



PROJECT STATUS

July 29, 2022

Sent via email only

Sandra Cook
sandracook@me.com
22 Beach Drive
San Rafael, CA 94901

David Grabham, G Design LLC
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Dear applicants,

The Planning Division and reviewing agencies have examined your application and have determined that it is incomplete because additional information is required.

Incompleteness Items

Please carefully review the list of required items below and, unless specified otherwise, submit two copies of full sized plans, one copy of plans reduced to 11" by 17", and two copies of any required documents within the next 30 days.

Marin County Community Development Agency, Planning Division (Manny Bereket, (415) 473-2755)

1. In conformance with submittal checklist item 1D (Roofs and Building Height), revise roof plans (sheet A2.4) to show the topographic contours underneath the roof plan and include roof corners and ridgeline elevations.
2. In conformance with submittal checklist item 1E (Lighting), all exterior lighting (for structures and landscaping), including the location and type of lights, must be shown.
3. In conformance with submittal checklist item 7 (A Site Boundary Survey), provide a site survey must be prepared and signed by a licensed surveyor whose name, address and phone number are indicated. Surveys shall show all property lines, boundaries, rights-of-way, easements, locations of structures and other improvements.
4. In conformance with submittal checklist item 9 (Site Staking), provide a staking plan showing development feature such as the edges of hardscape site improvements, building footprints, driveways, the edge of development envelopes and the limits of grading and development envelopes, including decks. Said plan shall be prepared by the

project architect, designer, civil engineer or qualified professional and the stakes shall subsequently be installed.

The stakes shall be located at approximately 25-foot intervals, shall be approximately 1.5 feet high, shall be painted a bright color on the top, and shall be labeled to indicate the feature that they delineate. The schedule for installing the stakes must be coordinated with the Planning Division staff.

5. In conformance with submittal checklist item 10 (story Pole), a story pole plan showing the locations and heights of all story poles that are necessary to clearly and accurately demonstrate the maximum heights of roof ridges and edges for all proposed structures shall be provided. The plan should be prepared by the project architect, designer, civil engineer or qualified professional, and the story poles shall subsequently be installed. Based on site visit, the story poles do not appear to demonstrate the edges of all of the proposed structures., i.e., the rear deck and railings.
6. In conformance with submittal checklist item 11 (Site Boundary Survey), revise roof plan to eliminate encroachments into the public right-of-way, including roof overhang. Plan must show property boundary in heavy line to more clearly illustrate the proposed projections over the property line.
7. In conformance with submittal checklist item 12 (Constraints Map), A composite constraints map that shows the proposed site boundaries and improvements overlain by environmental constraints and adequate buffers surrounding significant environmental features shall be prepared by the project architect or civil engineer in consultation with other technical specialists working on the project. These buffers shall be based on County environmental protection polices, where appropriate, and on the environmental studies required for the application. Buffers shall be accurately mapped and may include, but are not limited to Tree Protection Zones, Wetland Conservation Areas, Stream Conservation areas, Ridgeland and Upland Greenbelt Areas, flood zones, geologically unstable or otherwise hazardous areas, and adequate distances from special status species or hazardous areas.
8. In conformance with submittal checklist item 16 (*Building Demolition Plans*), please revise the demolition plan (sheet A2.0) to show calculations of the linear distance of existing exterior walls and the linear distance of exterior walls to be demolished shall be provided.
9. In conformance with submittal checklist item 37 (Biological Site Assessment), please revise the Biological Site Assessment to include the following:
 - a. *Countywide Plan Policy BIO-3.1*: For properties within the Baylands Corridor, Countywide Plan Policy BIO-3.1 requires a minimum setback distance of 100 feet from the edge of jurisdictional wetlands regardless of parcel size. Please demarcate the edge of the wetland and the 100-ft buffer.
 - b. Please identify the location of the Mean High Tide (MHT), sometimes referred to as Mean High Water (MHW), in relation to the property and the limit (height measurement) of the MHT/MHW expressed in NAVD-88 datum.

- c. Please identify the line of highest tidal action as required by Marin County Code Section 22.14.060 and clearly list all encroachments proposed to occur within the required 100 feet wetland conservation area (WCA).
10. In conformance with submittal checklist item 42, provide a construction management plan which indicates construction equipment access to the site, material storage and staging areas, contractor parking, temporary facilities such as portable toilets.
Marin County Department of Public Works, Land Development Division (Cara Zichelli, (415) 473-7053)
11. In conformance with submittal checklist item 11, indicate the edge of pavement, width of right of way, and width of existing roadway. Plan shall show property boundary in heavy line to more clearly illustrate the proposed projections over the property line.
12. In conformance with submittal checklist item 2, provide a preliminary grading plan that indicates existing and proposed contours across the building site and the limits of grading. Existing contours shall be shown with light lines and proposed contours shall be shown with darker lines. Show adequate slope away from new foundations and the overall limit of disturbance.
13. In conformance with submittal checklist item 3, provide a preliminary drainage plan showing existing and proposed drainage for the site, structures, driveway and other improvements. The plan must indicate the direction, path, and method of water dispersal for proposed drainage improvements. Specifically show the proposed downspouts outfall and slope away from the foundation. Downspouts shall all discharge within subject property.
14. In conformance with submittal checklist item 4, provide a utilities plan showing the locations of all public and private utility connections and methods of extension (overhead or underground). The size and capacity of utilities may be required. Show alignment of existing sewer lateral and water laterals.
15. In conformance with submittal checklist item 13, provide the following project data:
 - a. Existing impervious and pervious coverage in square feet
 - b. Proposed impervious and pervious coverage in square feet
 - c. New or replaced impervious surfaces (this will be all of the new and replaced roof areas as well as the waterproof deck). The roof area proposed in the garage renovation permit shall be included in this total. If the area is 2500 sf or more, the applicant shall provide a stormwater control plan per MCC 24.04.627 and as outlined in the BASMAA manual Appendix C.
 - d. Grading volumes in cubic yards including cut, fill, and off-haul
16. In conformance with submittal checklist item 43, provide a construction management plan, including at a minimum the following:
 - a. Provide a site plan showing areas where grading and construction will take place, soils will be stockpiled, storage area for material delivery, parking for construction workers, and temporary facilities such as portable toilets.
 - b. Means to protect wetlands

- c. Means of accessing west side of house for construction. There appears to be an almost zero side setback. Assessor's records indicate parcel 186-142-36 is owned by individuals other than owner of 22 Beach Drive. Additionally, all of APN 186-142-36 is mapped as wetlands on marinmap.org. DPW recommends comment from CDA Planning regarding any restrictions in this area.
 - d. A traffic control plan.
17. The proposed project is being presented as an addition and remodel, though the condition of the existing foundation has not been determined. Based on the assessor's records, the home was constructed in 1925. It is uncertain if this foundation and the deck foundation will be suitable for supporting the new construction and partial second story. The elevation certificate provided indicates that the first-floor elevation in the main portion of the home is at least one foot above the BFE.
- a. Provide a structural engineer's evaluation of the existing foundation to comment on the suitability for use for new construction and a partial second story.
 - b. Provide a foundation plan showing the existing foundation, the portions to be demolished and the extent of new foundations. Show the location of the existing flood vents and the location and size of the new flood vent openings.
18. Provide a detailed cost estimate for the proposed work.

Submittal

Please submit all of the requested information together to the Planning Division at one time. The review of your application may be delayed if you submit information directly to the agency that requested the information. The time period required by State law for us to review the additional information will not commence until all of the required items are submitted to our office. If you require additional time to collect the information listed above, please send me a written request for an extension for a specific period of time. It is important to ask for an extension if you need one because your application will automatically expire unless an extension of time is requested and granted.

Appeal Rights

If you disagree with this decision regarding the incompleteness of your application, you may appeal it 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 eighth (8th) business days from the date of this decision.

Preliminary Merit Comments

The proposed project is subject to the policies contained in the Marin Countywide Plan and the regulations contained in the Marin County Code. It is prudent that the project description, the project scope and the project limits are clearly established before going any further. If it is determined a complete demolition and rebuild, it will be required to adhere to the latest development standards enumerated in the Countywide Plan, the Development Code and other regulations, as applicable. In particular, Planning Staff is unable to substantiate the plans submitted do not trigger the demolition ordinance.

Further, the project site is zoned BFC-RSP (Bay Front Conservation, Residential, Single-family Planned). While the RSP zoning district is intended for areas suitable for single-family residential development in a suburban setting, the BFC zoning district is an overlay zone

intended to prevent destruction or deterioration of habitat and environmental resources; prevent further loss of public access to and enjoyment of the bayfront; preserve or establish view corridors to the bayfront; ensure that potential hazards associated with development do not endanger public health and safety; and maintain options for further restoration of former tidal marshlands. Because developments in the BFC-RSP zone are reviewed and approved on a case-by-case basis, placement, size, mass, and design vary.

The Countywide Plan includes policies aimed to protect and preserve the Baylands, including those in the Baylands Corridor. Policy Bio-5.1 requires that for small parcels (2 acres or less in size), developments are encouraged to preserve up to 10 feet landward of mean high tide as a species refuge area for high water events. The Biological Site Assessment must identify the line of highest tidal action as required by Marin County Code Section 22.14.060 and clearly list all encroachments proposed to occur within the required 100 feet wetland conservation area (WCA).

Questions and Contacts

Please do not hesitate to call me at (415) 473-2755 or contact me via email at ibereket@marincounty.org as questions arise regarding your application or the development review process. I will return voicemail messages before the end of the next business day. Please do not visit our office expecting to meet with me without an appointment. If you wish to discuss your application in person, please contact me to schedule a time when we can meet. I will try to schedule an appointment within five business days. If you have questions about comments from another agency, please contact the staff from that agency directly. Thank you.

Sincerely,



Immanuel Bereket
Senior Planner

Attachments:

1. Department of Public Works, Inter-Office memorandum, dated July 20, 2022
2. Correspondences

accordance with the approved plans and field direction. Be aware that a DPW Engineer will need to inspect and accept work after receipt of certification letter. Certification letters shall reference building permit number or numbers for specific work being certified, the address of the property and the Assessor's Parcel Number (APN), and shall be signed and stamped by the certifying professional.

2. **Erosion & Sediment Control Plan:** Per Marin County Code § 24.04.625(b)(e), provide an site specific Erosion and Sediment Control Plan (ESCP) and complete and submit "Construction Erosion and Sediment Control Plan Applicant Package" available at the following link: <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/mcstoppp-erosion-and-sediment-control-plan-applicant-package.pdf?la=en>. Note the actual template to fill out begins on page 11 of the document.
3. **Stormwater Control Plans:** For projects where the sum of new and replaced impervious surfaces is 2,500 sf or more, provide a Stormwater Control Plan as required by Marin County Code § 24.04.627 Permanent Stormwater Controls for New and Redevelopment. You may refer to the BASMAA Post Construction Manual which you can access at the County's website for post-construction stormwater management requirements, publications and resources at: <http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/new-and-redevelopment-projects?panelnum=2> . **Direction for this project is in Appendix C of the BASMAA manual, Stormwater Control Plans for Small Projects / Single Family Homes. Provide the completed project data table in Appendix C.**
4. **Utilities:** Plan shall show the location of all the existing utility laterals and indicate which, if any, will be upgraded or relocated with this project. Be certain to include water, sanitary sewer, gas, electric and telecommunications.
5. **Encroachment Permit:** Beach Drive is a County maintained road. An Encroachment Permit from DPW is required for any work within the County's road right-of-way, including, but not limited to, utility trenching, installation of new utility connections, and modifications to the driveway apron, curb and gutter. **Beach Drive is presently on the Open Excavations Moratorium list; any excavations into the road surface will require extensive pavement restoration.** The plans shall clearly identify all proposed work in the right of way. **A Recorded Encroachment Permit will be required for the existing fence in the right of way.**
6. **Construction Management Plan:** Provide a construction management plan, including at a minimum the following:
 - a. Provide a site plan showing areas where grading and construction will take place, soils will be stockpiled, storage area for material delivery, parking for construction workers, and temporary facilities such as portable toilets.
 - b. Dust reduction plan.
 - c. An erosion and sediment control plan.
 - d. A traffic control plan.
 - e. Construction phasing and the timing during any given year when the various components of construction will occur, such as grading, tree and vegetation removal, loud external noise-making work, etc.

Flood Zone Requirements: All construction shall comply with FEMA requirements (elevation of first floor, flood venting, materials below the BFE)

7. The property is located within the Special Flood Hazard Area Zone AE, as mapped by FEMA on their current Flood Insurance Rate Map (FIRM) panel number 476E, which became effective on March 16, 2016. Zone AE is an area subject to flooding by the 1% annual chance flood, where FEMA has determined the base flood elevation (BFE) to be at 10 feet using the North American Vertical Datum (NAVD) of 1988. **Add a note to the plans which indicates that entire parcel is located in Special Flood Hazard Area Zone AE and that the BFE = 10 feet NAVD 1988.**
8. Per 2019 California Residential Code § R322.2.1(1), buildings and structures in flood hazard areas shall have the lowest floors elevated to or above the base flood elevation plus 1 foot. Clearly indicate on the plans and elevation views the proposed lowest floor, existing outside adjacent grade and the base flood elevation level including the datum used.

9. Per 2019 California Residential Code § R322.2.2 and Marin County Code §23.09.034(c)(4), enclosed areas, including crawl spaces, that are below the base flood elevation shall be provided with flood openings that meeting the following criteria:
 - a. The total net area of openings shall be not less than 1 square inch for each square foot of enclosed area where the enclosed area is measured on the exterior of the enclosure walls, or the openings shall be designed as engineered openings and the construction documents shall include a statement by a registered design professional that the design of the openings will provide for equalization of hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwaters.
 - b. Openings shall be not less than 3 inches in any direction in the plane of the wall.
 - c. The presence of louvers, blades, screens and faceplates or other covers and devices shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area.
10. Per 2019 California Residential Code § R322.2.2.1, the walls of enclosed areas shall have openings installed such that:
 - a. There shall be not less than two openings on different sides of each enclosed area; if a building has more than one enclosed area below the base flood elevation, each area shall have openings.
 - b. The bottom of each opening shall be not more than 1 foot above the higher of the final interior grade or floor and finished exterior grade immediately under each opening.
 - c. Openings shall be permitted to be installed in doors and windows; doors and windows without installed openings do not meet the requirements of this section.
11. Per 2019 California Residential Code § R322.1.6, electrical systems, equipment and components; heating, ventilating, air conditioning; plumbing appliances and plumbing fixtures; duct systems; and other service equipment shall be located at or above the elevation required in Section R322.2 or R322.3. Exception allowed provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the base flood elevation in accordance with ASCE 24. Provide notes and specifications to this effect on the plans.
12. Per 2019 California Residential Code § R322.1.8, building materials and installation methods used for flooring and interior and exterior walls and wall coverings below the base flood elevation required in Section R322.2 or R322.3 shall be flood damage-resistant materials that conform to the provision of FEMA TB-2. Provide notes and specifications to this effect on the plans.
13. Per 2019 California Residential Code § R408.7(2), the finished ground level of the under-floor space shall be equal to or higher than the outside finished ground level on at least one side. Exception: Under-floor spaces that meet the requirements of FEMA/FIA TB 11-1.
14. The following requirements shall also be noted on the plans, and fulfilled:
 - a. Per California Residential Code § R109.1.3, upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement, required in Section R322.
 - b. Per California Residential Code § R109.1.6.1 and § R322.1.10, prior to final inspection, a registered design professional shall prepare and seal an elevation certificate of the elevations specified in Section R322.2 or R322.3.
 - c. Upon completion of construction, provide certification by a registered civil engineer or architect that the conditions of Section R322.1.6, R322.1.8, R322.2.2, and R322.2.2.1 have been satisfied.

-END-

Bereket, Immanuel

From: David Tattersall <davidtattersall@sbcglobal.net>
Sent: Wednesday, July 27, 2022 3:11 AM
To: Bereket, Immanuel
Cc: David Tattersall
Subject: 22 Beach Drive. APN 186-142-26

Mr. Bereket:

I am a neighbor to the above reference property. I see an application has been submitted for the redevelopment of the house at 22 Beach Drive, San Rafael, APN 186-142-26. (Project).

There are several issues with the project as submitted that need to be considered in the planning approval process.

This project is subject to design review. The modern architectural style of the project is not in keeping with the character and design of the Bayside Acres community. Bayside Acres is a community comprising small waterfront cottages (some are former duck hunting cabins) located on small lots, south of Pt. San Pedro Rd and larger homes on large lots, north of Pt. San Pedro Rd. The architectural styles are traditional, typically single story homes on the waterfront and 1-2 story away from the waterfront. The architectural style of the project changes an historic single story cottage into a modern 1.5 story larger house that virtually covers all of the upland portions of the parcel. The design is completely out of character with the neighborhood.

There seems to be some discrepancies in the various project area descriptions:

- 1) The Cooke Design Review (P3679) Marin County CDA Project Summary page, under project description, lists the proposed addition as 860.75 square feet. Without listing the new total square footage resulting from the addition, the description goes on to state "...would result in a floor area ratio (FAR) of 17.65 percent on the 14,900 square foot lot"
 - 2) The project Data chart on the cover sheet 0.0 of the drawings lists the new total square footage as 2,629.5 square feet and also lists the lot area as 14,900 square feet, but lists the resulting lot coverage ratio as 23.02 percent (rather than the 17.75 percent listed on the Summary.
 - 3) The biological Site Assessment report, on page 2, lists the total new square footage of the project as 2,656 square feet.
 - 4) Why is there a discrepancy between the proposed square footage stated in the BSA and the Project Summary?
 - 5) Regarding the FAR for this project, the BSA reports a "subject parcel of 4,900 square feet" which is much smaller than the reported 14,900 square feet found on the Marin County Summary and the project data page of the drawings. The 14,900 square feet represents the total square footage of the lot while evidently, the 4,900 square foot figure represents the portion of the lot above water. For design review purposes, the correct, practical FAR for this project should be calculated based upon the dry upland area. Given the dry upland area of 4,900 square feet and a total build out of 2,565 square feet, the real FAR for this project is 54%. This is much higher than the 17.65% and 23.02% figures discussed above and reported in other project descriptions.
- 2) The original reported building area 1,768 square feet includes a sun room that was formerly an open deck that was illegally enclosed several years ago by the previous owner. Consequently, the project actually expands the original legally developed home from 1,368 square feet (per assessor records) to 2,629.5 square feet (2656 square feet per BSA), an increase of approximately 92-94%.
- 3) The FAR of the project is understated because the submerged lands have been improperly included. Given a dry upland site area of 4,900 square feet and a total build out of 2,656 square feet, the actual FAR is 54%. The project is clearly a case of overbuilding on a small upland parcel.

4) The addition of a second floor master suite (which is in addition to 2 master suites on the ground floor) is an intrusive addition on neighboring privacy and a block to views of the waterfront marina, Bay Islands and beyond for many existing neighboring homes and public roads. The 2nd floor addition should be eliminated.

5) The eastern side ground floor extension and 2nd floor addition expands the building envelope some 10 feet closer to the waterfront. The illegally enclosed existing sunroom already extends too close to the high tide mark. Both of these extensions unnecessarily impact the waterfront zone and should be eliminated.

6) The setbacks stated by the County Summary description are exceedingly misleading and incorrect. The setback statements for the southern elevation include submerged lands. There is effectively no northerly setback along the western sections adjacent to Beach Drive along sections of the proposed structure. The easterly setback for the 2nd floor addition is mis-stated and should read 15 feet. The lack of upland setback dimensions goes to show how overbuilt this parcel will be if the project is approved as submitted.

Overall, I believe the Bayside Acres community would be more accepting of a project that maintains the character, size and dimensions of the existing structure. The current proposal completely disregards and disrespects the character of Bayside Acres.

This project needs a major redesign.

Thank you,

David Tattersall

Sent from my iPad