



**MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION**
Moonstone Partners Site Plan Review

Decision: **Approved with conditions**
Date: **December 15, 2020**

Project ID No:	P2853	Applicant(s):	Sutton Suzuki Architects
		Owner(s):	Moonstone Partners
		Assessor's Parcel No(s):	043-293-64
		Property Address:	431 East Strawberry Drive, Mill Valley
		Project Planner:	Michelle Levenson, mlevenson@marincounty.org ; (415) 473-3615
		Signature:	<i>Michelle Levenson</i>
Countywide Plan Designation:		SF3 (Single family, 1 unit per 1-5 acres)	
Community Plan Area:		Strawberry	
Zoning District:		BFC-RSP-1(Bayfront Combining District- Residential, Single-family, Planned, 1 unit per 1 acre)	
Environmental Determination:		Categorically exempt from CEQA pursuant to Section 15302, Class 2	

PROJECT SUMMARY

The applicant requests Site Plan Review approval to remove an existing, 184-foot-long, failing wooden bulkhead wall and replace it with a new wooden bulkhead wall of the same length and in approximately the same location as the existing wall. The replacement wall would reach a maximum height of 5.5 feet above Mean Sea Level and would maintain the following setbacks: over 100 feet from the west, front property line, 0 feet from the north and south side property lines and 34.4 feet from the east, rear property line.

Site Plan Review approval is required because the project involves development seaward of the mean higher high tide line requiring Site Plan Review approval pursuant to Marin County Development Code Section 22.52.020 (F).

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 applicant proposes to utilize a silt curtain throughout construction activities as well as construction materials approved for use in the marine environment by state and Federal regulatory agencies. Therefore, the project is consistent with CWP water quality policies as the 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.

COMMUNITY PLAN CONSISTENCY

The project site is located within the Strawberry Community Plan area. The project is consistent with the Strawberry Community Plan as it would not result in significant shoreline reconfiguration or modification, consistent with Policy 2.22.

DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for Site Plan Review (Marin County Code Section 22.52.050)

- A. The development would be consistent with all the site development criteria established in the Discretionary Development Standards.**

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

SITE PREPARATION: Development Standards J.1 through J.6

The project involves the replacement of an existing bulkhead wall with another wall in approximately the same location and of the same length as the existing structure. Due to the location of the project site in the Bay, several construction measures would be employed to ensure potential site preparation effects of the project are minimized. Measures include

conducting construction activities from the water side of the site via a barge, using a silt curtain for the duration of construction activities and vibrating pilings into place to reduce turbidity.

LANDSCAPING AND VEGETATION REMOVAL: Development Standard F

No landscaping or vegetation removal is proposed with the project.

B. The development would be consistent with any applicable site development criteria for specific land uses provided in Chapter 22.32 or special purpose combining districts provided in Chapter 22.14 of this Development Code.

The project site is located within the Bayfront Combining District. The proposed project is consistent with the site development criteria for this district as the project would not result in vegetation removal or impediments to existing public access to the Bay. In addition, the project would be constructed in a manner that would minimize erosion, water pollution and effects to wildlife habitat, and the applicant would be required to obtain regulatory approvals from all pertinent state and Federal agencies and the County's Public Works and Building Department(s) prior to the commencement of construction.

C. The development would employ best management practices for drainage and storm water management.

As discussed above, the project would employ several measures prior to and during construction to ensure that potential water quality effects are minimized.

D. The development would hold ground disturbance to a minimum and every reasonable effort would be made to retain the natural features of the area, such as skyline and ridge tops, rolling land forms, knolls, significant native vegetation, trees, rock outcroppings, shorelines, streambeds and watercourses.

The proposed project would replace an existing bulkhead wall within approximately the same location as an existing failing structure, therefore retaining the shoreline configuration that currently exists on the site. Construction activities would occur from a water-based barge, ensuring that ground disturbance during construction would be held to a minimum.

E. If substantial ground disturbance is entailed in the development, the site would be adequately landscaped with existing or proposed vegetation at project completion.

As discussed above, construction access and activities associated with the project would be conducted via a barge. Therefore, no substantial ground disturbance and resultant vegetation removal would occur 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 Site Plan Review approval authorizes the removal of an existing, 184-foot-long, failing wooden bulkhead wall, and replacement with a new wooden bulkhead wall of the same length and in approximately the same location as the existing wall. The replacement wall shall reach a maximum height of 5.5 feet above Mean Sea Level and shall maintain the following setbacks: over 100 feet from the west, front property line, 0 feet from the north and south side property lines and 34.4 feet from the east, rear property line.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Krasnoff Residence-Moonstone Partners" consisting of 4 sheets prepared by Sutton Suzuki Architects received in final form on September 28, 2020, and on file with the Marin County Community Development Agency, except as modified by the condition listed herein.
 - a. The Best Management Practices contained on plan sheet DRO received on September 28, 2020 shall be implemented with the project.
3. 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 (December 28, 2020).

cc: *{Via email to County department }*

CDA – Assistant Director

CDA – Planning Manager

DPW – Land Development

San Francisco Bay Conservation and Development Commission (BCDC)

Attachment:

1. Marin County Uniformly Applied Conditions 2020