

**SAN ANSELMO PLANNING COMMISSION  
RESOLUTION NO. 2022-XX**

**APPROVAL OF A GRADING PERMIT FOR THE CONSTRUCTION OF A NEW FOUNDATION FOR AN  
EXISTING HOME AT 49 SUNNYSIDE AVENUE  
(PRO2022-0018)**

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**WHEREAS**, an application has been filed by applicant and property owners, Kathryn Phillips and Andrew McCune, requesting Planning Commission approval of grading permit PRO2022-0018 for a new foundation that involves approximately 200 cubic yards of cut, 130 cubic yards of fill, and off-haul of 70 cubic yards at 49 Sunnyside Avenue, APN 007-263-24 (herein referred to as the "Project"); and

**WHEREAS**, the project site is located within the General Plan Single-Family Residential land use designation and zoned Single-Family R-1; and

**WHEREAS**, the Planning Commission conducted a duly-noticed public hearing on August 15, 2022, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Planning Commission has reviewed and considered the information contained in the staff reports as well as any and all oral and written testimony on the proposed project; and

**WHEREAS**, the Planning Commission has reviewed and considered the project plans titled "Title of Project Plans" and dated July 1, 2022; 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 report; and

**WHEREAS**, the project involves the construction of a new foundation for an existing single-family residence and approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 Existing Facilities.

**NOW, THEREFORE, BE IT RESOLVED** the Planning Commission of the Town of San Anselmo hereby incorporates the recitals above; makes the findings set forth in Exhibit "A" approving the Project described herein, subject to Conditions of Approval attached as Exhibit "B" as 49 Sunnyside Avenue, APN: 007-263-24.

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the San Anselmo Planning Commission on the 15<sup>th</sup> day of August, 2022, by the following vote:

AYES:	Commissioner:
NOES:	Commissioner:
ABSENT:	Commissioner:
ABSTAIN:	Commissioner:

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Heidi Scoble, AICP  
Secretary to the Planning Commission

Attachments

- 1 Findings
- 2 Conditions of Approval
- 3 Project Plans

**EXHIBIT A**  
**FINDINGS**  
**49 SUNNYSIDE AVENUE**  
**007-263-24**

**GRADING PERMIT**

In order to approve the grading permit, the Planning Commission must determine whether the project is in conformance with the required Grading Permit Findings in Section 9-18.08(c) of the San Anselmo Municipal Code (SAMC). The required findings are provided in *italics* below, followed by staff's analysis required for said findings.

1. *The health, welfare and safety of the public will not be adversely affected.*

There will be no adverse effects to the public other than the temporary disruption associated with construction. The grading will be fully contained on site and a construction management plan is required; therefore, the health, welfare, and safety of the public will not be adversely affected.

2. *Adjacent properties are adequately protected by project investigation and design from geologic hazards as a result of the work.*

A grading permit and construction management plan are both required at the building permit stage. Preliminary geotechnical review has been received and conditions require recommendations of the report to be followed thus adjacent properties will be adequately protected from geologic hazards.

3. *Adjacent properties are adequately protected by project design from drainage and erosion problems as a result of the work.*

A building permit is required to ensure construction complies with building standards. An Erosion and Sediment Control plan is required for the approval of the Grading Permit by the Public Works Department. The applicant has also provided a drainage plan utilizing the Marin County Stormwater Pollution Prevention Programs suggestions for erosion control best practices and therefore the scope of work will not result affect adjacent properties as a result of work done.

4. *The amount of excavation, grading, or fill proposed is not more than is required to allow the property owner reasonably beneficial use of his or her property.*

The grading to add 343 square-feet of habitable area and a second covered parking area is limited to excavation within the existing footprint of the single-family home. The scope of work is in compliance with the City's General Plan and Zoning Code requirements.

5. *The visual and scenic enjoyment of the area by others will not be unreasonably adversely affected by the project.*

The new habitable area to the project site is within the existing footprint of the home and the new foundation will decrease the height of the home, therefore, the scope of work will not create an adverse visual impact to neighbors.

6. *Natural landscaping will not be removed by the project more than is necessary and that any removed vegetation will be replanted in a timely manner.*

The applicant proposes to relandscape several areas on-site and is conditioned to comply with the Marin Municipal Water District and Ross Valley Fire Department requirements and provide the City a copy of approval from the Water District prior to project final.

7. *The time of year during which construction will take place is such that work will not result in excessive siltation from storm runoff nor prolonged exposure of unstable excavated slopes.*

An Erosion and Sediment control plan will be required by the Public Works Department prior to permit issuance. The applicant has also provided a drainage plan utilizing the Marin County Stormwater Pollution Prevention Programs suggestions for erosion control best practices and therefore the scope of work will not result in excessive siltation from storm runoff nor prolonged exposure of unstable excavated slopes.

8. *The proposed excavation, grading, or fill does not violate the Town's General Plan or Zoning Codes.*

The proposed grading, excavation, and fill to create 343 square feet of habitable space and an additional covered parking space are in compliance with the Town's General Plan and Zoning Code. The new foundation will decrease the height of the structure to further be in closer compliance with the height limit of the current zoning of the property. In addition, the new foundation will shift the house southward to bring the northern side yards setback into closer compliance with the setback requirements.

9. *Sufficient erosion control measures will be employed to offset any impact by the proposed excavation, grading, or fill.*

An erosion control plan is required. Work will be monitored by the Public Works Department to ensure implementation and maintenance of erosion control protections throughout the project duration. Specific details will be coordinated with the Public Works Department and submitted as part of the building permit submittal.

## **EXHIBIT B**

### **CONDITIONS OF APPROVAL 49 SUNNYSIDE AVENUE 007-263-24**

This approval authorizes a grading permit PRO2022-0018 for a new foundation that involves approximately 200 cubic yards of cut, 130 cubic yards of fill, and off-haul of 70 cubic yards at 49 Sunnyside Avenue, APN: 007-263-24

1. The project shall substantially comply with plans for 49 Sunnyside Avenue by Andrew McCune Architect dated July 1, 2022, except as otherwise specified in the Conditions of Approval.
2. The project shall comply with the recommendations in the Geotechnical Investigation by Herzog Geotechnical Consulting Engineers dated July 11, 2022.
3. A building permit is required and a separate grading permit is required.
4. Site landscaping shall comply with the Marin Municipal Water District and Ross Valley Fire Department requirements and the applicant shall provide the City a copy of approval from the Water District prior to project final.
5. Unless otherwise provided for in the Town Municipal Code, if an activity or development which has received discretionary approval has not begun within one (1) year from the date of the final action, the permit shall become null and void. The date of final action shall be either ten (10) calendar days following the date of action by the Planning Commission or the Town Council, whichever is last. The discretionary action previously approved by the Planning Commission, or Town Council for which the improvement permitted by the discretionary action has not been used or accomplished may be renewed by the Planning Director for a maximum period of one year provided that prior to the expiration of the discretionary action, the applicant submits a written statement to the Planning Director showing good cause, which shall be reviewed in accordance with the provisions set forth for discretionary actions as set forth in Article 7 of Title 10 of the San Anselmo Municipal Code.
6. Except as otherwise provided in these conditions, the project shall comply with the plans submitted for Planning Commission approval. Plans submitted for the building permit shall reflect any modifications required by the Planning Commission and these conditions.
7. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.
8. For the Building Permit:

- a. Review the Town's Green Building Reach Codes, which should be used in lieu of the state's Calgreen forms.
- b. A licensed engineer is required to provide a seismic analysis and framing calculations for the plans.

### **Standard Conditions of Planning Approval**

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. Except as otherwise noted in these conditions of approval, the plans submitted to the Building Department for plan check shall be identical to those approved by the Planning Commission or Planning Director. 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/Planning 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 staff are not approved. Construction, demolition or grading that does not conform to the Planning Commission/Planning Director approval is not valid and shall be subject to stop work orders and may require removal.
3. Site landscaping shall be generally consistent with any approved landscape plan. Plans for any irrigation of the site shall be incorporated into the landscape plan. All planting shown on the approved plan shall be installed prior to occupancy and project final, whichever occurs first, except during the Water Shortage Emergency when Marin Water may require landscaping irrigated with potable water to be deferred until after the termination of the Water Shortage Emergency. During the Water Shortage Emergency, rehabilitated landscapes shall only be watered on days approved by Marin Water. Upon the request of an applicant to receive a Temporary Certificate of Occupancy or defer landscaping due to the drought, and at the discretion of the Planning Director, landscape installation may be guaranteed by posting a cash bond equal to 100% of the cost and installation of any landscape improvements. As required by San Anselmo Municipal Code Section 10-3.604 "Landscape Maintenance," all landscaping shall be maintained in a healthy condition in accordance with approved landscaping plans.
4. Acceptance of the construction drawings and specifications does not release the applicant and owner from correction of mistakes, errors, or omissions contained therein. If, during the course of construction, the public interest requires a modification or a departure from these accepted plans, the Town shall have the authority to require such modifications or departure and specify the manner in which the same is to be made.
5. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and

consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with attorneys of the Town's choice, with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

**Planning Department Standard Conditions of Approval:**

6. This approval shall be final either 10 calendar days following the date of action by the Planning Director, Planning Commission, or Town Council, whichever is last. This approval is effective from the date of approval until the building permit is issued and shall expire one year after approval should a building permit not be issued. If building permits are issued during the effective life of the approval, the expiration date of the approval shall be automatically extended to concur with the expiration date of the building permit. The approval may be renewed once by the Planning Director for one year if the applicant submits a written statement to the Planning Director showing good cause prior to expiration of the application.
7. Prior to issuance of a building permit, the applicants shall reimburse the Town for any known unpaid costs associated with the project, including work done by consultants and the Town Attorney. Prior to project final the applicants shall reimburse the Town for any other unpaid costs associated with the project, including work done by consultants and the Town Attorney.
8. The light source for all exterior lighting fixtures shall be shielded from adjacent properties. 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. Town 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.
9. Approval of a permit does not signify that the applicant has complied with the federal Americans with Disabilities Act of 1990.

**Department of Public Works Standard Conditions of Approval:**

10. For all improvements within the public right of way, the applicant shall submit plans to adequately describe the work. Plans shall include but not be limited to drainage details, cross-sections, driveway/roadway grades and utility locations as necessary.
11. The project shall comply with the Town of San Anselmo Urban Runoff Pollution Prevention Ordinance. If the project paves or otherwise creates more than 150 square feet of impervious surface, a Flatwork Permit is required from the Public Works Department. In

addition to the site design measures and Flatwork Permit required for small projects, new and redeveloped projects that create or replace more than 500 square feet of impervious surface may require bioretention or permanent stormwater controls designed to remove sediment and other pollutants and to mimic the pre-project site hydrology by controlling the flow rates and/or the volume of stormwater runoff from the project's added and/or replaced impervious surfaces and a Stormwater Control Plan (SCP) (San Anselmo Municipal Code Section 5-8.11).

12. Appropriate Best Management Practices (BMPs) shall be implemented to prevent the discharge of construction wastes or contaminants from construction materials, tools, and equipment from entering storm drains or watercourses. Plans for adequate BMPs to be installed, implemented, and maintained during construction and after final stabilization shall be submitted with the building permit application. The combination of BMPs used, and their execution in the field, must be customized to each site using up-to-date standards and practices. The Town will provide references to current guidance manuals and BMP information on request. (San Anselmo Municipal Code Section 5-8.10)
13. The Director of Public Works may require dedication of street rights-of-way or improvements. No permit for the development of any parcel of land abutting a public street shall be issued until the Director certifies that frontage improvements in accordance with the current Town specifications in use by the Department of Public Works and at the location prescribed by the Town Engineer in accordance with the Streets and Highways Plan of the Town: 1.) have been installed at no cost to the Town; or 2.) will be installed as a part of the development and prior to occupancy; or 3.) that in lieu of the improvements the applicant has deposited the estimated cost of the improvements with the Town. (San Anselmo Municipal Code Section 7-10.101)
14. Any improvements, public or private, damaged during construction shall be replaced, by the applicant, in-kind or with new improvements. All cracked, broken, or uplifted sidewalk, driveway and/or curb and gutter fronting the property shall be replaced. Applicant shall coordinate with the Department of Public Works prior to the start of the project improvements to identify the extents and limits of replacement.
15. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way. A minimum of 12' passable auto traffic clearance (paved travel way) shall be maintained at all times along the roadway. The placing of portable restroom facilities in the Town right-of-way will not be permitted unless there is not an appropriate location on the subject property and Public Works approves placement in the right of way.
16. If a permeable paving system is to be used as a part of the site development strategy, the analysis shall include but not be limited to the following:
  - a. For drainage purposes, the underlying intent, either retention or detention, shall be fully quantified. If retention is to be used, a soils report, including percolation of the soils

shall be submitted as a part of the plans. If detention is to be used, peak runoff quantities, storage capacity of the system, discharge rates, discharge points, impacts to existing facilities etc. shall be included. For small to medium projects, the Town and County prescriptive method outlined in the Homeowner's Guide to Stormwater Management may be used if approved by Public Works.

- b. The structural adequacy of the system that accommodates vehicle loading including emergency response vehicles (i.e. fire trucks) if the access to be designated for that purpose.
- c. Provisions for ongoing maintenance of the pavers shall be included in the submittal package.

17. Drainage improvements shall implement Low Impact Development standards, including but not limited to:

- a. No increase in stormwater runoff as compared to existing conditions
- b. Maintain natural drainage patterns
- c. No concentration of flows, allowing drainage to flow naturally and to percolate and mimic existing and sheet flow conditions.
- d. Rock rip-rap outfalls shall be located as far from property lines as possible and shall be designed to mimic existing drainage conditions (i.e. sheet flow, velocity dissipater, etc.)
- e. All stormwater runoff lines (such as building downspout lines, landscape drain lines, etc.) must be discharged in a manner that conforms to the current stormwater discharge practices in Marin County and as outlined in the Town's Homeowner's Guide to Stormwater Management on the Town website.

18. A Construction Management Plan (CMP) shall be submitted to the Town as part of the Building Permit and/or Grading Permit and shall be incorporated into the plans. This plan shall be a binding document. Failure to adhere to the plan may result in a "Stop Work Notice" being placed on the project. An electronic copy of the APPROVED CMP shall be submitted to the Town and may be posted to the Town's website. This plan shall be updated as project conditions warrant. Updates to the plan shall be provided to the Town for review and approval. The CMP shall include but not be limited to:

- a. Work schedule (start of construction date, road or lane closure intent/dates, important milestones and proposed final dates).
- b. A video of the right of way in front of and adjacent to the property and the haul route as required by Public Works before any work commences.
- c. Construction Hours-Construction hours may be changed before or during construction as needed and determined by Public Works.
- d. Construction Waste Management Plan
- e. Staging/storage type and location
- f. Travel routes and turn-around locations
- g. Road and/or lane closures (Applicant to provide information on how many anticipated road closures, and the reasons for each road closure).
- h. Worker auto parking space locations/construction parking
- i. Phasing (if applicable)

- j. If construction improvements are in areas of steep slopes, the Contractor shall provide safe temporary hard surface stair access to the improvements. This access shall be shown on the CMP.

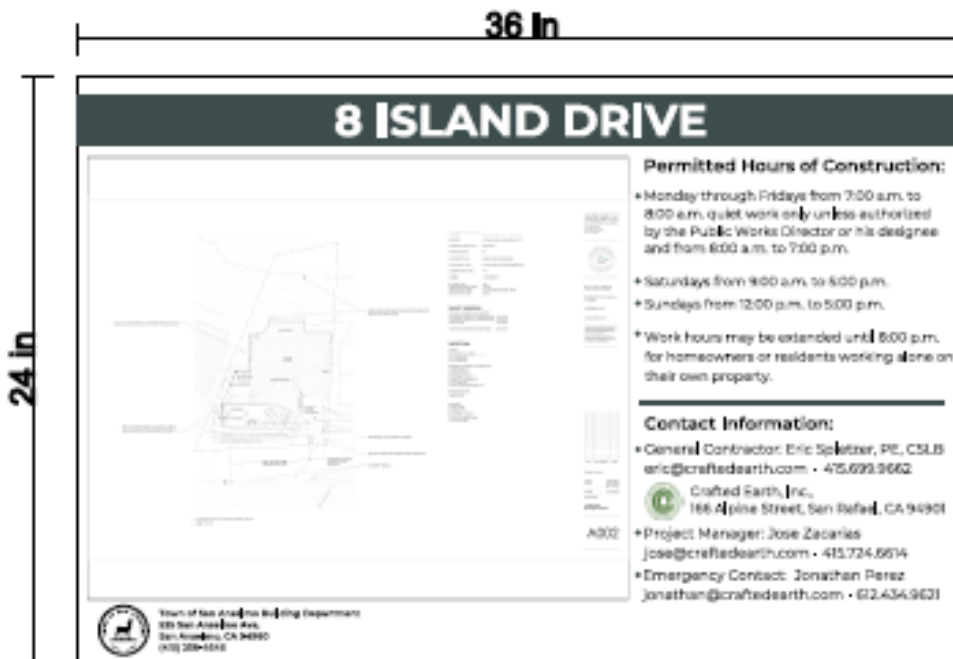
The CMP may be more stringent if the project is located close to schools or in impacted neighborhoods. A CMP may be required to be modified if a neighborhood becomes “impacted” during the construction. Impacted neighborhoods are defined as areas in geographic proximity (i.e. using the same streets for access) with a significant number of simultaneous construction projects.

Delivery times shall be determined at the time of Building Permit review and included on the Construction Management Plan sign.

Prior to issuance of a building permit, the applicant shall post a sign during construction in a location clearly readable from the public right of way, substantially in the same format at the image below. When approving the Construction Management Plan, the Department of Building or Public Works may require the plan to be incorporated on the sign.

The sign shall include the following information:

- a. Address of the project site.
- b. Permitted hours of construction and of deliveries/off-haul.
- c. Name, e-mail address and direct phone number of the General Contractor.
- d. Name, e-mail address and direct phone number of the person responsible for managing the project.
- e. Name and direct phone number of the party to call in case of an emergency.
- f. Town of San Anselmo Building Department contact information.



**Building Department – Standard Conditions of Approval:**

19. All construction shall comply with the California Building Code, Plumbing Code, Electrical Code, and Mechanical Code, and other applicable Title 24 Codes in effect at the time of building permit submittal.
20. It is the responsibility of the designer(s) to ensure that all of the above Title 24 codes, as well as any applicable San Anselmo Municipal Codes are incorporated into the design.
21. The hours of construction activity shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday, 9:00 a.m. to 5:00 p.m. on Saturdays and 12:00 p.m. to 5:00 p.m. on Sundays. These hours may be changed as required by Public Works or Building.
22. A mechanical permit is required for any exterior mechanical equipment. Prior to the issuance of a mechanical or building permit for mechanical equipment, the applicant shall provide adequate information, reports and data to the Building Department demonstrating that the noise level from any exterior mechanical equipment or exterior vents, when measured at the property line boundary, complies with Town Noise Ordinance decibel limits.
23. All portions of the job site shall be maintained in an organized and professional condition. All trash, debris, construction scraps and broken/deteriorated machinery shall be removed from the site by the end of each week. If off loaded construction materials are not used within 2 weeks, they shall be screened from public view. All sidewalks, driveways and public/private roadways fronting the subject site shall be broom cleaned at the end of each business day.
24. **A Pre-Construction Meeting is required.** Unless waived by the Building Official, prior to initiation of any work on the proposed project, the applicant shall arrange a pre-construction meeting that shall be attended by Town of San Anselmo staff, the owner, general contractor, and sub-contractors responsible for demolition, foundation and excavations, framing, roofing and major deliveries to review these conditions of approval, permitted hours of operation, etc. Staff may require additional subcontractors depending on project scope. The general contractor is responsible for ensuring that all contractors adhere to the Construction Management Plan and all Conditions of Project Approval and Conditions of all permits (Building, Grading, Encroachment, etc.).
25. All required construction signage and any required tree-protection shall be posted and available for Town inspection at the time of the Pre-construction meeting. If these measures are not in place at the time of the pre-construction meeting, a re-inspection fee will be required and issuance of building permit will be delayed.
26. Any project within a Special Flood Hazard Area shall comply with the standards of construction and standards for utilities in San Anselmo Municipal Code Title 7, Chapter 11.
27. All electrical and communication service laterals, including those for cable television service, to any new building or structure or building or structure undergoing a substantial improvement as defined by California Building Code Chapter 2 shall be placed underground from the main service equipment within the building or structure to a location designated

by the supplying utility in accordance with the supplying utility's applicable rules, regulations and tariffs on file with the Public Utilities Commission of the State or other competent jurisdiction. The Building Official may grant an exception to this condition when it is found that the undergrounding of the utility service laterals will cause an unnecessary hardship or results inconsistent with the intent of San Anselmo Municipal Code Title 9, Chapter 4. (SAMC Sec. 9-4.01-9.4.03)

28. Every building shall be numbered by placing the appropriate number on or adjacent to the main entrance to the building so as to be readily seen from the street. Address numbers must be Arabic numerals or alphabetical letters with a minimum stroke width of one-half inch. Numbers on residential buildings shall be self-illuminated, internally-illuminated or placed adjacent to a light which is controlled by a photocell and switched only by a breaker so it will remain illuminated all night. Building numbers shall be a color that clearly contrasts with the color of the background upon which they are placed. Residential building numbers shall be not less than four inches in height and non-residential /commercial building numbers shall be not less than six inches in height. All numbers shall be of proportionate width to the height, shall be made of permanent material, and shall be placed in a manner as to not be easily defaced or removed. (San Anselmo Municipal Code Sections 9-5.03 and 9-5.06).
29. Building plans shall include a green building program description and completed checklist that demonstrate the project shall comply with the applicable Green Building Standards adopted by the Town Council including the green building rating system(s); minimum compliance thresholds; and methods for verification of compliance with the adopted standards. The checklist shall be incorporated onto a separate full-sized plan sheet included with the building plans. A qualified green building rater, if required, shall provide evidence that the project, as indicated by the project plans and green building program description, will achieve the applicable Green Building Standards prior to issuance of a building permit. The green building rating system in effect at the time of building permit submittal shall be that which is applicable to the development project throughout the project construction. During the construction process, alternate green building measures may be substituted, provided that the qualified green building rater or applicable individual provides documentation of the proposed change and the project's continued ability to achieve the Green Building Standards to the Chief Building Official. Prior to final building inspection and occupancy, a qualified green building rater, if required, shall provide evidence that project construction has achieved the required compliance. Where certification through GreenPoint Rated or Leadership in Energy and Environmental Design (LEED) is required and such certification is only available subsequent to occupancy of the completed building, the applicant shall provide documentation of such certification within one (1) year of the date of the final building inspection for the project. (San Anselmo Municipal Code Section 9-19.040)
30. The applicant shall submit a Construction and Demolition Diversion Report to the Building Department prior to final inspection of the project and granting of occupancy. Prior to obtaining any final inspection and grant of occupancy from the Building Department, the person who has obtained a building permit shall pay an Avoided Disposal Regulatory Fee if

the Building Official determines that the applicant has not satisfied the diversion requirements. (San Anselmo Municipal Code Section 9-20.02)

31. All permits and/or inspection fees required shall be paid in full prior to final occupancy being granted.

**Fire Dept. Standard Conditions of Approval:**

32. The project shall comply with the Ross Valley Fire Department Plan Review memorandum for the project. The memo details items required for compliance and required inspections.
33. Final occupancy approval shall not be granted by the Fire Department unless all conditions have been met.
34. Fire Department and Town personnel shall be granted access to private driveways and private roadways in order to enforce applicable ordinances related to fire codes, municipal and penal codes pertaining to maintaining road access for emergency vehicles.

**Ross Valley Sanitary District – Standard Conditions of Approval:**

35. The project shall comply with all requirements of the Ross Valley Sanitary District prior to project final. Any private sewer lateral may be required to be tested, repaired or replaced prior to project final. Evidence of compliance shall be submitted to the Building Department prior to project final.

**Marin Water – Standard Conditions of Approval:**

36. The applicant shall comply with all requirements of the Marin Municipal Water District (MMWD) for water service prior to project final including compliance with all indoor and outdoor requirements of MMWD District Code Title 13 – Water Conservation.
37. All landscape and irrigation plans must be designed in accordance with the most current Marin Municipal Water District (MMWD) landscape requirements. New construction and rehabilitated (renovations or changes made to sites with an existing irrigation system) landscape projects will be affected by these requirements if the altered landscape area is greater than 500 square feet. The Code requires a landscape plan, an irrigation plan, and a grading plan. Evidence of compliance (compliance letter or exemption) shall be submitted to the Building Department as part of the building permit review process. Any question regarding the MMWD's current water conservation and landscape Ordinance should be directed to (415) 945-1497 or [plancheck@marinwater.org](mailto:plancheck@marinwater.org).
38. Indoor plumbing fixtures must meet specific efficiency requirements.
39. Installation of a gray water recycling system is required for all projects that require installation of new water service and existing structures undergoing "substantial remodel" that necessitates an enlarged water service in compliance with MMWD Ordinance No. 429.
40. Backflow protection may be required as a condition of water service.

41. Prior to project final inspection, the applicant shall provide evidence to the Town Building Department that the project has received final approval (or is exempt from review) from the following three MMWD departments: Water Efficient Landscaping, Engineering, and Backflow Prevention.
42. NEW FOR DROUGHT: During the Water Shortage Emergency the project shall comply with Marin Water restrictions, which may include a requirement that applicant submit a written acknowledgement to Marin Water that no new landscaping that will be irrigated with potable water will be installed in connection with the proposed project until after the termination of the Water Shortage Emergency. Existing and rehabilitated landscapes shall only be watered on limited irrigation watering days.

**EXHIBIT C**

**PROJECT PLANS  
49 SUNNYSIDE AVENUE  
007-263-24**