SAUSALITO PLANNING COMMISSION RESOLUTION NO. 2021-22

APPROVAL OF A DESIGN REVIEW PERMIT WITH HEIGHTENED DESIGN REVIEW, NONCONFORMITY PERMIT, ADU PERMIT, AND A CONDITIONAL USE PERMIT FOR THE ADDITION OF A 719 SQ FT ADU, FRONT ENTRY PORCH EXPANSION, BASEMENT EXCAVATION, AND EXTERIOR REMODEL TO AN EXISTING RESIDENCE AT 424A LOCUST STREET (DR/NP/ADU/CUP 2021-00084)

WHEREAS, an application has been filed by property owner and applicant, Jerome Christensen, requesting Planning Commission approval of a Design Review Permit with Heightened Design Review, Nonconformity Permit, ADU Permit, and Conditional Use Permit for an 719 sq. ft. attached, lower-level ADU and exterior remodel to the existing residence at 424A Locust Street (APN 064-167-11); and

WHEREAS, the project site is located within the General Plan High Density Residential use designation, and the Multiple-Family Residential (R-3) Zoning District; and

WHEREAS, the Planning Commission has reviewed a Design Review Permit with Heightened Design Review for the proposed front entry porch addition to the existing structure, basement excavation, and exterior remodel; a Nonconformity Permit to maintain the legal nonconforming side and rear yard setback encroachments and increase the side (east) yard setback encroachment by four square feet; an ADU permit for the addition of a new 719 sq. ft. attached, lower-level ADU; and a Conditional Use Permit for ADU design standard SMC 10.44.080.E.11 for overlapping windows; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearings on September 22, 2021, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed and considered the project plans titled "424A Locust Street" and date-stamped March 29, 2021 and considered the information contained in the staff reports as well as any and all oral and written testimony on the proposed project; and

WHEREAS, the Planning Commission finds that the proposed project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff reports dated September 22, 2021; and

WHEREAS, approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(e), Additions to Existing Structures.

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

- 1. The project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301(e), Additions to Existing Structures.
- 2. The Design Review Permit with Heightened Design Review for the front entry porch addition to the existing structure, basement excavation, and exterior remodel is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "424A Locust Street" date-stamped March 29, 2021 (Attachment 3).

- 3. The Nonconformity Permit to maintain the legal nonconforming side and rear yard setback encroachments and increase the side (east) yard setback encroachment by four square feet is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "424A Locust Street" date-stamped March 29, 2021 (Attachment 3).
- 4. The ADU Permit for the addition of a new 719 sq. ft. attached, lower-level ADU is approved based upon compliance with ADU development requirements information contained in the staff report dated September 22, 2021, subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "424A Locust Street" date-stamped March 29, 2021 (Attachment 3).
- 5. The Conditional Use Permit for the ADU design standard SMC 10.44.080.E.11 for overlapping windows is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "424A Locust Street" date-stamped March 29, 2021 (Attachment 3).

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 22 day of September, 2021, by the following vote:

AYES: Commissioner: Chair Feller, Luxenberg, Junius, Graef

NOES: Commissioner: None ABSENT: Commissioner: Saad ABSTAIN: Commissioner: None

Lilly Whalen

Lilly Whalen

Secretary to the Planning Commission

Attachments

- 1 Findings
- 2 Conditions of Approval
- 3 Project Plans, date stamped March 29, 2021

SAUSALITO PLANNING COMMISSION NO. 2021-22

September 22, 2021 424A Locust Street DR/NP/ADU/CUP 2021-00084

ATTACHMENT 1

FINDINGS FOR APPROVAL OF A DESIGN REVIEW PERMIT WITH HEIGHTENED DESIGN REVIEW, APPROVAL OF A NONCONFORMITY PERMIT, APPROVAL OF AN ADU PERMIT, AND APPROVAL OF A CONDITIONAL USE PERMIT

1. DESIGN REVIEW PERMIT FINDINGS

In accordance with Zoning Ordinance Section 10.54 (Design Review Procedures), the Design Review Permit is approved based on the following findings:

1. The proposed project is consistent with the general plan, any applicable specific plans, any applicable design guidelines, and this chapter. (The adopted historic design guidelines can be found in the Community Development Department or the office of the City Clerk.).

The project, as conditioned, is consistent with all applicable policies, standards, and regulations of the General Plan and Zoning Ordinance as described in the Staff Report dated September 22, 2021.

2. The proposed architecture and site design complements 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 proposed addition would maintain the prevailing design character of the neighborhood by utilizing materials that are consistent with surrounding structures including natural wood siding. Because the ADU is proposed within the existing basement, the character of the existing residence and neighborhood will be maintained.

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

The proposed FAR is comparable to the surrounding residences and below the maximum allowed in the zoning district. The proposed development would slightly increase the building coverage and expand the side yard setback encroachment. The proposed ADU is located within the existing basement and will not affect the existing scale on-site.

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

The proposed project is designed to minimize obstruction of primary views from private property. As shown on Sheet A4.0 included in **Attachment B** additional screening is proposed to minimize an obstruction of primary views from the adjacent residence located at 422A Locust Street. The parcel is land-locked and there are no public views affected by the residence.

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

The proposed project will not result in a prominent building profile (silhouette) above a ridgeline. The physical height of the building will not change, but there will be a 1'-1" decrease to the low point where the building touches natural grade resulting from the proposed excavation, which increases the overall measurement of height of the building.

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.

As shown on the Site Plan, Sheet A1.2, and Planting Palette, Sheet A1.4 included in **Attachment 2**, the applicant is proposed to retain existing vegetation on site as well as provide additional screening between the adjacent residence at 422A Locust Street. The applicant has provided a photo rendering on Sheet A4.0, which demonstrates how the proposed landscaping is layered with the existing vegetation to provide appropriate visual relief.

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

The proposed ADU is located with the existing basement of the residence. The applicant has requested a Nonconformity Permit to maintain the existing legal non-conforming side and rear yard setback encroachments. The Nonconformity Permit includes a request to expand the existing side (east) yard setback encroachment slightly by four square feet, however, the east side yard is the largest yard on site. A condition of approval requires a decrease in the west side yard setback encroachment pursuant to SMC Section 10.62.050.A. in order to shift the nonconformities on site. Therefore, the design and location of the project will provide adequate light and air for the project site, adjacent properties, and the general public.

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.

As shown on Sheet A4.0, included in **Attachment 2**, the proposed lighting fixtures are shielded and directed downward in order to prevent glare. No mechanical equipment is proposed. A condition of approval has been included to ensure the lighting is maintained shielded and directed downward.

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 proposed to remove to existing windows between 306 Bonita Street and 310 Bonita Street, thus increasing privacy. As shown on the Site Plan, Sheet A1.2, and Planting Palette, Sheet A1.4 included in **Attachment 2**, the applicant is proposed to retain existing vegetation on site as well as provide additional screening between the adjacent residence at 422A Locust Street. The applicant has provided a photo rendering on Sheet A4.0, which demonstrates how the proposed landscaping is layered with the existing vegetation to provide a reasonable level of privacy to the site.

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

A separate ADU entrance is proposed for the lower-level unit, which provides ease of movement. A new front entry deck staircase is provided to the existing residence on the second floor. The site is not accessible to vehicles.

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 applicant has submitted a Geotechnical Report, prepared by Dave Olnes, P.E., Inc., dated May 10, 2021 (**Attachment 4**). The geotechnical report concludes the site is suitable for the proposed construction and includes recommendations.

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, as specified in subsection E of this section (Heightened Review Findings)

The proposed project is subject to heightened design review as the project exceeds 80 percent of the maximum allowed floor area ratio and/or site coverage.

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 façade articulations and divisions (such as building wall off-set), and using varying rooflines.

The proposed ADU is located with the existing basement of the residence. The applicant has requested a Nonconformity Permit to maintain the existing legal non-conforming side and rear yard setback encroachments. The Nonconformity Permit includes a request to expand the existing side (east) yard setback encroachment slightly by four square feet, which is offset by a condition of approval that requires a decrease in the west side yard setback encroachment pursuant to SMC Section 10.62.050.A. The height of the building will not change, except for 1'-1" decrease to the low point where the building touches natural grade resulting from the proposed excavation. The 15'-6" proposed building height is shorter than surrounding properties.

2. HEIGHTENED DESIGN REVIEW FINDINGS

In accordance with Zoning Ordinance Section 10.54.050(E) (Heightened [Design] Review), the Design Review Permit is approved based on the following findings:

1. Proposed development of the site maximizes preservation of protected trees.

Removal of protected trees is not proposed. Therefore, this finding is made.

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

The site is a legal, nonconforming parcel recorded prior to the minimum parcel size of 5,000 sq. ft. taking effect. The applicant has requested a Nonconformity Permit to maintain the existing legal non-conforming side and rear yard setback encroachments. The Nonconformity Permit includes a request to expand the existing side (east) yard setback encroachment slightly by four square feet, however, the east side yard is the largest yard on site. A condition of approval requires a decrease in the west side yard setback encroachment pursuant to SMC Section

10.62.050.A. in order to shift the nonconformities on site. Therefore, the site is configured with adequate width and depth to provide yard spaces and setbacks proportional to the size of the structure.

3. 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.

The applicant proposes to retain existing vegetation on site as well as provide additional screening between the adjacent residence at 422A Locust Street. The composition of the proposed landscaping demonstrates particular care to protect the view from the bedroom window located at 422A Locust Street. The applicant has provided a photo rendering on Sheet A4.0, included in **Attachment 2**, which demonstrates how the proposed landscaping is layered with the existing vegetation to minimize any obstruction of views from the surrounding residence at 422A Locust Street.

4. 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 parcel is land-locked and has no vehicle access. A separate ADU entry on the lower and a new exterior staircase to the front entry deck for the upper level are proposed for pedestrians. No tree removal is proposed. The applicant has submitted a Geotechnical Report, prepared by Dave Olnes, P.E., Inc., dated May 10, 2021 (Attachment 4). The geotechnical report concludes the site is suitable for the proposed construction and includes recommendations. A grading and drainage plan is provided as Sheet A1.3 included in Attachment 2.

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

As shown on the grading plan, Sheet A1.3 included in **Attachment 2**, a minimal amount of excavation is proposed outside the footprint of structures.

6. The site will provide adequate guest parking either on site or within the immediate street frontage.

The site is land-locked and does not have vehicle access or a street frontage. Therefore, guest parking is not feasible. Street parking is available for guests along Locust Street.

7. The proposed plan provides adequate landscaping to maximize privacy and minimize the appearance of bulk.

The project proposed to remove to existing windows between 306 Bonita Street and 310 Bonita Street, thus increasing privacy. The proposed 719 sq. ft. ADU is tucked underneath the existing residence, this minimizing the appearance of bulk. As shown on the Site Plan, Sheet A1.2, and Planting Palette, Sheet A1.4 included in **Attachment 2**, the applicant is proposed to retain existing vegetation on site as well as provide additional screening between the adjacent residence at 422A Locust Street. The applicant has provided a photo rendering on Sheet A4.0, which demonstrates how the proposed landscaping is layered with the existing vegetation to maximize privacy and minimize the appearance of bulk.

3. NONCONFORMITY PERMIT FINDINGS

In accordance with Zoning Ordinance Section 10.62.070.G (Nonconforming Permit Findings) the Non- Conformity Permit is approved based on the following findings:

1. Plans that document the nonconforming zoning entitlement being requested are on file with the City or an evidentiary public hearing has been held to document the existence and extent of requested nonconforming zoning entitlement.

Historic aerial photographs and Sanborn Maps document the existing legal nonconformities of encroachments into the rear and side yard setback (**Attachment 3**).

2. The existing nonconforming use and/or structure has not resulted in a notable negative impact or nuisance to the surrounding properties and district (i.e., excessive parking demand, traffic, noise, view obstruction, etc.).

There are no records which indicate the existing nonconforming structure has resulted in a notable negative impact or nuisance to the surrounding properties. The existing structure's rear and side yard setback encroachments have existed as part of the neighborhood's character for over 70 years.

3. The nonconforming use or structure is not incompatible with the general character of the surrounding neighborhood or district.

The nonconforming structure is compatible with the general character of the surrounding neighborhood. The property is improved with a single-family residence with comparable FAR to the surrounding properties.

4. If the application is for a nonconforming use, the nonconforming use will contribute to the social and economic vitality of the district or will otherwise benefit the public health, safety and welfare.

The application is for a nonconforming structure. Therefore, this criterion does not apply.

5. The requested action will not be inconsistent with the purpose and intent of the zoning district.

The proposed project is consistent with the purpose and intent of the zoning district to provide suitable locations for a variety of housing types and classes of dwelling accommodations needed to serve the population of the City of Sausalito. The proposed project is comparable to the FAR of surrounding properties and is below the maximum allowed FAR in the zoning district. The additional floor area will be tucked under the existing residence.

6. If it is a nonconforming structure, the applicant has reduced the nonconformities to an extent reasonably practicable.

The applicant has proposed to eliminate the existing nonconformity to impervious surface area. The east side yard is the largest yard on site. While the side (east) setback encroachment will increase by four square feet, the project has been conditioned to reduce the existing west side setback by 13 sq. ft. With this condition, the project has is designed to reduce the nonconformities to the extent reasonably practicable.

7. For nonconformity permits that trigger conformance with current parking requirements pursuant to Table 10.62-1, the Planning Commission may waive the current parking requirement and allow the maintenance of the existing nonconforming parking entitlements through the grant of the nonconformity permit, if the Commission finds that (a) it is not practicable to provide parking on site in a manner that preserves neighborhood character, and (b) for substantial replications, the provision of the required parking would be in conflict with the replication of the structure, and (c) preserving the nonconforming parking entitlements is the best solution to be consistent with the goals, policies and intent of the general plan.

The land-locked property does not have vehicle access. Therefore, the provision of parking is not practicable.

Due to the applicant requesting to shift non-conformities on the property, the Planning Commission must determine that the project is in conformance with the four "shifting" findings in SMC Section 10.62.050.A.1, also replicated below.

A. The shift of nonconformity improves the appearance of the structure.

The shift of nonconformity improves the appearance of the structure by aligning the storage area roof canopy with the exterior wall along the west façade of the building. The existing storage area roof canopy projects beyond the existing wall plane, within approximately 3 inches of the western property line. The improvements seek a more attractive and efficient layout of the building's massing. The 4 square foot addition of the lower-level ADU and front entry porch above will shift the nonconformity to the largest yard on-site. Additionally, some building coverage already exists where the shifted encroachment is proposed under the existing front entry porch roof canopy.

B. The shift of nonconformity provides a public benefit

The shift will result in a 13 sq. ft. decrease in the west side yard encroachment. The setback in this location will increase from approximately 3 inches to approximately 1'-3." By eliminating the closest proximity of the structure to the property line in the southwestern corner of the site, a public benefit is provided.

C. The shift of nonconformity brings the structure into closer conformity with applicable zoning regulations and the General Plan

The shift reduces the overall side yard setback encroachment by approximately 9 sq. ft. Additionally, some building coverage already exists where the shifted encroachment is proposed under the existing front entry porch roof canopy. The project also proposed site work, which will bring the proposed impervious surface area into conformance with the maximum requirement. Therefore, the shift of the nonconformity brings the structure into closer conformity with applicable zoning regulations and the General Plan.

D. The shift of nonconformity does not intensify the use of the property

The shift of nonconformity does not intensify the use of the property. The improvements seek a more efficient layout of the building's massing. The 4 square

foot addition of the lower-level ADU and front entry porch above will shift the nonconformity to the largest yard on-site. The existing storage area roof canopy setback will increase from 3 inches to 1'-3." The overall side yard setback encroachment will decrease by approximately 9 sq. ft.

4. CONDITIONAL USE PERMIT FINDINGS

In accordance with Zoning Ordinance Section 10.56.060, an Encroachment Agreement is favorably recommended based on the following findings:

- A. The proposed use is allowed with issuance of a Conditional Use Permit, pursuant to Chapters 10.20 through 10.28 (Zoning District Regulations), Chapter 10.44 (Specific Use Requirements) or any other applicable section of this Title 10.
 - Per SMC Section 10.44.080.H.2, an ADU design exception shall be considered by the Planning Commission through the CUP process.
- B. The proposed use is consistent with the General Plan, the purposes of the Zoning Ordinance, and the purposes of the applicable zoning district.
 - The proposed use is consistent with the General Plan, the purposes of the Zoning Ordinance, and the purposes of the applicable zoning district.
- C. The proposed use, together with the applicable conditions, will not be detrimental to the public health, safety, or general welfare of the City.
 - The applicant is requesting a CUP for an exception to the privacy standards for the ADU. The proposed exception for overlapping windows is mitigated by enhanced screening between the neighboring residence at 422A Locust.
- D. The proposed use complies with each of the applicable provisions of the Zoning Ordinance.
 - The proposed CUP for an ADU design exception is required as SMC Section 10.44.080.E.11 cannot be met. As shown on the photo rendering on Sheet A4.0 included in **Attachment 2**, any privacy impacts created by the overlapping windows will be mitigated through enhanced screening. A Nonconformity Permit is required to maintain the existing legal nonconforming side and rear yard setback encroachments.
- E. The proposed use or facility is properly located relative to the community as a whole and to land uses and transportation and service facilities in the vicinity.
 - The attached ADU is located properly within the basement of the existing single-family residence. The property is located within the R-3 zoning district and the proposed FAR is less than the maximum FAR for multiple units.
- F. The size and shape of the subject property is adequate to provide features needed to ensure reasonable compatibility with land uses normally permitted in the surrounding area. Features may include but not be limited to yards, open spaces, walls and fences, parking, loading, landscaping, and such features as may be required by this Title or the Commission.

The size and shape of the subject property is compatible to other neighboring properties, such as 422A Locust Street. The proposed design exception includes enhanced landscaped screening to mitigate for any visual impact due to overlapping windows of the lower-level attached ADU.

G. Public utilities and facilities are or will be adequate to serve the proposed use, including streets and highways paved (and of adequate width) for the quantity and type of traffic it will generate.

The existing parcel is land-locked and does not have vehicle access. The site is access via a 2-foot wide access and utility easement from 426 Locust Street. Parking is not required for the proposed ADU.

H. The proposed use will not materially adversely affect nearby properties or their permitted uses.

The proposed CUP for an exception to the privacy standard for the ADU is required as SMC Section 10.44.080.E.11 cannot be met due to the location of the proposed windows. As shown on the photo rendering on Sheet A4.0 included in **Attachment 2**, any privacy impacts created by the overlapping windows will be mitigated through enhanced screening.

I. Findings required by Chapter 10.44 (Specific Use Requirements) for the approval of specific uses are made.

Specific findings to SMC Section 10.44.080.H.2 are made for the ADU design exception.

4. ADU DESIGN EXCEPTION FINDINGS

In order to approve the CUP, the Planning Commission must determine whether the project is in conformance with the following accessory dwelling unit ministerial criteria exception findings (SMC 10.44.080.H.2).

a. The exception will not create a significant adverse impact on any adjacent property, the surrounding neighborhood, or the general public good.

As shown on Sheet A4.0 included in **Attachment 2**, the proposed exception to privacy standard SMC Section 10.44.080.E.11 is mitigated through a layering of existing and proposed landscaping between the adjacent residence located at 422A Locust Street. Therefore, any adverse impact caused by the overlapping lower-level ADU windows is minimized.

b. The parcel and the arrangement of existing and proposed physical improvements on the parcel can accommodate the exception without significantly adversely affecting the views, privacy, or access to light and air of neighboring properties.

As shown on Sheet A4.0 included in **Attachment 2**, the proposed exception to privacy standard SMC 10.44.080.E.11 is mitigated through a layering of existing and proposed landscaping between the adjacent residence located at 422A Locust Street. The attached ADU is proposed within the basement of the existing residence, and mostly within the existing footprint of the home. A Nonconformity Permit is requested with this proposal to maintain the existing side and rear yard setback encroachments. Therefore, the arrangement of the existing and proposed physical improvements on the parcel can accommodate the exception without

significantly adversely affecting the views, privacy, or access to light and air of the neighboring properties.

c. Any modifications to site drainage have been designed by a licensed engineer and result in no significant net increase to the rate or volume of peak runoff from the site compared to pre-project conditions.

The applicant has provided a grading and drainage plan as shown on Sheet A1.3 included in **Attachment B.**

d. Any new mechanical pumps or equipment shall comply with applicable noise regulations.

No exterior mechanical pumps or equipment are proposed.

e. With respect to a view exception, the project has been located and designed to minimize obstruction of views from surrounding properties, and particular care has been taken to protect primary views, consistent with required design review permit findings in SMC 10.54.050.

A view exception is not proposed. Therefore, this standard does not apply.

f. With respect to a light/shadow exception, the project has been designed and located to provide adequate light for the site, adjacent properties and the general public, consistent with required design review permit findings in SMC 10.54.050.

A light/shadow exception is not proposed. Therefore, this standard does not apply.

g. With respect to a privacy exception, 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, consistent with required design review permit findings in SMC 10.54.050.

As shown on Sheet A4.0 included in **Attachment B**, the proposed exception to privacy standard SMC Section 10.44.080.E.11 is mitigated through a layering of existing and proposed landscaping between the adjacent residence located at 422A Locust Street. Therefore, the project provides a reasonable level of privacy to the site and adjacent properties. The proposed ADU is tucked into the existing basement of the primary dwelling unit. Therefore the physical density of the neighborhood will not be impacted. The applicant is also requesting a Design Review Permit pursuant to SMC Section 10.54.050.

h. With respect to a parking exception, one of the following findings shall be made:

A parking exception is not requested. Therefore, this standard does not apply.

i. With respect to size exceptions, the property owner shall record an affordable housing covenant against the property in a form approved by the City Attorney, restricting the use and rental of the accessory dwelling unit to the applicable level of affordability for 10, 15, or 20 years, as applicable.

A size exception is not required. Therefore, this standard does not apply.

j. With respect to a floor area exception, the property owner shall record a deed restriction in a form approved by the City Attorney stating that if the accessory dwelling unit is removed any floor area waiver received on floor area for the accessory dwelling unit will be credited back to the primary

dwelling unit. The restriction will stipulate that if this causes the primary dwelling unit or the primary dwelling unit parcel to exceed the maximum floor area ratio allowed the property owner shall obtain the approvals necessary to demonstrate compliance with the floor area ratio allowances.

A floor area exception is not requested. Therefore, this standard does not apply.

SAUSALITO PLANNING COMMISSION NO. 2021-22 SEPTEMBER 22, 2021 424A LOCUST STREET 2021-00084

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions apply to the project plans prepared by Marty Zwick, entitled "181 Spencer Avenue" and date-stamped March 31, 2021.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION CONDITIONS OF APPROVAL:

General Items:

- 1. The <u>Design Review Permit</u> 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.
- 2. The <u>Conditional Use Permit</u> 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 Conditional Use Permit is determined implemented if the applicable conditions of approval prerequisite to construction have been satisfied and any required construction permits have been issued. (SMC Section 10.60.110)
- 3. The Nonconformity Permit shall expire two years following the effective date of the permit, unless a construction permit has been issued and construction diligently pursued, or the permit is extended.
- 4. 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 City Council, with received date stamp of March 29, 2021. 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 City Council (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" 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 City Council/ Director approval is not valid and shall be subject to stop work orders and may require removal. 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).

- **5.** All conditions of approval shall be included on the first sheet after the cover sheet of the construction drawings submitted for a building permit.
- **6.** At the time of building permit application the applicant shall provide a written statement demonstrating how each condition of approval in this resolution has been or will be met for review and confirmation by City of Sausalito staff.
- **7.** The following conditions are applicable to protection of trees on the project site:
 - a) An inspection by the Building Inspector, to be paid for by the applicant, is required to verify that the tree protection plan has been implemented correctly prior to issuance of a building permit and before the start of any clearing, excavation, construction or other work on the site.
 - b) Before the start of any clearing, excavation, construction or other work on the site and prior to building permit issuance a tree protection plan, developed by a licensed arborist, shall be submitted for the Community Development Director's review and approval. The tree protection plan shall provide recommendations to protect all heritage and protected trees and vegetation on the project site during the entirety of the construction. The tree protection plan shall also:
 - i. Address all heritage and protected trees and vegetation on the project site and demonstrate how they are to be securely fenced off at the "protected perimeter," which shall be either the outer limits of the branches of the tree (the drip line) or such greater limits as may be established by the reviewing agency.
 - ii. Address the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.
 - iii. Note that the tree protection fences shall remain in place for the duration of all such work and that all protected trees which are permitted to be removed shall be clearly marked.
 - iv. Note that 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.
 - v. Note that no burning or use of equipment with an open flame shall occur near or within the protected perimeter. 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.
- i. Note that 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.
- ii. Note that 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. A Tree Removal Permit shall be required if such a protected tree cannot be preserved in a healthy state or otherwise is being requested to be removed. The reviewing body 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.
- 8. The applicant/property owner shall shift the existing side yard setback encroachment in conformance with SMC 10.62.050.A.1 such that the expansion of the lower-level ADU and front entry porch above will not exacerbate the existing legal side yard setback encroachments on site. The applicant shall remove the portion of the existing storage area roof canopy nearest to the property line to achieve the shift required pursuant to SMC 10.62.050.A.1. Prior to Building Permit submittal, the applicant shall submit a revised plan set with the Community Development Department to demonstrate the design revision is proposed, and the construction drawings shall reflect the revised plan set.
- **9.** ADUs permitted ministerially, shall be rented for terms longer than 30 days. (Gov. Code, §65852.2, subds. (a)(6) & (e)(4).)
- **10.** For an accessory dwelling unit, elimination of any of the required access and/or facilities elements (i.e., the separate entrance, kitchen, bathroom facilities) or noncompliance with any requirements shall require the property owner to demonstrate compliance of the property with all applicable development standards in the Zoning Ordinance.
- 11. The owner of the property shall record a deed restriction that includes restricting the sale of the ADU from the primary dwelling.
- **12.** The applicant shall contact the Marin Municipal Water District and the Sausalito Marin City Sanitary District for additional permitting requirements.
- **13.** Exterior lighting shall be shielded and downward facing, and compatible with the design and materials of the structure.
- 14. 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.
- 15. 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.

- **16.** All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (cost plus 9%) shall be paid.
- 17. 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.
- 18. 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.
- 19. Upon building permit submittal, the owner or designee 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.
- **20.** 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.

DEPARTMENT OF PUBLIC WORKS CONDITIONS OF APPROVAL:

General Items

- 21. 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.
- 22. Third party peer reviews shall be required as determined by the City Engineer or authorized

designee. Such review shall be performed at the Developer's expense and may include the review of the final soils report, grading, hydrology, structural, lot closure calculations, Tentative Map, Final Map, improvement plans, erosion control plans, post construction pollution prevention plans, field inspections of permitted work. Developer shall submit a deposit to the City prior to review as provided for in the Master Fee Schedule in effect at the time of complete application.

- 23. 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.
- 24. 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

- **25.** The project shall adhere to all recommendations in the Report of Geotechnical Investigation, prepared by Dave Olnes, P.E., dated May 10, 2021.
- 26. Prior to the issuance of a Building Permit and to document existing conditions, the project applicant shall perform a detailed survey of the topographic features of 424A Locust along the project frontage and each adjoining parcel. The survey shall include photographic documentation and the establishment of recoverable survey points and ground movement indicators that shall be monitored to detect ground movement of adjoining right of way and parcels. The survey is subject to the review and approval of the City Engineer. The locations of the ground movement indicators shall be as recommended in the geotechnical engineer's monitoring program.
- 27. Prior to the issuance of a Building Permit the project geotechnical engineer shall provide a written monitoring program including recommended monitoring intervals for review and approval by the City Engineer and the independent geotechnical peer reviewer.
- 28. Monitoring shall conform to the approved monitoring plan. Should the geotechnical engineer recommend modifying the monitoring requirements during construction, a written request shall be submitted to the City Engineer for review and approval.
- 29. 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. 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.
- **30.** 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.

- 31. 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.
- **32.** Prior to issuance of a Building Permit the foundation plans shall be reviewed and approved by City engineering staff.
- 33. Prior to issuance of a Building Permit, the submitted engineered foundation plans shall be referred to a consulting structural engineer for peer review. The third-party reviewer shall be selected by the City and the applicant shall incur the full cost of the review and with conforming to its recommendations.
- **34.** Prior to issuance of a Building Permit, the independent structural engineer shall prepare and submit to the City a Plan Review Letter. The letter shall be on the independent structural engineer's letterhead and shall confirm that the independent structural engineer has reviewed the current foundation plans and that the design conforms to the intent of the independent structural engineer's recommendations.
- **35.** 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.
- **36.** 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.
- 37. 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.
- **38.** 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.
- **39.** 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.
- **40.** 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.

- 41. 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.
- 42. 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.
- **43.** The project geotechnical engineer shall be on site during earthwork operations.
- **44.** Prior to issuance of a Certificate of Occupancy, copies of the geotechnical engineer's field reports shall be provided to the City.
- 45. Prior to issuance of a Building 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.
- 46. 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.
- 47. 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.

Drainage Items

- **48.** Storm water shall be discharged by gravity flow to an approved (City owned and maintained) storm drain system.
- 49. 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.

50. 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

- 51. 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/er osionsediment-control-measures-for-small-construction-projects-_2015.pdf?la=en]
- **52.** 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.
- **53.** Applicant is advised that applicant's contractor shall provide adequate dust and debris control measures for the duration of the project.
- 54. 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/ba smaa-postconstruction-manual.pdf?la=en]
- 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%20Prevention%20Part%20of%20the%20PlanOctober % 202011.pdf]. The plan shall addresses 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

Pursuant to Section 10.54.090 of the Sausalito Municipal Code, any project that involves "any increase in floor area, addition of bedroom or bathrooms, addition of dwelling units, substantial reconstruction of dwelling units, or partial reconstruction of dwelling units the value of which exceeds 10 percent of the valuation of the existing improvements, adjoining rights-of-way shall be improved to City standards, per the discretion of the City Engineer. Improvements may include but not be limited to curb, gutter, sidewalk, street and alley paving, street trees, street signs, shoulder parking improvements, streetlights, and all required utilities. Existing improvements which are damaged and/or hazardous to the

public safety must also be corrected". Curb, gutter, and entire width of sidewalk shall be replaced along frontage of the 424A Locust property-access and on either side of property access to remove and replace sidewalk at existing score marks.

- **57.** Prior to issuance of a Certificate of Occupancy, applicant shall repair or replace, at no expense to the City, damage to public facilities that results from applicant's construction activities. Applicant is advised that applicant's contractor shall save and protect all existing facilities not designated for removal or modification within the public right of way.
- 58. Improvements within the public right of way shall conform to the Cities and County of Marin "Uniform Construction Standards," available online at: http://www.marincounty.org/depts/pw/divisions/land-use/ucs.

Utility Items

- Prior to issuance of a Building Permit project plans shall show the location and depth of the existing sanitary sewer lateral serving the property from point of origin to termination in the public sanitary sewer system. Depicting the existing sanitary sewer lateral(s) to be properly destroyed and all new sanitary sewer lines serving the project from their point(s) of origin to their final termination point(s) at the public sanitary sewer system; both in plan and profile (including existing and proposed depth of cover), and indicate the materials and dimensions (diameter) of the existing and proposed improvements. Applicant is advised that the waste plumbing associated with the project shall comply with the more stringent of the Sausalito Building Code, the California Plumbing Code and the Standards of the City of Sausalito as amended.
- **60.** 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.
- 61. 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 (SSC).
- **62.** Prior to issuance of a Building Permit, any defects or updates required by the SSC, including but not limited to those cited in the SSC's September 27, 2017 letter to Gerald Montegani Sr./Jr. (Attached) shall be completed to the SSC's satisfaction.

Engineering Items

- **63.** Encroachment permit(s) 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).
- 64. As 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. Locust St. 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.

- **65.** Emergency vehicle access and access to adjacent properties shall be maintained at all times throughout the duration of this project.
- **66.** Prior to issuance of an Encroachment Permit the City shall be named as an additionally insured on a separate endorsement sheet that modifies the general liability policy.
- 67. Encroachment Permit issued by the Department of Public Works is only applicable to the City of Sausalito right of way, the applicant is responsible for ensuring that they have obtain permission from property owners prior to the use of their land.
- **68.** 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 parking for construction workers. Workers shall car pool to the construction site which shall be documented on the construction staging plan.
- Applicant is advised that construction materials, equipment, vehicles, and properly-permitted debris boxes (Bay Cities Refuse Service is the sole authorized solid waste hauler permitted to provide debris box service in the City of Sausalito) may not be placed in a manner that poses a traffic hazard, shall be placed to minimize obstruction of roads and gutters, shall be equipped with reflectors or lighting to ensure visibility at night and in inclement weather (if placed in the public right of way), shall be maintained in a clean and safe condition, and shall not be maintained in a manner that becomes a nuisance to the neighborhood. Debris boxes shall be emptied on a regular basis, or as directed by the City. Material stock piles & debris boxes shall be covered when not being accessed or filled to prevent dust or liquid from being released to the environment. Construction materials, equipment, vehicles, and debris boxes shall be placed in the public right of way only after securing an encroachment permit.
- **70.** 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.
- 71. All exterior lighting shall be shielded and downward facing.
- **72.** Prior to issuance of the Certificate of Occupancy, the applicant shall complete all necessary public improvements subject to the approval of the City Engineer.
- **73.** Prior to issuance of a Certificate of Occupancy, the developer's civil engineer or professional land surveyor shall certify each finish floor elevation conforms to the approved plans.

SOUTHERN MARIN FIRE DISTRCIT CONDITIONS OF APPROVAL:

74. Deferred Submittals: Please note on the cover sheet of the drawings all deferred submittals

that will be required by Southern Marin Fire District.

- a) Fire sprinklers will be required as a deferred submittal.
- 75. Fire Sprinkler Requirements: The current scope of work appears to be in excess of 50% of the existing structure and is being considered a substantial remodel as defined in SMFD Ordinance 2019/2020-01 and shall require the installation of fire sprinklers throughout the structure. However, if further review or change in scope reveals that the project is less than 50% of the existing structure, then the project will be re-evaluated.

A fire sprinkler system shall be provided for the following:

- a) If the combination of the addition, alteration or remodeling exceeds 50% of the floor area of the existing structure, the project is considered a "substantial remodel" ** (see end for definition)
- b) Existing Buildings. In any building with an existing automatic sprinkler system, protection shall be extended to any all of alteration, repair, remodel or addition, regardless of job size so that 100% coverage is maintained.
- c) In accessory dwelling units when the main structure is equipped with an existing fire sprinkler system, or fire department access and hydrant water supply does not meet the District's requirements.
- d) In any building found to have OMEGA sprinkler heads identified as part of the U.S. Consumer Products Safety Commission recall and Viking VK457 sprinkler heads, all sprinkler heads subject to this recall shall be replaced with listed and approved heads.

Fire sprinkler coverage shall be provided through the entire structure according to Chapter 9 of the California Fire Code. Fire sprinkler system shall be installed according to NFPA standards and Southern Marin Fire Standard 401.

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 401and N.F.P.A. Standard(s) 13, 13D or 13R.

- **76.** 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 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) plans and non-flammable (fire resistive) plans can be found on the University of California Cooperative Extension: Pyrophytic vs. Fire Resistive Plants list. This is available at firesafemarin.org
 - c) Exception: Vegetation Management Plan for the property has been submitted and approved by the Fire Code Official.

- 77. Exterior Fire Feature: The proposed exterior fire feature shall be surrounded by hardscape one and a half times the height of the flame and located ten (10) feet from the structure. All exterior fire features shall be sourced by natural gas.
- **78.** Roof Deck Materials: The roof deck shall be a class-A roofing assembly. The material shall either cover the entire surface or have clearance to enable the undersurface to be cleaned of debris. The materials must be specified on the plans.
- **79.** The address shall be posted in accordance with requirements of the California Fire Code and SMFD standard 205 (Premises Identification).
 - Each dwelling unit (primary and ADU) shall have address numbers posted in a conspicuous place, clearly visible from the street. Numbers should be minimum 4" in height and contrasting in color to their background. Show location(s) on plan.
- 80. 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.
- **81.** 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.

- 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.
- 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.

6. 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.

7. 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.

- **8.** 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.
- **9.** Pursuant to City of Sausalito Resolution 5117, new private sewer construction shall comply with the City of Sausalito Standard Specification.

SAUSALITO PLANNING COMMISSION NO. 2021-22 SEPTEMBER 22, 2021 424A LOCUST STREET 2021-00084

ATTACHMENT 3: PROJECT PLANS

PLANNING SUBMITTAL - REVISION 1

CHRISTENSEN

E jerome043@gmail.com

5/15/2021

PROJECT INFORMATION						SCOPE OF WORK	TEAM	
SSESSOR'S PARCEL NUMBER: DNING DISTRICT: Esidential) VERAGE SLOPE: IMA FLOOD ZONE: ILDLAND-FIRE INTERFACE ZONE: VISTING OCCUPANCY GROUP: ONSTRUCTION TYPE: IN. PARCEL SIZE: IN. PARCEL SIZE: IN. PARCEL AREA PER DWELLING: AX. PERMITTED NUMBER OF UNITS: ROPOSED NUMBER OF UNITS: ROPOSED NUMBER OF UNITS:	R-1 R-3 V-B 5,000 sf 1,989 sf 1,500 sf 1 + ADU 1	IMPERVIOUS AREA MAXIMUM ALLOWABLE IMPERVIOUS AREA: EXISTING IMPERVIOUS AREA: HOUSE/STAIRS/ROOFED AREA: PAVING/RETAINING WALLS: GRAVEL AREAS/PAVERS: TOTAL: PROPOSED IMPERVIOUS AREA: HOUSE/STAIRS/ROOFED AREA: PAVING/RETAINING WALLS: GRAVEL AREAS/PAVERS: TOTAL: FLOOR AREA MAX. ALLOWABLE FLOOR AREA RATIO (FAR): FOR ANY SINGLE UNIT: FOR MORE THAT ONE UNIT: EXISTING FLOOR AREA RATIO (FAR): PROPOSED FLOOR AREA RATIO (FAR): PRIMARY UNIT:	1,492 sf (75% of lot) 945 sf 317 sf 280 sf 1,542 sf 991 sf 302 sf 183 sf 1,476 sf 0.65 (1,293 sf) 0.80 (1,591 sf) 0.38 (759 sf)	BUILDING HEIGHT MAXIMUM ALLOWABLE BUILDING HEIGHT: EXISTING BUILDING HEIGHT: PROPOSED BUILDING HEIGHT: PARKING REQUIRED PARKING: PRIMARY DWELLING UNIT: ACCESSORY DWELLING UNIT: EXISTING PARKING: PRIMARY DWELLING UNIT: PROPOSED PARKING: PRIMARY DWELLING UNIT: ACCESSORY DWELLING UNIT: ACCESSORY DWELLING UNIT:	32 ft 14'-5" (from average natural grade) 15'-6" (no change) 1 space 1 space lot does not have street frontage, off-street parking not possible 0 space lot does not have street frontage, off-street parking not possible 0 space lot space lot space lot space lot space lot space	424A Locust Street is a 1,989sf land-locked parcel with an existing 805sf single family residence on it. We are proposing a remodel to the existing residence to include the addition of an internal accessory dwelling unit (ADU), interior remodel to the existing single-family residence, extension of the entry porch and entry porch roof, replacement of the exterior entry stair, window and exterior door replacement/removal/addition, siding replacement, and skylight addition. As part of this scope of work we are proposing to excavate out the existing undeveloped basement and replace the existing foundation. We are also proposing to excavate a portion of the yard to provide access to the ADU, landscaping of the yard, and a replacement of the existing gas wall heater with a radiant hot-water heating system. APPLICABLE AGENCIES / CODES City of Sausalito Community Development Department Sausalito Department of Public Works Southern Main Fire District 2019 California Building Code 2019 California Plumbing Code 2019 California Residential Code 2019 California Fire Code 2019 California Green Building Code 2019 Sausalito Municipal Code 2019 California Mechanical Code DEFERRED SUMBITTALS Fire sprinklers will be required as a deferred submittal.	OWNER / ARCHITECT Jerome Christensen 424A Locust Street Sausalito, CA 94965 T: 510.407.5507 E: jerome043@gmail.com SURVEYOR DeBolt Civil Engineering 810 San Ramon Valley Boulevard Danville, CA 94526 T: 925.837.3750 GEOTECHNICAL ENGINEER Dave Olnes P.E. Inc. 7915 Crest Avenue Oakland, CA 94605 T: 510.568.2162	RESERVED FOR CITY STAMPS Christensen/Sulzn
ROPOSED ADDRESS FOR ADU:	424B Locust Street Sausalito, Ca 94965	PRIMARY UNIT: ADU: TOTAL:	0.39 (749 sf) 0.36 (719 sf)					AREA RE
BUILDING COVERAGE MAX. ALLOW. BUILDING COVERAGE: EXISTING BUILDING COVERAGE: HOUSE: STAIRS: ROOFED AREA: TOTAL: PROPOSED BUILDING COVERAGE: HOUSE: STAIRS: ROOFED AREA: TOTAL:	994 sf (50% of lot) 857 sf 40 sf 48 sf 945 sf 928 sf 25 sf 38 sf 991sf	MINIMUM REQUIRED FRONT SETBACK: EXISTING FRONT SETBACK: PROPOSED FRONT SETBACK: MINIMUM REQUIRED SIDE SETBACKS: EXISTING SIDE SETBACKS: EAST: SOUTH: WEST: PROPOSED SIDE SETBACKS: EAST: SOUTH: WEST: MINIMUM REQUIRED REAR SETBACK: EXISTING REAR SETBACK: PROPOSED FRONT SETBACK:	0.77 (1,468 sf) 0 ft NA (no street frontage) NA (no change) 5 ft 1'-9" (to face of wall at stair landing) 4'-4" (to face of wall at south-east corner) 1'-6" (to face of wall at south-west corner) 1'-9" (no change) 4'-4" (no change) 1'-6" (no change) 15 ft 8'-9" (to face of wall at north-west corner) 8'-9" (no change)			PROJECT SITE The Cool and The	A0.1 COVER SHEET A0.2 PHOTOGRAPHS SURVEY A1.0 EXISTING SITE / SITE CONTEXT PLAN A1.01 PROPOSED SITE / SITE CONTEXT PLAN A1.1 CONSTRUCTION STAGING PLAN A1.2 EXISTING & PROPOSED SITE PLANS A1.3 EXISTING & PROPOSED GRADING AND DRAINAGE PLANS A1.4 PLANTING PALETTE & EXTERIOR LIGHTING A2.0 1ST & 2ND FLOOR DEMOLITION PLANS A2.1 EXISTING & PROPOSED 1ST FLOOR PLANS A2.2 EXISTING & PROPOSED 2ND FLOOR PLANS A2.3 EXISTING & PROPOSED EXTERIOR ELEVATIONS A3.0 EXISTING & PROPOSED EXTERIOR ELEVATIONS A3.1 EXISTING & PROPOSED BUILDING SECTION, A4.0 PROPOSED BUILDING SECTION,	HE DATE NO. ISSUE DATE NO. REVISION DATE A PLANNING SUBMITTAL 03/29/21 1 PLANNING RESPONSE 05/15/21



LOCUST STREET FROM BONITA - LOOKING NORTH EAST



421 LOCUST STREET / 425 LOCUST STREET



429 LOCUST STREET



426 LOCUST STREET / WALKWAY TO 424A / 424 LOCUST STREET

424A LOCUST STREET



422 LOCUST STREET / WALKWAY TO 422A / 420 LOCUST STREET



304 & 306 BONITA STREET

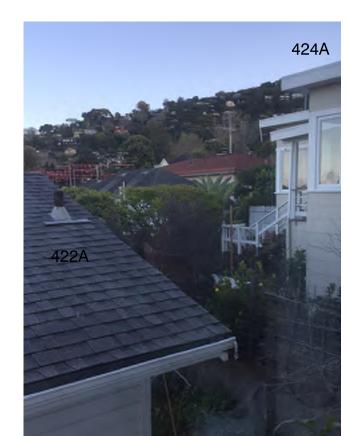


428 LOCUST STREET FROM BONITA STREET



310 & 312 BONITA STREET

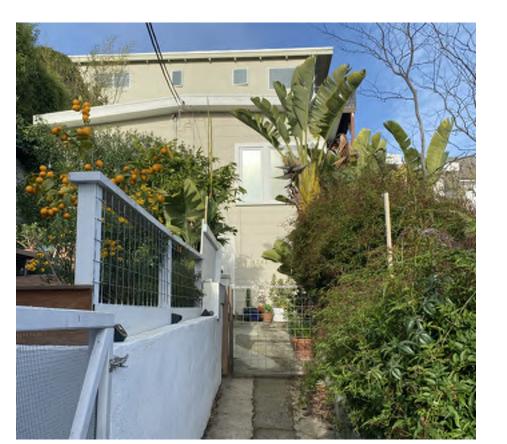
BONITA & LITHO STREETS



VIEW OF 424A LOCUST FROM 423A LITHO KITCHEN WINDOW

LOCUST STREET

428 LOCUST STREET



424A LOCUST EAST FACADE - FROM WALKWAY



424A LOCUST EAST FACADE



424A LOCUST EAST FACADE FROM 306 BONITA



422 & 424 LOCUST FROM 424A LOCUST STREET



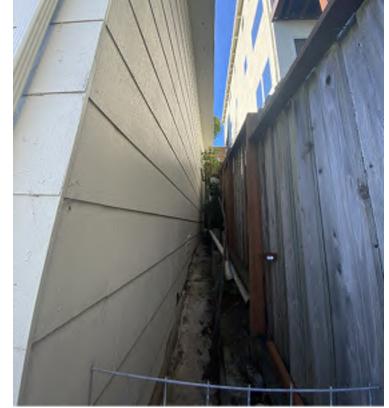
426 LOCUST FROM 424A LOCUST STREET



424A LOCUST - SOUTH-EAST CORNER



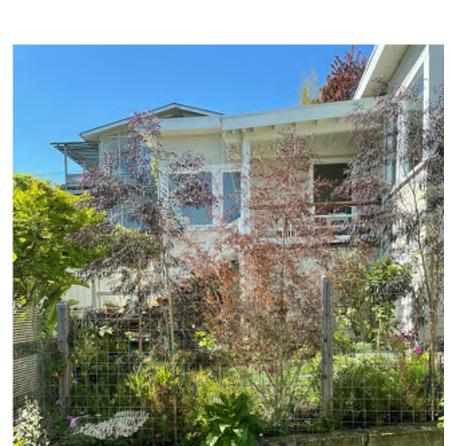
424A LOCUST - SOUTH-WEST CORNER



424A LOCUST - WEST FACADE



424A LOCUST - EAST FACADE



VIEW OF 424A LOCUST FROM 422A LOCUST BEDROOM WINDOW



423A LITHO AND 422A LOCUST FROM 424A LOCUST STREET

	AREA RE								
	DATE	05/15/21							
	DATE NO. REVISION	PLANNING RESPONSE							
	NO.	-							
×	DATE	03/29/21 1							
	ISSUE	PLANNING SUBMITTAL							
	O	∢							
Photographs Existing House and Neighborhood Context							se)	
To the second	DATE			N	Лагс	h 29	th, 2	021	
	SHEET:								

A0.2

CHRISTENSEN

Sausalito, CA 94965

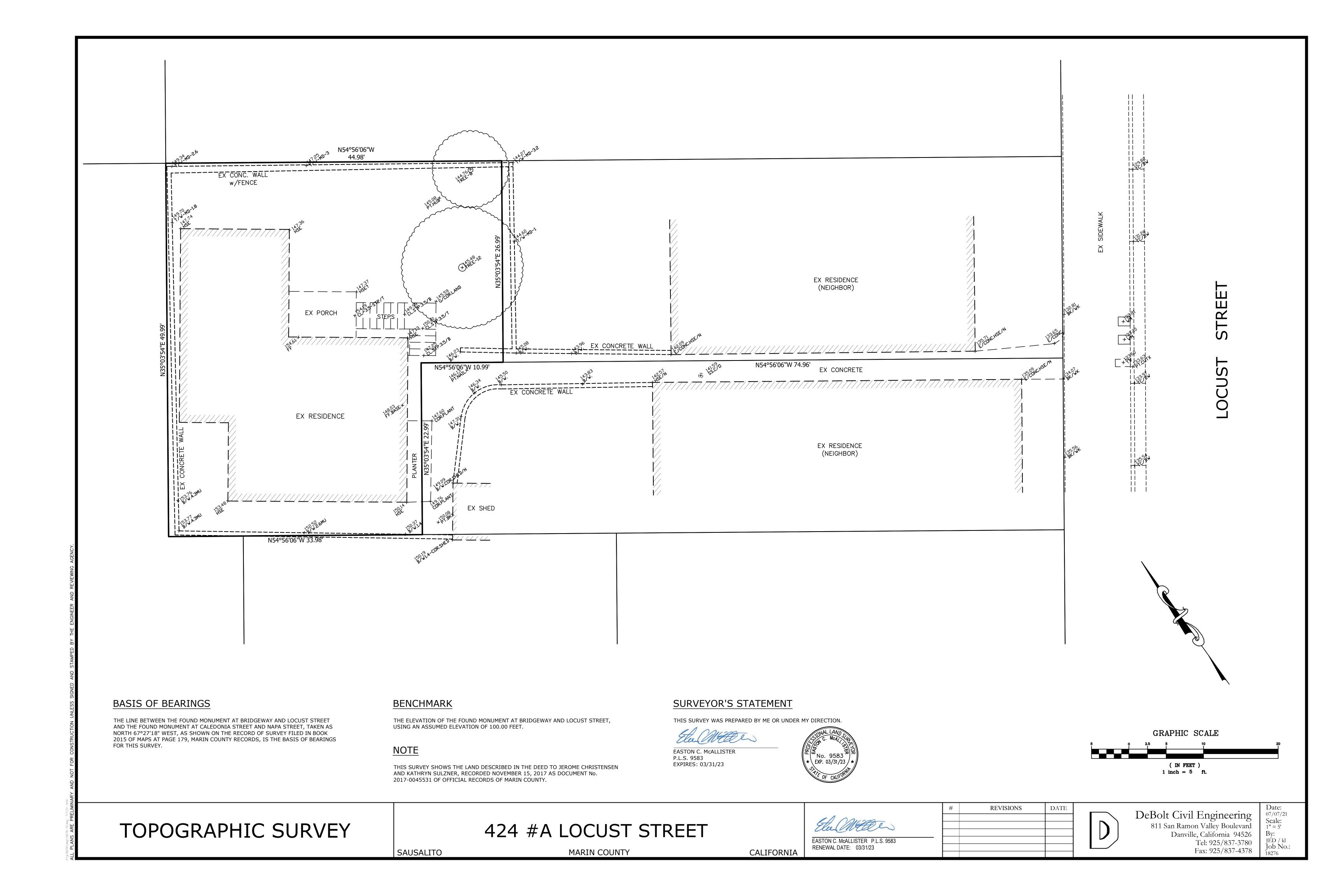
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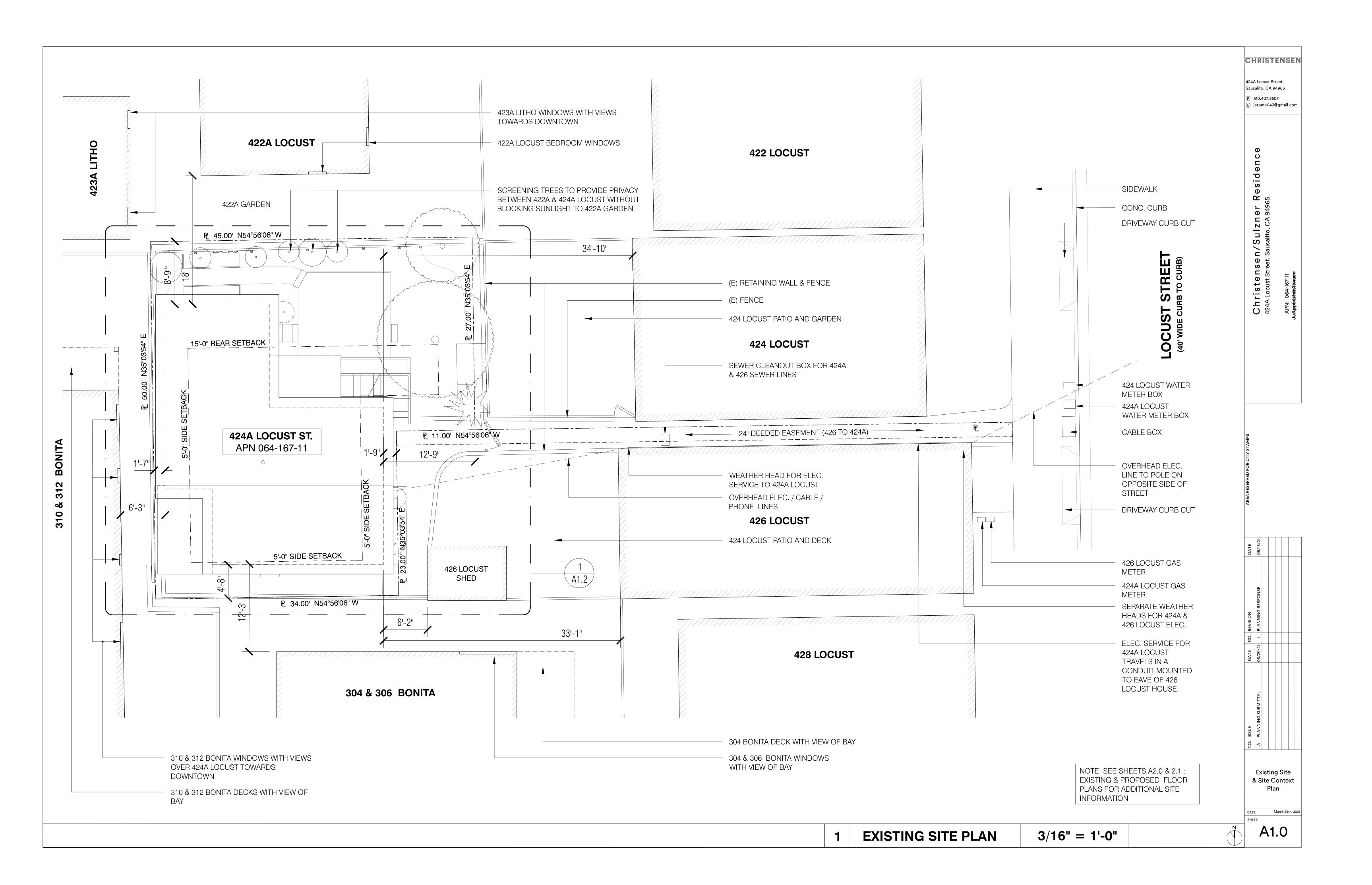
Christensen/Sulzner

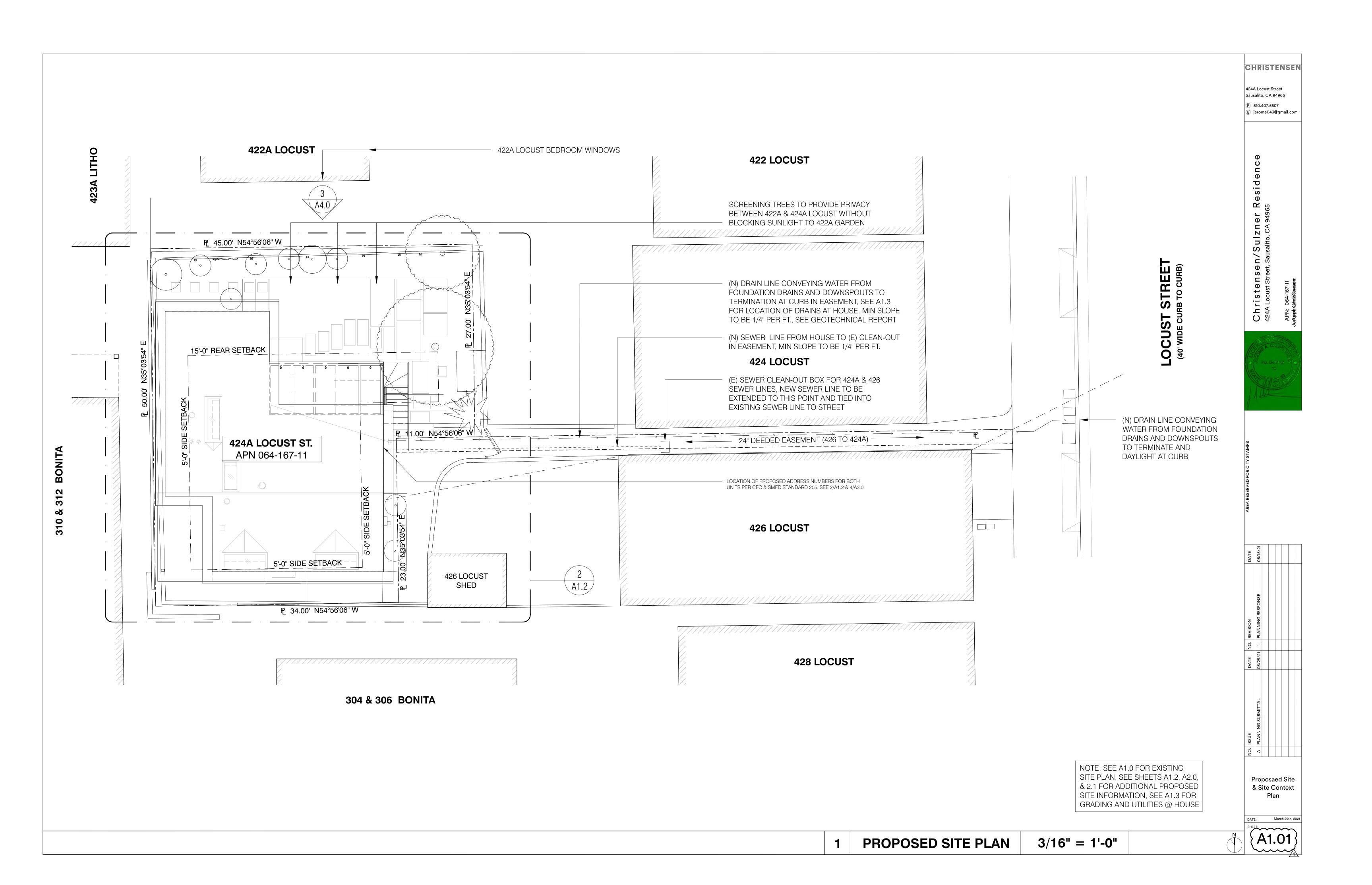
© jerome043@gmail.com

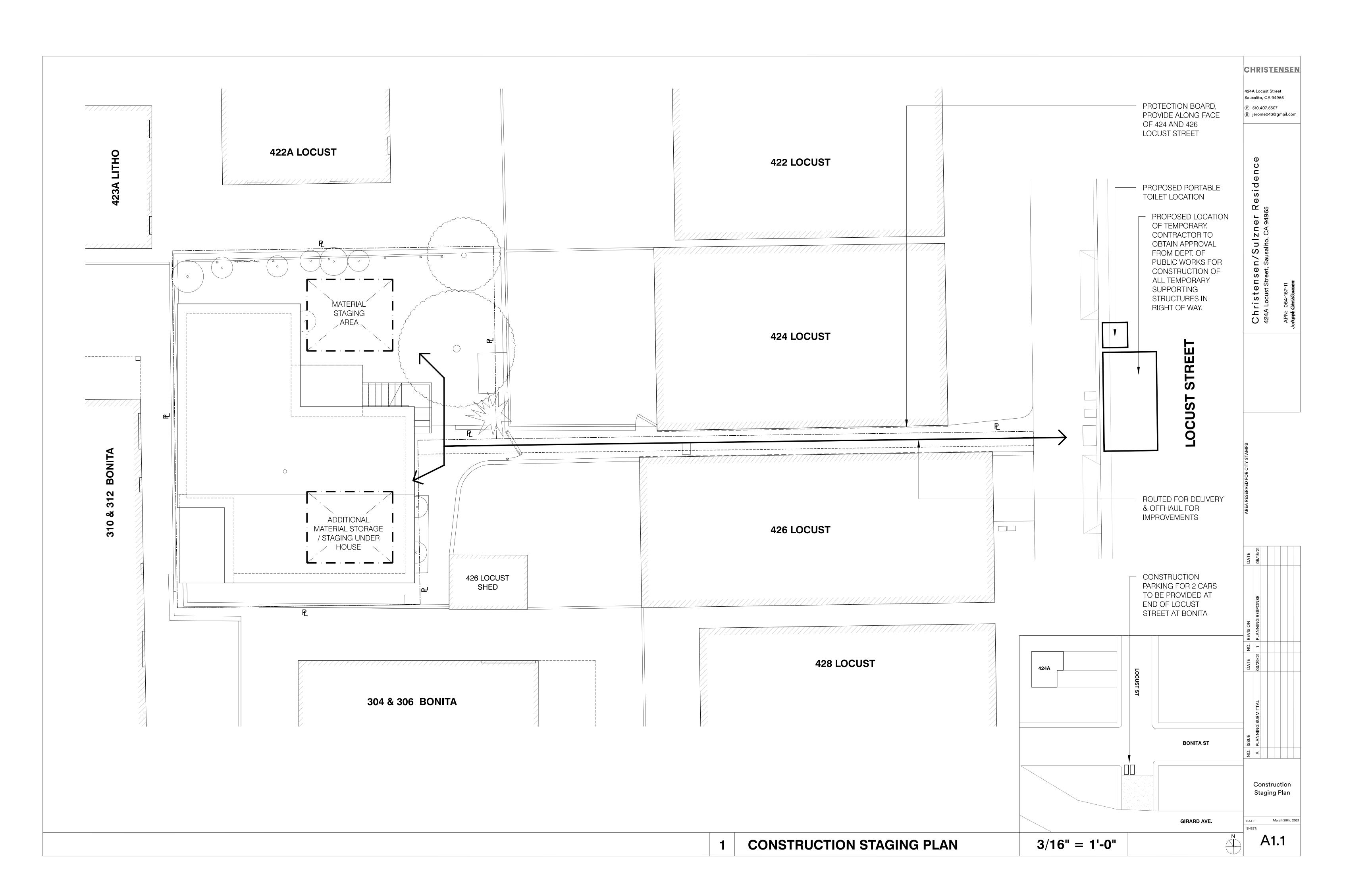
424A LOCUST STREET

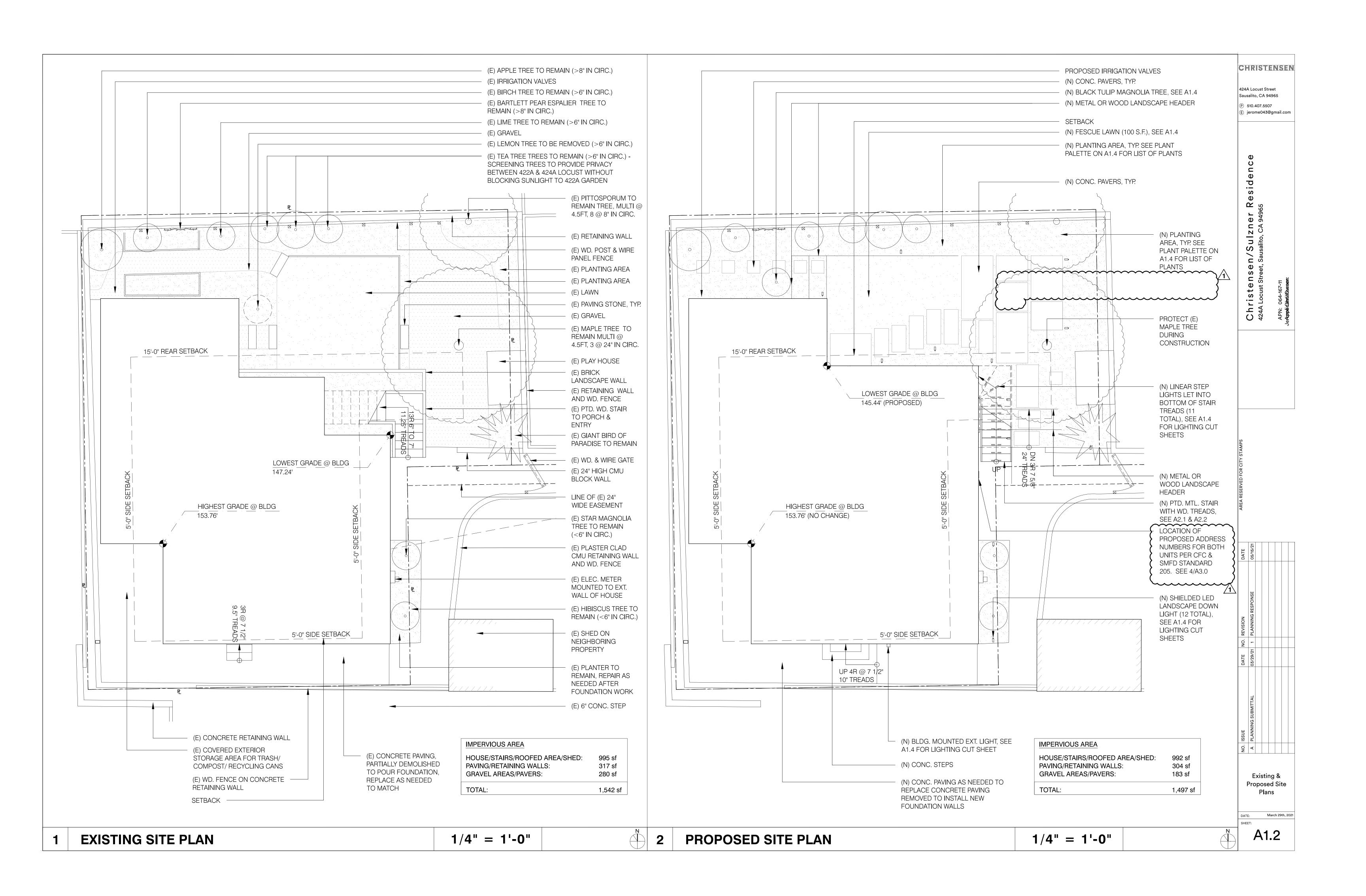
VIEWS OF NEIGHBORING BUILDINGS FROM 424A LOCUST STREET

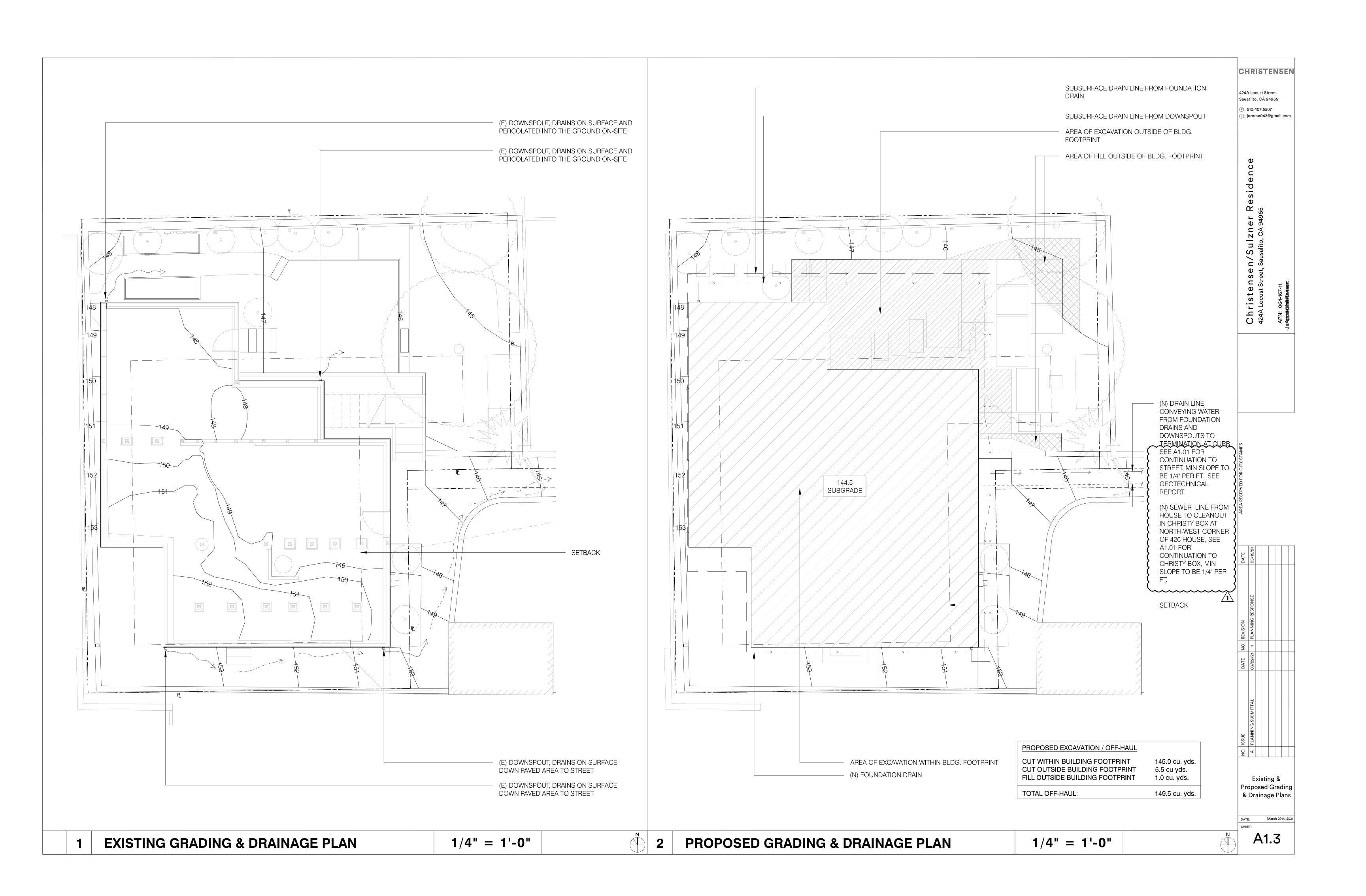






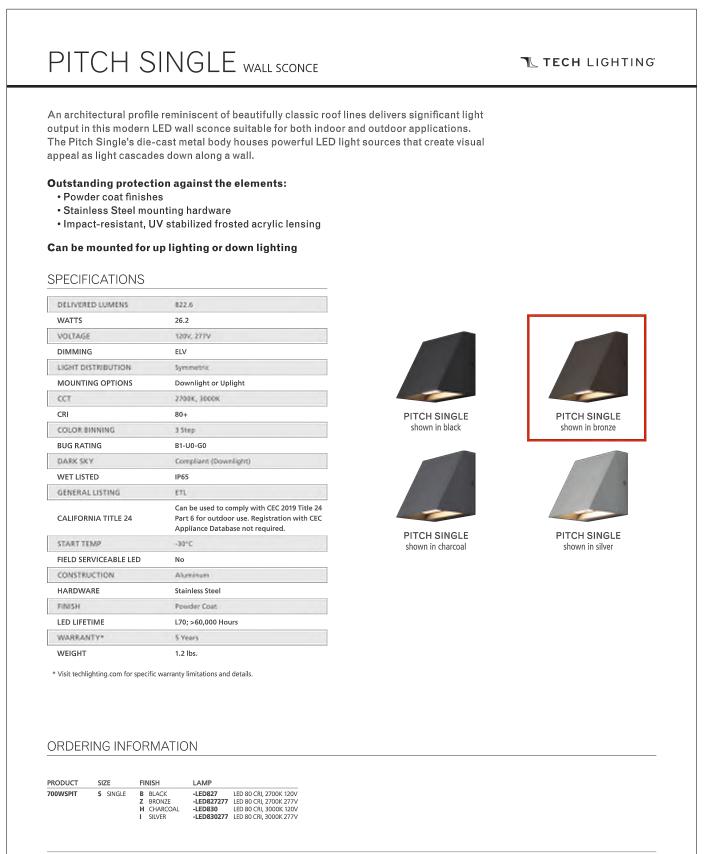








LANDSCAPE - PROPOSED LIGHTS



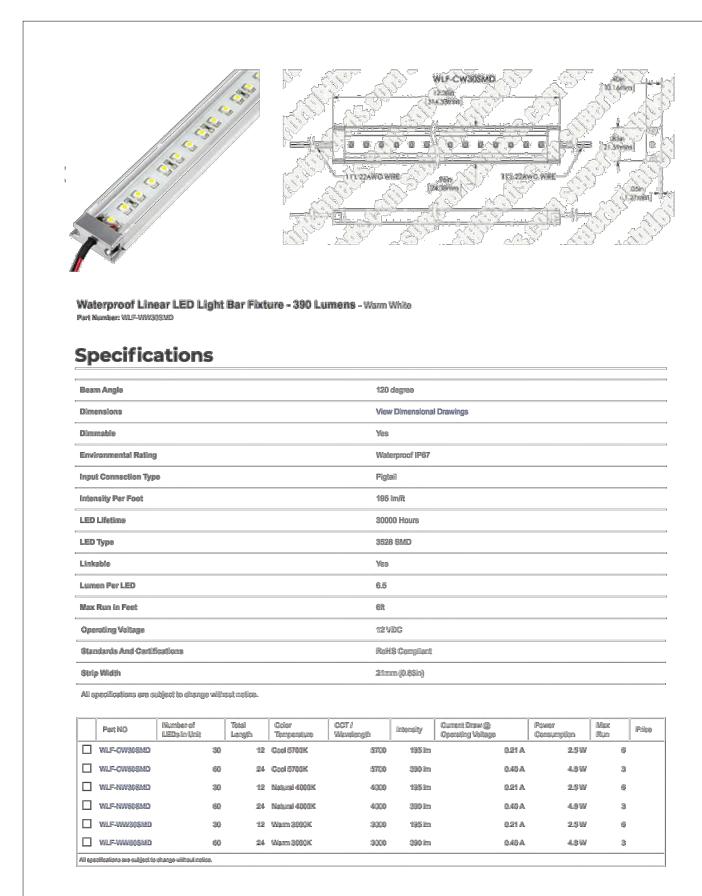
techlighting.com

SOUTH ELEVATION - PROPOSED WALL MOUNTED LIGHT

EXTERIOR STAIR TO DECK - PROPOSED LIGHTS, RECESS INTO UNDERSIDE OF EACH STAIR TREAD



PORCH - PROPOSED LIGHTS, ATTACHED TO PORCH ROOF RAFTERS



TREE: TEA TREE - Leptospermum

obovatum

TREE: BLACK TULIP MAGNOLIA -Magnolia × soulangeana



- Euphorbia characias

Cotinus coggygria

PLANTING AREAS:

LEUCADENDERON - Leucadendron



PLANTING AREAS: SMOKE BUSH -FEATHER GRASS - Stipa tenuissima



PLANTING AREAS: ELIJAH BLUE FESCUE - Festuca glauca



PLANTING AREAS: GLOBE THISTLE -PLANTING AREAS: DWARF EUPHORBIA Echinops exaltatus



PLANTING AREAS: YARROW - Achillea millefolium



CHRISTENSEN

424A Locust Street Sausalito, CA 94965

P 510.407.5507

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E jerome043@gmail.com

LAWN: RED FESCUE - Festuca rubra



PLANTING AREAS: SEDUM - Sedum



GROUND COVER (BTWN. PAVERS): SILVER CARPET - Dymondia margaretae



Erigeron karvinskianus

LOCATION / TYPE	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS (WATER USAGE)
Tree	Leptospermum obovatum	Tea Tree	15 gal	Low
Tree	Magnolia × soulangeana	Black Tulip Magnolia	24" box	Medium
Lawn	Festuca rubra	Red Fescue	Sod	Low
Between Pavers	Dymondia margaretae	Silver Carpet	Pallets	Low
Planting Areas	Cotinus coggygria	Smoke Bush	5 gal	Low
Planting Areas	Leucadendron	Leucadendron	5 gal	Low
Planting Areas	Euphorbia characias	Dwarf Euphorbia	1 gal	Low
Planting Areas	Perovskia atriplicifolia	Blue Russian Sage	1 gal	Low
Planting Areas	Stipa tenuissima	Mexican Feather Grass	1 gal	Low
Planting Areas	Festuca glauca	Elijah Blue Fescue	1 gal	Low
Planting Areas	Echinops exaltatus	Globe Thistle	1 gal	Medium
Planting Areas	Achillea millefolium	Yarrow	1 gal	Low
Planting Areas	Sedum	Sedum	4.5in pot	Low
Planting Areas	Erigeron karvinskianus	Seaside Daisy	1 gal	Low

NOTES:

1. IRRIGATION WILL BE COMPOSED OF VALVES THAT CONTROL BUBBLERS AND DRIP IRRIGATION. ALL IRRIGATION LINES SHALL BE PRESSURE TESTED FOR LEAKS

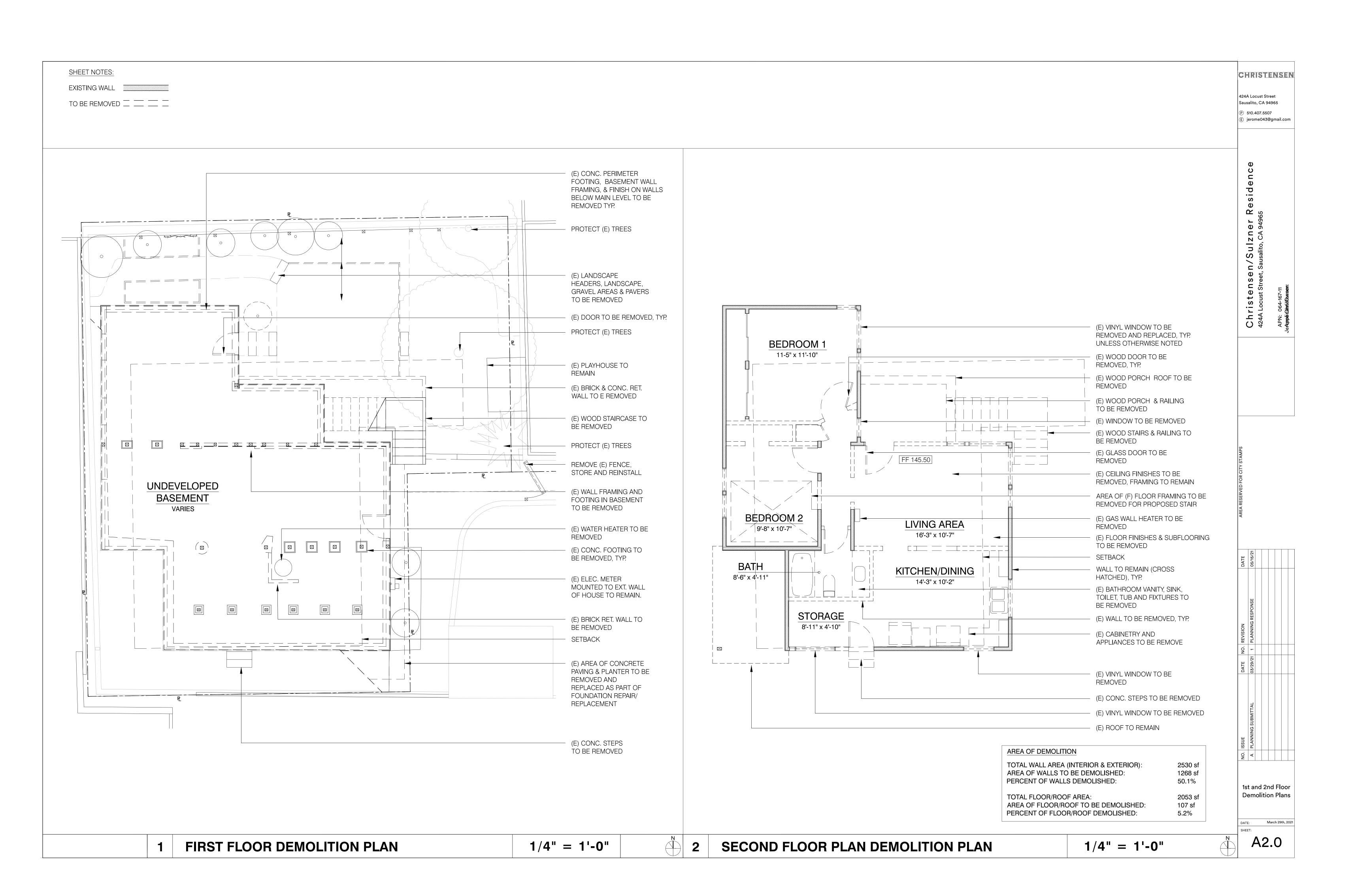
2. PROVIDE DRIP IRRIGATION AND/OR BUBBLERS TO ALL PLANTING AREAS

3. ALL LIGHT FIXTURES TO BE EXTERIOR RATED, LOW EFFICACY, SHIELDED, AND DOWNWARD DIRECTED

Planting Palette & **Exterior Lighting**

March 29th, 2021

A1.4



SHEET NOTES:			CHRISTENSEN
1. THE PROPOSED ADU WILL BE SERVED FROM (E) ELECTRICAL PANEL SERVING 424A LOCUST STREET. THE (E) PANEL WILL NOT BE RELOCATED, REPLACED OR MODIFIED TO SERVE THE ADDITIONAL UNIT. 2. HEATING TO BE PROVIDED TO MAIN UNIT AND ADU BY RADIANT HOT			424A Locust Street Sausalito, CA 94965 P 510.407.5507 E jerome043@gmail.com
WATER TUBING WITH WATER HEATER AND MANIFOLD LOCATED IN MECHANICAL ROOM.	(E) CONC. PERIMETER FOOTING & BASEMAT WALL FRAMING, TYP: (E) DOOR (E) WOOD STAIRCASE (E) WALL (E) DOOR (E) WATER HEATER (E) CONC. FOOTING, TYP (E) ELEC. METER MOUNTED TO EXT. WALL OF HOUSE (E) BEAM ABOVE, DASHED, TYP. (E) BRICK RET. WALL	UNDER-COUNTER REFRIGERATOR (5CF MIN) BATH ON BOTH SIDES TO SEPARATE ADJ.	Christensen/Sulzner Residence Christensen/Sulzner Residenc
1 EXISTING FIRST FLOOR PLAN	1/4" = 1'-0"	2 PROPOSED FIRST FLOOR PLAN 1/4" = 1'-0"	A2.1

SHEET NOTES: 1. THE PROPOSED ADU WILL BE SERVED FROM (E) ELECTRICAL PANEL SERVING 424A LOCUST STREET. THE (E) PANEL WILL NOT BE RELOCATED, REPLACED OR MODIFIED TO SERVE THE ADDITIONAL UNIT. 2. HEATING TO BE PROVIDED TO MAIN UNIT AND ADU BY RADIANT HOT WATER TUBING WITH WATER HEATER AND MANIFOLD LOCATED IN MECHANICAL ROOM.		CHRISTENSEN 424A Locust Street Sausalito, CA 94965 P 510.407.5507 E jerome043@gmail.com
BEDROOM 2 BEDROOM 2	E CAMPEL LOST HIBDE THE RACE T	R): 749 SF Floor Plans

