MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION
Drewry Verduin et al., Design Review and Tree Removal

Decision: Approved
Date: November 18, 2022

Project ID No: P3528
Applicant(s): Peter Moeck
Owner(s): Kodiak Drewry-Verduin et al., and Margaret Engel-Namore et al.
Assessor’s Parcel No(s): 169-331-16
Property Address: Vacant – Juniper Ave., San Geronimo
Project Planner: Joshua Bertain
(415) 473-3171
ibertain@marincounty.org

Signature:
Joshua Bertain

Countywide Plan Designation: SF2 (Very Low Density Residential)
Community Plan Area: San Geronimo Valley
Zoning District: RSP-SGV (Residential Family Planned-San Geronimo Valley)
Environmental Determination: CEQA Guidelines section 15303 Class 3 and CEQA Guidelines section 15304 Class 4

PROJECT SUMMARY

The applicant requests Design Review approval to construct a new 2,432 square foot residence that would also include an attached garage and associated site retaining walls on a vacant property located in the unincorporated community of San Geronimo. The 2,432 square feet of the proposed development would result in a floor area ratio of 2 percent on the 118,064 square foot lot.

The proposed residence would reach a maximum height of 26 feet, 6 inches above the surrounding grade and the exterior walls would have the following setbacks: 84 feet, 4 inches to the northern front property line; 45 feet, 1 inch to the eastern side property line; 128 feet, 5 inches to the western side property line; and 194 feet, 5 inches to the southern rear property line. The proposed retaining walls would reach a maximum height of 8 feet, 8 inches above the surrounding grade, and would maintain varying setbacks as the proposed retaining walls would primarily be located along the proposed driveway and in the rear yard of the proposed residence. Various site improvements would also be entailed in the proposed development, including a new deck, patio, driveway, and vehicle turnaround area.
Design Review approval is required pursuant to Section 22.42.020.A of the Marin County Code because the project entails the development of a new residence and associated site improvements on a vacant lot that are not otherwise exempt from discretionary review.

The applicant requests Tree Removal Permit approval to remove a total of nine trees, including five trees that are of a protected size, and four trees that are of a heritage size as determined by the measurement of each tree’s Diameter at Breast Height (DBH). The trees proposed for removal and that require a Tree Removal Permit are listed in the table below.

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Tree Removal Permit approval is required pursuant to Section 22.62.020 of the Marin County Development Code because the project proposes the removal of trees that are of protected and heritage sizes.

COUNTYWIDE PLAN CONSISTENCY

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

A. The applicant submitted a “Tree Protection Plan”, prepared by Urban Forestry Associates, Inc., dated March 2, 2022, that contained an inventory of the trees on the property, a description of their condition, and recommendations for their removal and protection. Five trees that are of a protected size and four trees that are of a heritage size would be removed to accommodate the proposed residence and site improvements. The consulting Arborist described the entire site as being “forested” and determined that the remaining undeveloped portions of the site would retain existing vegetation and remain forested with mature trees such as Douglas Firs and Coast Redwoods. Therefore, 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 applicant submitted a “Biological Site Assessment” prepared by Huffman-Broadway Group, Inc. (HGB), dated March 2, 2022, that provided an evaluation of the property and determined whether there were any sensitive biological resources such as wetlands, streams, or habitats for special-status species of plants or animals in proximity to the proposed project.

The assessment states that while no special status plant species were observed on the property, serpentine soil was reported to occur on the westernmost portion of the property which is a soil type that could support rare plant species. While serpentine soil has the
potential to support rare plant species, the assessment states that the proposed development - sited on the northeasternmost portion of the property - is “far removed” from the westernmost portion of the property where serpentine soil is reported to occur and determined that no special status plant species were found on the property and that no impacts to special status plant species would result from the proposed development.

The assessment states that while no special-status animal species were observed or found to be on the property, the property does contain foraging habitat for the Northern Spotted Owl. The project description for this development includes a requirement that construction activities, inclusive of tree removal, be conducted outside of the nesting season, which occurs between February 1 and July 9. The Biological Site Assessment recommends implementation of and supports the construction schedule included in the project description to avoid potential effects on the Northern Spotted Owl. Therefore, the project is consistent with the CWP special-status species protection policy (BIO-2.2).

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. As discussed above, the applicant submitted a “Biological Site Assessment” prepared by Huffman-Broadway Group, Inc. (HGB), dated March 2, 2022, that provided an evaluation of the property and determined whether there were any sensitive biological resources such as wetlands, streams, or habitats for special-status species of plants or animals in proximity to the proposed project. During the initial reconnaissance of the project site, the consulting Biologist, Robert Perrera of HGB, reviewed a map from the County of Marin that suggested “the possibility of a small stream forming within the property on the south side of Juniper Road, passing under Juniper and continuing downslope under Juniper Road.” The consulting Biologist visited the site on November 22, 2021, and through investigation determined that the project site contained no evidence of a stream “bed or bank nor any areas with wetland or riparian vegetation, hydric soils, or wetland hydrology.” Therefore, the project is consistent with the CWP stream and wetland conservation policies (CWP 1994 Policies EQ-2.3 through EQ-2.6) 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.

COMMUNITY PLAN CONSISTENCY

The proposed project is consistent with the San Geronimo Valley Community Plan for the following reasons:

A. The project is consistent with the natural resources policies, including policies ER-1.3, ER-1.7, ER 1.8, ER-2.1, and CD-1.1, because it would not be located on any visually prominent ridgelines and would preserve other natural site characteristics such as hillsides, water courses, stands of mature native trees, and rock outcroppings, which enhance natural habitats and the visual appeal of the area.

B. The project is consistent with the rural character and village identify policies, including policies CD-1.2, CD-1.3, CD-1.4, CD-5.2, CD-6.3, and CD-1.11, because it would limit tree and vegetation removal, avoid environmental impacts, minimize grading, conform to the height limit, provide adequate setbacks, and retain existing mature trees and native vegetation on site.

C. The project is consistent with the cultural resource policies, including CD-2.1 and CD-2.2, because it would not adversely affect historical or archaeological resources.

D. The project is consistent with the agricultural enhancement policies, including AG-1.1, AG 1.2, and CD-2.1, because it would not be located in areas with the most productive agricultural soils and would not adversely affect any agricultural operations.

DEVELOPMENT CODE CONSISTENCY

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

A. The proposed development complies with either the Single-family or Multi-family Residential Design Guidelines, as applicable, the characteristics listed in Chapter 22.16 (Discretionary Development Standards) and 22.32.168 (Tidelands), as well as any applicable standards of the special purpose combining districts provided in Chapter 22.14 of this Development Code.

There are no standards provided in Chapter 22.14 that apply to the project and the development would not occur within a tidelands area. 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 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 project has been sited and designed to minimize grading by proposing a two-story residence instead of a one-story residence, stepping the two-story structure into the forested slope, and locating the residence on the northeasternmost portion of the property nearest the
existing unimproved driveway that connects to Juniper Avenue. Grading and Drainage improvements have been reviewed and approved by the Department of Public Works (DPW), Land Development Division. During Building Permit review, the grading, drainage, and stormwater control plans will be further reviewed by the Department of Public Works to ensure consistency with all applicable standards, including those standards applicable to development and land use outside the Countywide Plan Stream Conservation Area in the governing SGV (San Geronimo Valley) combining district.

The project will require the removal of nine trees, five that are of a protected size, and four that are of a heritage size to accommodate a reasonable residential development on a vacant property that would otherwise remain forested with native trees and vegetation. The Marin County Fire Department will also require that the applicant submit both a Vegetation Management Plan as well as a Fuels Management Plan for review before implementing the plan, and prior to scheduling the final inspection.

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

The structure and related improvements are designed to be clustered on the 118,064 square-foot lot and located in the most accessible portion of the property nearest Juniper Avenue. The property is not located within the Ridge and Upland Greenbelt and the project is located on the northeasternmost portion of the property, a portion of the property that is of a lower elevation than other portions of the site. Lastly, the applicant provided a “Geotechnical Investigation” prepared by Dave A. Olines P.E., of Dave Olines Inc., dated April 10, 2021, that concluded the site is “stable and suitable for the proposed construction”.

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

The proposed residence would not exceed 30 feet in height, consistent with the maximum height limit established by the governing RSP-SGV zoning district. Exterior materials consist of standing seam metal roofing in slate, horizontal redwood plank siding on the front elevation, hardi-panel siding painted iron gray on the side and rear elevations, and stucco painted iron gray in areas where horizontal plank and hardi-panel siding would not be used as an exterior finish. The exterior color and materials would be unobtrusive and complement the natural environment.

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

The proposed structure would be cut into the slope of the hillside and engineered with pier and grade beam foundations that allow the structure to “step” and conform to the site’s topography, reducing effective visual bulk. Horizontal and vertical building components have also been utilized to create articulation and reduce the visual bulk of the structure. The low-slope shed roof is designed and oriented in the same direction as the natural slope and is consistent with standards for hillside design.

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

The lighting is shielded and downlit as shown on Sheet A-12. The light fixtures are compatible with the aesthetic of the proposed structure.

LANDSCAPING AND VEGETATION REMOVAL: Development Standard F; Design Guideline A-1.1
As described above, the project would include the removal of five trees that are of a protected size and four trees that are of heritage size. Ben Anderson, the consulting Arborist, indicated that the property could not be reasonably developed without tree removal and that structures and related improvements would be located in the least vegetated area of the property. The Arborist recommends that the trees subject to removal are replaced with understory species at a 2:1 ratio. Recommended understory species include Vine maple (Acer circinatum), huckleberry (Vaccinium ovatum), or beaked hazelnut (Corylus cornuta) in containers sized up to a 15-gallon box. A condition of approval will require the applicant to submit a landscaping plan that is consistent with the recommendations provided by the Arborist.

The Marin County Fire Department (MCFD) will also require that a Vegetation Management Plan (VMP) - Fuels Management Plan that conforms to Standards #220 be submitted to the Fire Marshal for review after the Building Permit is issued. The Vegetation Management Plan (VMP) - Fuels Management Plan must be reviewed and approved by MCFD and implemented on-site before the project receives a final building permit inspection.

ACCESS: Development standard C; Design Guidelines A-1.5

The residence is proposed to be accessed via a new driveway that extends to Juniper Avenue. The proposed access improvements will be reviewed by the Marin County Fire Department and the Department of Public Works, Land Development Division for compliance with all applicable codes and standards.

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

The project would be consistent with the key design principles of the Single-family Residential Design Guidelines in that the residence would maintain adequate setbacks from surrounding properties to preserve adequate space, light, and a sense of openness between properties. The project is consistent with the neighborhood with regard to bulk, massing, siting, and aesthetics.

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

The project is compatible with the site surroundings because it has been designed to include earth-tone materials, a stepped hillside design, and a roof oriented in the same direction as the natural topography. In terms of floor area, the residence would be larger than those in the area, but the development would result in a floor area ratio of two percent which is similar to properties in close proximity to this project.

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 will be clustered toward the northeasternmost portion of the site and located downslope from the remainder of the property. The residence would conform to the height limit of the respective zoning district, maintain ample setbacks, and like other properties in the surrounding community, this property would remain forested with native trees and vegetation. Lastly, the proposed development will not obstruct light or intrude upon the privacy of the adjacent neighbors.
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 is located 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 native vegetation and other natural features, and be adequately landscaped consistent with fire safety requirements.

As discussed above, the site would remain forested with native, mature vegetation, and the residence would maintain generous setbacks and provide appropriate separation between buildings and development on adjacent properties. The applicant will be required to submit a Vegetation Management Plan (VMP) - Fuels Management Plan to the Marin County Fire Department (MCFD) that must be reviewed and approved by MCFD and implemented on-site before the project receives a final building permit inspection.

Mandatory Findings for Tree Removal Permit (Marin County Code Section 22.62.050)

In considering a Tree Removal Permit application, the Director may only grant approval or conditional approval based on a finding that removal of the tree(s) is necessary for the reasonable use and enjoyment of land under current zoning regulations and Countywide Plan and Community Plan (if applicable) policies and programs, taking into consideration the following criteria:

A. Whether the preservation of the tree would unreasonably interfere with the development of land.

Ben Anderson, the consulting Arborist, concluded that the site could not “be reasonably developed without the removal of some heritage and protected trees” and that the project would be built in the most open and the least vegetated area of the property. If the project was proposed in an alternative location, then the project would require additional tree removal and would not be consistent with the County’s Design Guidelines and Discretionary Development Standards due to the grading and site disturbance.

B. The number, species, size and location of trees remaining in the immediate area of the subject property.

Much of the property would be maintained in its natural state, and retain a hillside forested with mature Coast Redwood and Douglas Fir trees. A condition of approval will require the applicant to submit a landscaping plan that indicates the size, species, and location of recommended replacement understory species at a 2:1 ratio on the project site.

C. The number of healthy trees that the subject property can support.

The subject property will continue to support the existing healthy tree canopy and implementation of a vegetation management plan will ensure that existing trees will be maintained to promote tree vigor and reduce fire hazard potential. At 118,064 square feet (2.71 acres) in area, the site is of sufficient size to support the recommended replacement understory species.
D. The topography of the surrounding land and the effects of tree removal on soil stability, erosion, and increased runoff.

While the subject property is located on a hillside, the removal of the trees should not result in soil instability, erosion, or increased runoff as tree removal is limited to the area of proposed development, and the project is engineered to prevent the above-noted concerns. Lastly, during Building Permit review, the grading, drainage, and stormwater control plans will be further reviewed by the Department of Public Works to ensure consistency with all applicable standards, including those standards applicable to development and land use outside the Countywide Plan Stream Conservation Area in the governing SGV (San Geronimo Valley) combining district.

E. The value of the tree to the surrounding area with respect to visual resources, maintenance of privacy between adjoining properties, and wind screening.

The surrounding neighborhood is heavily wooded and steeply sloped. The retention of trees that are located outside of the development footprint will maintain aesthetic resources, screening, and privacy between neighboring properties.

F. The potential for removal of a protected or heritage tree to cause a significant adverse effect on wildlife species listed as threatened or endangered by State or Federal resource agencies in compliance with the California Environmental Quality Act (CEQA).

As discussed above under “Countywide Plan Consistency” finding B, the site contains foraging habitat for the Northern Spotted Owl. To avoid potential project effects on this species, the project description for this development includes a requirement that construction activities, inclusive of tree removal, be conducted outside of the nesting season, which occurs between February 1 and July 9.

G. Whether there are alternatives that would allow for the preservation of the tree(s), such as relocating proposed improvements, use of retaining walls, use of pier and grade beam foundations, paving with a permeable substance, the use of tree care practices, etc.

The project proposes a residence and associated site improvements in the most open and least vegetated area of the project site that will require the removal of up to nine trees. If the project were to be proposed in an alternative location on the subject property, then a greater number of trees would be subject to removal due to site constraints that include steep topography and forested hillsides. Further, the project utilizes engineered pier and grade beam foundations that allow the structure to “step” and conform to the site’s topography, reducing site disturbance.

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 Design Review approval authorizes the construction of a new 2,432 square-foot residence, attached garage, and associated site retaining walls on a vacant property located in the unincorporated community of San Geronimo. The 2,432 square feet of approved development shall result in a floor area ratio of 2 percent on the 118,064 square foot lot.

The approved residence shall reach a maximum height of 26 feet, 6 inches above the surrounding grade and the exterior walls shall have the following setbacks: 84 feet, 4 inches to the northern front property line; 45 feet, 1 inch to the eastern side property line; 128 feet, 5 inches to the western side property line; and 194 feet, 5 inches to the southern rear property line. The approved retaining walls shall reach a maximum height of 8 feet, 8 inches above the surrounding grade, and shall maintain varying setbacks as the approved retaining walls shall be located along the approved driveway and in the rear yard of the proposed residence. Various site improvements are also entailed in the approved development, including a new deck, patio, driveway, and vehicle turnaround area.

This Tree Removal Permit approval authorizes the removal of nine trees, including five trees that are of a protected size, and four trees that are of a heritage size as determined by the measurement of each tree’s Diameter at Breast Height (DBH). The trees approved for removal and that require a Tree Removal Permit are listed in the table below.

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2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled “50 Juniper Ave. – New Residence,” consisting of 23 sheets prepared by Peter Moeck, P.E., received in final form on June 30, 2022, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall modify the project to conform to the following requirements:

a. Provide a landscape plan that indicates the size, species, and location of replacement understory species on the project site. The understory species shall substantially conform to the recommendations found in the Arborist Report prepared by Urban Forestry Associates, Inc., dated March 2, 2022.

3. The project shall conform to the Planning Division’s “Uniformly Applied Conditions 2022” with respect to all of the standard conditions of approval and the following special conditions: 6, 7, 12, 13, and 17.

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 (December 1, 2022).

cc: {Via email to County departments and Design Review boards}
   CDA – Assistant Director
   CDA – Planning Manager
   DPW – Land Development
   CDA – Environmental Health Services
   Marin Water District

Attachments:

1. Marin County Uniformly Applied Conditions 2022
2. Inter-office memorandum, Department of Public Works, Land Development Division, dated September 19, 2022
3. Interdepartmental transmittal, Environmental Health Services Division, dated July 13, 2022
4. Marin County Fire Department, Plan review form, dated March 28, 2022
MARIN COUNTY UNIFORMLY APPLIED CONDITIONS
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS
2022

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.
PLANNING APPLICATION REVIEW
DEPARTMENT OF PUBLIC WORKS
Inter-office Memorandum – Third Transmittal

DATE: 09/19/2022  DUE: 9/16/2022

TO: Joshua Bertain
FROM: Maurice Armstrong
APPROVED:—
RE: Dewry-Verduin et al., Design Review and Tree Removal permit, P3528
APN: 169-331-16
ADDRESS: Vacant – Juniper Ave., San Geronimo

Department of Public Works Land Use Division has reviewed this application for content and:

X Find it COMPLETE

Find it INCOMPLETE, please submit items listed below

Find it NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM

Merit Comments
Prior to Issuance of a Building Permit:

Easements
1. Title report identifies easements that were not mapped on site plan or survey. Plot and label all easements identified in title report. The label should include the book and page number from the Official Records where the easement is recorded.

Driveways
2. Per Marin County Code § 24.04.300, when it is required that a driveway be paved, the pavement section shall consist of a base course approved by the agency covered with a minimum thickness of two inches of A.C. or three and one half inches of P.C.C.
3. Per Marin County Code § 24.04.310, all driveways within the city-centered corridor and village areas shall be paved regardless of grade. The parcel for proposed development is within the San Geronimo village area.

Grading & Drainage Plans:
4. Provide the following information on the drainage and grading plan:
   a. Plan shall show and label all existing and proposed drainage features and improvements. Improvements may include down spouts, footing and foundation drains, area drains and catch basins, piping and out fall structures or means of dispersion. Note that 2019 California Plumbing Code (CPC) §1101.12.1 requires roof areas of buildings to be drained by roof drains and gutters.
   b. Per 2019 California Residential Code § R401.3, lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches within the first 10 feet. Where lot lines, walls, slopes, or other physical barriers prohibit 6 inches of fall within
10 feet, drains or swales shall be constructed to ensure drainage away from the structure. Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum 2 percent away from the building.

c. Plan shall show and label the limit of disturbance. Provide the total area to be disturbed.

d. Indicate to where off haul will be taken.

e. Add a note on the plans indicating that the plan preparer shall certify to the County in writing upon the completion of work that all grading and drainage improvements were installed in 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.

Geotechnical Review and Acceptance:

5. The plans must be reviewed and approved by the soils engineer. Certification shall be either by his/her stamp and original signature on the plans or by a stamped and signed letter. Certification shall reference plans reviewed, specifying site, structural, and drainage plans with date of drawings, and verify that plans address any recommendations previously offered.

Site Retaining Walls:

6. You will need to apply for a separate Building Permit for each site/driveway retaining wall greater than 4ft in height, or for any wall that is subject to a surcharge such as a sloped backfill or vehicular load. The total height shall be measured from the bottom of the footing to the top of the wall. If any walls are structurally tied to the dwelling, indicate this on the plans, as these walls will not require a separate permit.

7. For each retaining wall, provide a cross sectional reference on the site plan which corresponds to a structural detail provided in the plan set.

8. Submit design calculations for the retaining walls which are greater than 4ft in height, measured as described above in item a, or which are subject to a surcharge behind wall. Calculations shall be prepared, signed and stamped by the design engineer.

9. Add a note on the plans indicating that the Design Engineer shall inspect and certify in writing to DPW that each retaining wall was constructed per approved plan and field direction. Certification letters shall reference building permit number or numbers for specific work being certified, the address and the Assessor’s Parcel Number (APN) for the project, and shall be signed and stamped by the certifying professional.

Erosion & Sediment Control Plan:

10. Per Marin County Code § 24.04.625(b)(e), provide an Erosion and Sediment Control Plan (ESCP) which shall include information required in the most recent version of the MCSTOPPP ESCP Standard Template. The template can be found in the “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 begins on page 11 of the document.

Public Transportation Facilities Fees:

11. The project is in the West Sir Francis Drake zone of benefit. As such, the applicant shall pay Public Transportation Facilities fees for a new single-family residence in accordance with Marin County Code Chapter 15.07 prior to the issuance of the building permits for the new house.

Internal inconsistency:

12. On Sheet C-0 note 12 say 247 CY of off haul, while the cut/fill calculations on sheet C-0 calls for 480 CY of off haul.

-END-
DATE: July 13, 2022

TO: Joshua Bertrain, Assistant Planner

FROM: Becky Gondola, Senior REHS

RE: Drewry-Verduin et. Al. Design Review and Tree Removal Permit

AP#: 169-331-16

ADDRESS: Vacant Parcel, Juniper Ave. San Geronimo

TYPE OF DOCUMENT

DESIGN REVIEW

LAND DIVISION

USE PERMIT

VARIANCE

MASTER PLAN

COASTAL PERMIT

LOT LINE ADJ.

OTHER

THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:

x WATER

x SEWAGE

SOLID WASTE

POOLS

HOUSING

FOOD ESTABLISHMENT

THIS APPLICATION IS FOUND TO BE:

FIND IT COMPLETE.

FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.

x FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.

RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.

1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency’s standards.

   Sewage: Yes, the proposed septic design is near the issuance stage. The size and location of the residence is in accordance with the septic design.

   Water: Yes.

2. If the application does not contain enough information for you to determine whether the project can readily comply with your agency’s standards, please list the information that you will need to make this determination. N/A

3. If the application contains sufficient information for your review, please indicate whether the project is feasible as proposed or needs substantial modifications to comply with your agency’s standards.
Septic: No major modifications necessary

Water: This parcel is in the jurisdiction of the Marin Municipal Water District. The property owner should be able to provide a letter from MMWD that the district is willing to serve the parcel.

4. If the project needs to be substantially modified to comply with your agency’s standards, please describe the scope of those modifications.

N/A
Inspection Description:
Based on the currently adopted California Building and Fire Codes, along with current Marin County Fire Department Standards.

Inspection Topics:

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<th>Planning/Building Division Review</th>
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**Fire Hydrant required (500 GPM)**
A fire hydrant capable of supplying 500 gallons per minute minimum will be required to be installed so that spacing between hydrants does not exceed 300 feet. The fire hydrant(s) shall be spotted by the Fire Marshal and contain at least one 4 and one half inch and one 2 and one half inch outlets. Installation shall conform to the specifications of the local water/public utility district (as applicable).

**Status:** Condition of Approval  
**Notes:** The submittal shows a hydrant to be located adjacent to the fire apparatus turnaround. Provide flow and pressure for the proposed hydrant.

**Automatic Residential Fire Sprinkler System Is Required per NFPA 13D**
An automatic residential fire sprinkler system is required to be installed in all new residences including garages conforming to NFPA Std. 13D, Fire Protection Standard #401, and as modified by the Fire Marshal. Plans and hydraulic calculations shall be submitted to the Fire Marshal for review prior to installation. If the residence is supplied by a public water supply, contact the local water purveyor (as applicable) should an upgrade for the domestic water meter be needed. Additional sizing may be required due to available pressures and fire flow. The above requirement may be waived provided the new and existing remodel and addition does not exceed 50% of the total existing floor area.

**Status:** Condition of Approval  
**Notes:** See above. The AFS plans and calculations are a deferred submittal to MCFD under separate permit after Building Permit issuance.

**Roadways and Driveways, Grade.**
Proposed roads and driveways shall not exceed 18% grade.

**Status:** Condition of Approval  
**Notes:** See above. Grade profile for the driveway was not included in the submittal.

**Roadway and Driveway Minimum Clearance.**
Roadways and driveways shall have a minimum clearance of not less than 20-ft. horizontal by 15-ft. vertical clearance. No object or vegetation shall encroach into this horizontal and vertical plane.

**Status:** Condition of Approval  
**Notes:** See above.

**Roadways and Driveways Minimum Requirements (Prior to Lumber Delivery or Framing).**
Roadways shall be not less than 20 feet wide and driveways not less than 16 feet wide capable of accommodating a 60,000 GVW, all weather surface (AC Paving or concrete), unobstructed, and shall be installed prior to lumber delivery or framing.

**Status:** Condition of Approval  
**Notes:** See above.
### Driveway Minimum Width. (One-Two Family Dwellings)

Driveways shall be not less than 12 feet wide (16-ft in the Wildland-Urban Interface) capable of accommodating 60,000 GVW and conform to MCFD Standards. For driveways serving 2 to 5 homes, the minimum driveway width is 16-ft. (18-ft. for homes located in the Wildland-Urban Interface).

**Status:** Condition of Approval  
**Notes:** See above.

### Fire Apparatus Turn Around Required

An approved fire apparatus turn around shall be designed and installed at the driveway end so as not to exceed 300 feet (150 feet in the Wildland-Urban Interface) from the street and shall be capable of accommodating MCFD apparatus. The turnaround shall be recorded, dedicated, and clearly delineated on the subdivision map as 'Dedicated Fire Apparatus Turnaround'.

**Status:** Condition of Approval  
**Notes:** Maximum grade for the turnaround is 8% in all directions.

### Vegetation Management Plan - Fuels Management Plan Required.

An irrigated greenbelt Vegetation Management Plan (VMP) Fuels Management Plan conforming to the standards of the Marin County Fire Department shall be prepared and implemented at the site. The VMP-Fuels Management Plan shall conform to MCFD Standard #220. The plan shall be incorporated into the landscape plan for the project and submitted to the Fire Marshal for review prior to implementation. The plan shall be implemented prior to building final.

**Status:** Condition of Approval  
**Notes:** See above. The VMP is a deferred submittal to MCFD under separate permit after the Building Permit has been issued.

### Project In A Wildland-Urban Interface Area.

This project is located in a wildland-urban interface area and must meet all applicable California Building Code requirements. See CBC Chapter 7A. These code provisions are enforced by Building & Safety.

**Status:** Condition of Approval  
**Notes:** See above.

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### Additional Time Spent on Inspection:

<table>
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<tr>
<th>Category</th>
<th>Start Date / Time</th>
<th>End Date / Time</th>
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<tbody>
<tr>
<td>Notes: No Additional time recorded</td>
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**Total Additional Time:** 0 minutes  
**Inspection Time:** 70 minutes  
**Total Time:** 70 minutes

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### Summary:

**Overall Result:** Plan Review-Complete  
**Inspector Notes:**

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### Inspector:

Name: Alber, Scott D  
Rank: Fire Marshal BC