

**MARIN COUNTY PLANNING DIVISION  
ADMINISTRATIVE DECISION  
Lucas Valley – Talus LLC Master Sign Program**

**Decision: Approved with Conditions**  
**Date: March 22, 2024**

Project ID No:	P4423	Applicant(s):	Arash Mann
		Owner(s):	Lucas Valley – Talus LLC
		Assessor's Parcel No(s):	164-650-02 through -11, 164-650-14 through -27 and 164-650-33
		Property Address:	Multiple properties on Erin Drive and Erin Court, San Rafael
		Project Planner:	Megan Alton 415-473-6235 megan.alton@marincounty. gov
		Signature:	<i>Megan Alton</i>
Countywide Plan Designation:		PR (Planned Residential)	
Community Plan Area:		n/a	
Zoning District:		RMP-1.38 (Residential Multiple family Planned)	
Environmental Determination:		CEQA Guidelines section 15311, Class 11	

**PROJECT SUMMARY**

The applicant requests Master Sign Program approval for signs associated with the wayfinding and sales of individual homes in a residential subdivision in San Rafael. All signs include the wording “Legacy at Lucas Valley” at the top and include a gold, black, gray and white color scheme. A total of 26 signs are proposed and include six sign types described below:

Sign Type A: One double sided directional sign on APN 164-650-27 (102 Erin Court), 20 square feet in total area, 60 inches tall by 48 inches wide, and located 2 feet from the rear property line. White sign copy lettering 3 inches and 4 inches tall stating “Right on Las Gallinas to Erin Drive LegacyMarin.com” and “Back to Las Gallinas to Erin Drive LegacyMarin.com”

Sign Type B: One double sided project sign on APN 164-650-33, 13.9 square feet in area, 50 inches tall by 40 inches wide, and located 2 feet from the front property line. White sign copy lettering 2.5 inches tall stating “28 Luxury homes Open Wed-Sun 10-6

LegacyMarin.com” and “Thanks for Visiting LegacyMarin.com”. Gold lettering 1.25 inches tall listing the sales phone number and QR code.

Sign Type C: One double sided parking sign on APN 164-650-02 (7 Erin Drive), 2.67 square feet in area, 16 inches tall by 24 inches wide, and located 2 feet from the front property line. White sign copy lettering 2.5 inches tall stating “Parking” and “Exit” with directional arrows.

Sign Type D: One double sided visitor center sign on APN 164-650-03 (11 Erin Drive), 8.33 square feet in area, 30 inches tall by 40 inches wide, and located 2 feet from the front property line. White sign copy lettering 3.5 inches tall stating “Visitor Center” and “Thank You For Visiting”.

Sign Type E: One model tour sign on APN 164-650-02 (7 Erin Drive), 2.67 square feet in area, 16 inches tall by 24 inches wide, and 4 located feet from the side property line. White sign copy lettering 2.5 inches tall stating “Model Tour” with directional arrow and QR code.

Sign Type F: 21 indivial lot signs, each 2.1 square feet in area , 20 inches tall by 15 inches wide, and located 2 feet from front property lines. White sign copy lettering 3.5 inches tall with the lot number and 1-inch-tall white lettering stating the specifications regarding the home on the lot and a gold QR code.

The proposed signs would be removed within 7 days of escrow closing on the last home sold.

Master Sign Program approval is required because multiple signs are proposed consistent with Development Code Section 22.60.020.

## **COUNTYWIDE PLAN CONSISTENCY**

The proposed project is consistent with the Marin Countywide Plan (CWP) for the following reasons:

- A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.
- B. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject properties do not provide habitat for special-status species of plants or animals.
- C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, baylands, or woodlands.
- D. The project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and CWP BIO-4.1) because the proposed development would not encroach into any Stream Conservation Areas or Wetland Conservation Areas.
- E. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-

2.3) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.

- F. The project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during review of the Building Permit application and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.
- G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during review of the Building Permit application.
- H. The project is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines and the natural environment from adverse impacts related to development.

## **DEVELOPMENT CODE CONSISTENCY**

### **Mandatory Findings for Master Sign Program (Marin County Code Section 22.60.030)**

- A. If applicable, exceeding the General Standards for Permanent Signs By Use (22.28.040) and/or the Standards for Specific Sign Types (22.28.050) is necessary to overcome a visibility disadvantage caused by an unfavorable orientation of the front wall to the public right-of-way or by an unusually large setback.**

The proposed sign program is for wayfinding signage associated with construction and sales of homes for a new residential subdivision on Erin Drive and Erin Court in unincorporated San Rafael. The proposal includes six temporary freestanding sign types throughout the subdivision.

The signs proposed with the program include signage that would be located 2 feet to 4 feet from property lines. Marin County Code section 22.28.050.A.5.a requires a minimum distance of 5 feet from property lines in residentially zoned areas. The properties are zoned Residential Multiple family Planned, a residential zoning district. To ensure consistency with the County's Master Sign Program provisions, conditions below require all signs to be placed at least 5 feet away from the nearest property line. As conditioned, the signs are consistent with Marin County Code section 22.28.050.A.5.a.

Marin County Code section 22.28.050.A.5.b requires freestanding signage to be surrounded by minimum of 70 square feet of landscaping. The proposed signage is temporary and much of the project site will be under construction while the signs are in place. Additionally, permanent landscaping will be installed as part of the residential home development. Therefore, it is not feasible nor warranted to install landscaping for the temporary signs.

The project includes signs of varying sizes, with sign Type A, B, and D being freestanding signs over 4 square feet in area. Marin County Code section 22.28.050.A.5.d requires freestanding signs larger than four square feet or taller than three feet include a sign base with an aggregate width of at least 40% of the width of the sign face. Sign Type A, B, and D appear to have a sign base with an aggregate width over 50%; therefore, these signs are consistent with this section of the County's Code. Consistent with Marin County Code section 22.28.050.A.5.c no signs include internal illumination.

The larger signs associated with the proposed sign program are spread out through the residential subdivision. There may be some instances where Sign Type F is located closer than 60 feet to another sign due to the nature of the sign. Given the small size of Sign Type F and the proposed locations visibility issues are not anticipated consistent with Marin County Code section 22.28.050.A.5.e.

**B. The signs would be in proper scale with the uses and structures on the property and in the surrounding community.**

The proposed sign program includes six sign types that are the proper scale for a new residential subdivision. The majority of the proposed signs (Sign Type F) are 2.1 square feet in area and identify lot number and the proposed home model; given the small size of the Type F signs and the large project area, the signs would be in proper scale in the immediate and surrounding community. The larger signs are more spread out from each other and provide direction and contact information. All signs are temporary and would be removed within 7 days of escrow closing on the last home sold. Therefore, the sign program is consistent with this finding.

**C. The colors, contrast, typography, and materials used for the signs would be simple and attractive and compliment the architectural design found on the property and in the surrounding community.**

The proposed sign program is for wayfinding signage associated with construction and sales of homes for a new residential subdivision on Erin Drive and Erin Court in unincorporated San Rafael. All signs include the wording "Legacy at Lucas Valley" at the top and include a gold, black, gray, and white color scheme. The selected colors complement each other and do not include color that would be distracting to the public. The signs are simple and attractively and display the intended message without over advertising. Therefore, the sign program is consistent with this finding.

**D. The location and appearance of the signs would be compatible with other signs in the vicinity and the character of the surrounding community.**

The temporary signs proposed as part of the sign program complement each other and other signage in the area. Additionally, they are temporary signs that would be removed within 7 days of escrow closing on the last home sold. Therefore, the sign program is consistent with this finding. The signs in Exhibit A do not include sign height from grade; therefore, to ensure the proposed signs are not too tall and are compatible with other signs in the area they have been conditioned as follows: Sign Type A shall not exceed a height of 5 feet 6 inches and Sign Type B shall not exceed a height of 4 feet 7 inches. All other signs do not exceed a height of 30 inches therefore once posted would still be under 4 feet tall. As conditioned, the signs are consistent with this finding.

**E. The Master Sign Program would result in signs that are visually related or complementary to each other, what they identify, and the uses and development on the site and in the surrounding community.**

The signs proposed as part of this sign program are visually related and complementary to each other as they are wayfinding as part of a new residential subdivision on Erin Drive and Erin Court. The signage is clear in messaging and is associated with the uses in the residential subdivision. Therefore, the sign program is consistent with this finding.

## **ACTION**

The project described in condition of approval 1 below is authorized by the Marin County Planning Division and is subject to the conditions of project approval.

This planning permit is an entitlement to apply for construction permits, not a guarantee that they can be obtained, and it does not establish any vested rights. This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

## **CONDITIONS OF PROJECT APPROVAL**

### **CDA-Planning Division**

1. This Master Sign Program approval authorizes wayfinding temporary signage associated with the Talus – Lucas Valley residential subdivision. Approved signage includes the wording "Legacy at Lucas Valley" at the top and includes a gold, black, gray and white color scheme. A total of 26 signs are approved and include six sign types described below:

Sign Type A: One double sided directional sign on APN 164-650-27 (102 Erin Court), 20 square feet in total area, 60 inches tall by 48 inches wide, shall be located 5 feet from the rear property line and shall not exceed a height of 5 feet 6 inches. White sign copy lettering 3 inches and 4 inches tall stating "Right on Las Gallinas to Erin Drive LegacyMarin.com" and "Back to Las Gallinas to Erin Drive LegacyMarin.com"

Sign Type B: One double sided project sign, on APN 164-650-33, 13.9 square feet in area, 50 inches tall by 40 inches wide, shall be located 5 feet from front property line and shall not exceed a height of 4 feet 7 inches. White sign copy lettering 2.5 inches tall stating "28 Luxury homes Open Wed-Sun 10-6 LegacyMarin.com" and "Thanks for Visiting LegacyMarin.com". Gold lettering 1.25 inches tall listing the sales phone number and QR code.

Sign Type C: One double sided parking sign on APN 164-650-02 (7 Erin Drive), 2.67 square feet in area, 16 inches tall by 24 inches wide, shall be located 5 feet from the front property line. White sign copy lettering 2.5 inches tall stating "Parking" and "Exit" with directional arrows.

Sign Type D: One double sided visitor center sign on APN 164-650-03 (11 Erin Drive), 8.33 square feet in area, 30 inches tall by 40 inches wide, shall be located 5 feet from front property line. White sign copy lettering 3.5 inches tall stating "Visitor Center" and "Thank You For Visiting".

Sign Type E: One model tour sign on APN 164-650-02 (7 Erin Drive), 2.67 square feet in area, 16 inches tall by 24 inches wide, and shall be located 5 feet from the side property line. White sign copy lettering 2.5 inches tall stating "Model Tour" with directional arrow and QR code.

Sign Type F: 21 individual lot signs, 2.1 square feet in area, 20 inches tall by 15 inches wide, and shall be located 5 feet from the front property lines. White sign type lettering 3.5 inches tall with the lot number and 1-inch-tall white lettering stating the specifications regarding the home on the lot and gold QR code.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Haven Development Wayfinding System," consisting of 3 sheets, received in final form on February 21, 2024, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

The applicant shall modify the project to conform to the following requirements:

- a. All sign types shall be located 5 feet away from property lines.
  - b. The plans shall include APNs.
  - c. Sign Type A shall not exceed a height of 5 feet 6 inches.
  - d. Sign Type B shall not exceed a height of 4 feet 7 inches.
  - e. Signage shall not be internal or exteriorly illumination.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2023" with respect to all of the standard conditions of approval.

## **VESTING**

Unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within three years of the date of the approval shall expire and become void. The permit shall not be deemed vested until the permit holder has actually obtained any required Building Permit or other construction permit and has substantially completed improvements in accordance with the approved permits, or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval.

## **RIGHT TO APPEAL**

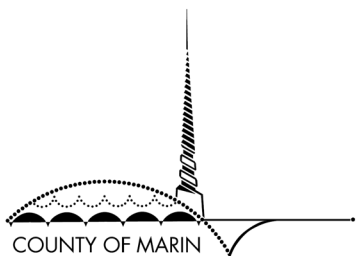
This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision (April 4, 2024).

cc: *{Via email to County departments and Design Review Board}*

CDA – Assistant Director  
CDA – Planning Manager  
DPW – Land Development  
Marin Water District  
Las Gallinas Sanitary District  
Marinwood Community Services District

Attachments:

1. Marin County Uniformly Applied Conditions 2023



**MARIN COUNTY UNIFORMLY APPLIED CONDITIONS  
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS**

**2023**

**STANDARD CONDITIONS**

1. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.
2. The applicant/owner shall defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin and shall cooperate fully in the defense.
3. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.
4. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

**SPECIAL CONDITIONS**

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.

3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off-site shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the "Disclosure Statement Concerning Agricultural Activities," as required by Section 23.03.050 of the Marin County Code.
6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.
7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A



report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.
11. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building's finished floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.
12. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in "Exhibit A" unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
13. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.
14. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California's Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.
15. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all the approved and required landscaping has been completed and that any necessary irrigation has been installed.
16. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.
17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and

compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

### CODE ENFORCEMENT CONDITIONS

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.