend upon the depth of the proposed new sanitary sewer below grade.
61. Prior to issuance of a Certificate of Occupancy, any defects or updates required by the SSC, including but not limited to those cited in the SSC's review memo shall be completed to his satisfaction.

Southern Marin Fire District

WUI Requirements:

62. The 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.

Deferred Submittals:

63. The cover sheet of the plan set submitted for building permits shall indicate all deferred submittals that will be required by Southern Marin Fire District:
 - a. A vegetation management plan shall be required as a deferred submittal.
 - b. Fire Sprinklers shall be required as a deferred submittal.
 - c. A fire hydrant upgrade shall be required as a deferred submittal

Vegetation Management Plan:

64. A Vegetation Management Plan shall be required for this project as a deferred submittal. The Vegetation Management Plan shall be submitted directly to Southern Marin Fire District, along with \$477.00 payment, in order to allow for the rough hydro. inspection to be scheduled. The plan shall comply to the following:
 - a. An electronic copy of the site plan, which includes the house, zone, plant type and spacing, shall be emailed to prevention@smfd.org.
 - b. The entire plan content elements described in narrative form.
 - c. A description of long term maintenance and safety practices.
 - d. The list of plants to be existing and/or used and materials consistent with the approval plant list.
 - a. Existing and proposed plants shall not be any of the species identified by FireSAFE Marin as fire-prone plants. The list can be found at <https://firesafemarin.org/plants>.
 - e. Prepared according to Southern Marin Fire District Standard 220 Vegetation/Fuel Management Plan, which can be found at <https://www.southernmarinfire.org/prevention/ordinances-standards/residential%20standards?limit=100>

Landscaping Plan:

65. Sheet L7.0 shall reflect that the "Acacia Cognata ('Cousin Itt') will not be planted and another species, permitted by the FireSAFE Marin plant list, will be planted instead.
66. Sheet L4.0 and L7.0 shall be designed in accordance with Standard 220 to indicate adequate plant spacing

Fire Hydrant(s):

67. A fire hydrant upgrade shall be required as a deferred submittal.
 - a. 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. Details of hydrant placement (including water main extension) shall be reviewed and approved by the Southern Marin Fire District and the Marin Municipal Water District.
 - b. 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 and the minimum standard of one 4 ½ inch outlet and two 2 ½ inch outlets for commercial structures.

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

d. Clow #FHD75 CLOW Residential Upgrade at **654 Sausalito Blvd.**

68. 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:

a. A fire sprinkler system shall be provided for all new construction.

b. Fire sprinkler coverage shall be provided through the entire structure according to Chapter 9 of the California Fire Code.

c. Fire sprinkler system shall be installed according to NFPA **13D** and Southern Marin Fire Standard 401.

d. 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.

e. ***PLEASE NOTE: The rough hydro inspection may only be scheduled by the Fire Sprinkler Contractor. This inspection may not be scheduled until the Vegetation Management Plan has been submitted. Once the rough hydro inspection passes, the inspector will release the hold on the close-in inspection with the City. The Sprinkler contractor must be available for the final inspection as well.***

69. A U.L. listed key box as required by the Southern Marin Fire Protection District shall be provided at the proposed locked entrance gate.

70. A vertical overhead clearance of 13' 6" shall be maintained free of obstructions above any roadbed (trees, brush, etc.).

71. The property owner shall comply with California Fire Code Section 304.1.2 and Local Ordinance Section 109.3.2 Abatement of Clearance of Flammable Brush or Flammable Vegetative Growth from Structures.

a. A minimum clearance of 30 feet from the structure or to the property line, 10 feet from roads and property lines and any tree which extends within 10 feet of any chimney or stovepipe shall be kept clear of flammable brush, tree limbs and grasses.

- b. A list of flammable (pyrophytic) plants and non-flammable (fire resistive) plants can be found on the University of California Cooperative Extension: Pyrophytic vs. Fire Resistive Plants list. This is available at firesafemarin.org

Exception: Vegetation Management Plan for the property has been submitted and approved by the Fire Code Official.

- 72. The applicant shall comply with California Fire Code and Public Resource Code 4291 requirements relating to the clearance of flammable brush and weeds. A minimum clearance of 30' from structures and 10' from roads and property lines shall be maintained.
- 73. 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>.
- 74. Smoke / CO Detectors shall be installed in accordance with the California Building Code.
- 75. Non-combustible roofing shall be provided for all new roofs. For roof repairs or replacements the following requirements apply: Less than 25% - no requirement; 25% to 50% - Class C minimum; 50% or more – Non Combustible. 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.
- 76. 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.
- 77. 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.

78. An approval granted by the Planning Commission 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.
79. Contact Building Division staff for information about the building permit process and for building permit requirements prior to submitting for a building permit.
80. Construction Impact Fees shall be paid in accordance with the Construction Impact Fee Ordinance. The fee is due prior to issuance of Building Permit.
81. All applicable City fees as established by City Council resolutions and ordinances shall be paid.
82. 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.
83. 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 service laterals shall be repaired prior to approval of the building permit.
84. Pursuant to Municipal Code Section 10.54.100, construction activities undertaken in accordance with a design review permit shall comply with the construction time limit regulations based upon the project's valuation. Construction projects which are not completed within the time limits are subject to daily penalties.
85. Pursuant to Municipal Code Section 12.16.130, it is unlawful to operate any air conditioning equipment which would cause the noise level at the property line to exceed the ambient base noise level by more than five decibels. See Section 12.16.040 for additional information on the determination of the ambient noise level.
86. 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) – ProhibitedHomeowners 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.
87. 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).