



**MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION**
Gruwell Design Review

Decision: **Approved with conditions**
Date: **July 28, 2020**

Project ID No:	P2784	Applicant(s):	Rich Storek, Architect
		Owner(s):	Paul and Carin Gruwell
		Assessor's Parcel No(s):	157-391-07
		Property Address:	104 Bahama Reef, Novato
		Project Planner:	Michelle Levenson, 415-473-3615, mlevenson @marincounty.org
		Signature:	<i>Michelle Levenson</i>
Countywide Plan Designation:	SF6 (Single family)		
Zoning District:	BFC-RSP-5.8 (Residential, single family, planned Bayfront conservation combining district)		
Environmental Determination:	Categorically Exempt, CEQA Guidelines Section 15303, Class 3		

PROJECT SUMMARY

The applicant requests Design Review approval to elevate an existing residence and construct 2,140 square feet of additions on a lot developed with a one-story, single-family residence in the Bel Marin Keys area of Novato. The proposed project would result in a two-story, 3,920-square-foot residence with a floor area ratio of 32-percent on the 12,003.24-square-foot lot. The proposed additions would reach a maximum height of 30 feet above grade and the project would maintain the following setbacks: 7 feet from the west property line; 29 feet from the north property line; 90 feet from the south property line; and 8 feet from the east property line. Other site improvements include an exterior deck.

Design Review approval is required because the project involves additions to a single-family residence in a Planned Development District that are not exempted from Design Review (Marin County Code Section 22.42.020(A)).

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 property does 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.
- I. The project is consistent with CWP residential design policies and programs (DES-3.b and DES-4c) because it would fit within the context of the neighborhood, minimize the perception of mass and bulk, and comply with the Single-family Residential Design Guidelines. In particular, the project would be consistent with Guidelines A-1.1 as no mature trees would be removed with the project and landscaping proposed with the project includes California native and drought tolerant species such as coffeeberry and warriner lytle buckwheat. Consistent with Guideline A-1.4, project grading would be minimal and exterior lighting would be required to be directed downward and shielded, consistent with Guideline C-1.11. The project would include a front step-back avoiding excessive bulk when viewed from the street and as conditioned, windows would not be located directly across from neighboring windows on the western side of the residence and would be glazed ensuring privacy with the adjacent property (Guidelines C-1.1 and C-1.6, respectively).

DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for Design Review (Marin County Code Section 22.42.060)

A. The proposed development complies with the Single-family Residential Design Guidelines, as applicable, the characteristics listed in Chapter 22.16 (Discretionary Development Standards) and any applicable standards of the special purpose combining districts provided in Chapter 22.14 of this Development Code.

The proposed project is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources or the character of the local community. The site is located within a Bayfront Combining District, in accordance with Marin County Development Code Chapter 22.14. The project is consistent with the provisions for development within the Bayfront Combining District as the project would not encroach into wetlands or other sensitive, bay-related habitat, minimal vegetation would be removed and the project would be constructed consistent with Department of Public Works provisions for development within an identified flood plain area (Marin County Regulation Sections 22.14.060(F)(1) and (3)).

The project's consistency with the standards and guidelines most pertinent to the subject property is discussed below.

SITE PREPARATION: Development Standards J.1 through J.6; Design Guidelines A-1.2 through A-1.4

The site is flat and the proposed project would be constructed within the existing footprint of the residence, and therefore minimal grading is proposed with the project. Construction of drainage improvements would be required consistent with the Department of Public Works (DPW) requirements, and stormwater would be collected and conveyed to the drainage system. As discussed above, no mature trees would be removed with the project.

BUILDING LOCATION: Development Standards D.1 through D.4; Design Guidelines D-1.6

The project is not located near a ridgeline and is flat, with an average slope of 2-percent.

PROJECT DESIGN: Development Standard I.1 and I.2; Design Guideline D-1.7

The proposed project would not exceed 30 feet in height, consistent with the maximum height limit for the RSP zoning district. Exterior materials have been carefully selected to ensure that the proposed project would be unobtrusive and would harmonize with the neighborhood.

MASS AND BULK: Design Guidelines D-1.1 through D-1.5

To ensure that the mass and bulk of the project would be minimized the roof of the addition has been broken into smaller roof components and no excessive cantilever elements are proposed. Surface relief along the front and side façades would be provided through a series of roof projections as well as stairways.

EXTERIOR LIGHTING: Development Standard G; Design Guideline C-1.11

As conditioned, all exterior lighting proposed with the project would be shrouded and directed downward preventing glare and light emissions into the night sky.

LANDSCAPING AND VEGETATION REMOVAL: Development Standard F; Design Guideline A-1.1

As discussed above, the project would be contained within the existing footprint of the residence. No mature trees would be removed with the project and landscaping, consisting of some native plant species, would be planted.

ACCESS: Development standard C; Design Guidelines A-1.5

The project is accessed by Bahama Reef, a County maintained right of way. No new driveway is proposed with the project.

NEIGHBORHOOD COMPATABILITY: Design Guidelines B-1.1, C-1.1 through C-1.3, C-1.7

The project would maintain sufficient setbacks to neighboring properties and existing landscaping would aid in maintaining privacy between adjacent properties. As conditioned below, the first level window along the western side of the residence would be relocated so that it would not be directly across from a neighboring window and the window would be glazed, further promoting privacy between the adjoining properties.

B. The proposed development provides architectural design, massing, materials, and scale that are compatible with the site surroundings and the community.

As discussed in detail above, the project has been designed to harmonize with its surroundings through the use of earthen tone materials and variety in design elements. A query of the Marin County Assessor Records of properties located within 0.5-mile of the project site indicate that the size of residences ranges from a minimum area of 1,457 square feet to a maximum of 4,074 square feet, with an average area of 2,204.29 square feet. While the proposed addition would result in a residence that is large for the area, at 3,920 square feet in area, the residence would be in keeping with other residences in the vicinity in that fifteen of the 260 residences queried exceed 3,000 square feet.

C. The proposed development results in site layout and design that will not eliminate significant sun and light exposure or result in light pollution and glare; will not eliminate primary views and vistas; and will not eliminate privacy enjoyed on adjacent properties.

The proposed development would maintain sufficient setbacks from all property lines thereby maintaining existing levels of sun and light exposure levels and privacy enjoyed by adjacent properties. Implementation of Standard Condition No. 3 would ensure that exterior lighting would be directed downward and shrouded, minimizing the potential for glare and light pollution on neighboring residences.

D. The proposed development will not adversely affect and will enhance where appropriate those rights-of-way, streetscapes, and pathways for circulation passing through, fronting on, or leading to the property.

The project site is located entirely on private property. Therefore, the project would not encroach onto adjoining private properties, public lands, public easements, trails and rights-of-way.

E. The proposed development will provide appropriate separation between buildings, retain healthy vegetation and other natural features, and be adequately landscaped consistent with fire safety requirements.

As discussed above, the project would maintain sufficient setbacks from adjacent properties and would be constructed within the footprint of the existing residence. Minimal vegetation would be removed and sufficient landscaping is proposed with the project.

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 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 Design Review approval authorizes the elevation of an existing residence and construction of 2,140 square feet of additions on a lot developed with a one-story, single-family residence in the Bel Marin Keys area of Novato. The project shall result in a two-story, 3,920-square-foot residence with a floor area ratio of 32-percent on the 12,003.24-square-foot lot. The additions shall reach a maximum height of 30 feet above grade and the project shall maintain the following setbacks: 7 feet from the west property line; 29 feet from the north property line; 90 feet from the south property line; and 8 feet from the east property line. Other site improvements include an exterior deck.

Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Gruwell Residence," consisting of 20 sheets prepared by Storek Architecture, received in final form on May 8, 2020, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

- a. To ensure privacy between adjoining properties, the first story window along the western façade of the structure shall be moved four feet to the south (to the rear) and glazed.

2. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2020" 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 (August 7 2020).

cc: *{Via email to County departments}*
CDA – Assistant Director
CDA – Planning Manager

Attachment:

1. Marin County Uniformly Applied Conditions 2020