

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

Decision: Approved with Conditions
Date: July 16, 2020

Project ID No:	P2679	Applicant(s):	Anthony M. Richards
		Owner(s):	Vikrum and Gagan Nijjar
		Assessor's Parcel No(s):	034-012-26
		Property Address:	Vacant Property in Mill Valley
		Project Planner:	Kathleen Kilgariff 415.473.7173 kkilgariff@marincounty.org
		Signature:	<i>Kathleen Kilgariff</i>
Countywide Plan Designation:		PR (Planned Residential, 1unit/1-10 acres)	
Community Plan Area:		Strawberry	
Zoning District:		RMP-0.2 (Residential, Multiple-family Planned District; 1 unit/5 acres)	
Environmental Determination:		Categorically Exempt per CEQA Guidelines Section 15303, Class 3	

PROJECT SUMMARY

The applicant requests Design Review approval to construct a new 2,662 square foot single family residence with an attached 970 square foot garage on a vacant lot in Mill Valley. The proposed development would have a building area of 3,632 square feet and a proposed floor area of 3,092 square feet, resulting in a floor area ratio of 1.1 percent on the 262,408 square foot lot. The proposed building would reach a maximum height of 23.2 feet above surrounding grade and the exterior walls would have the following setbacks: 74 feet from the eastern front property line; and more than 100 feet from all property lines. Various site improvements would also be entailed in the proposed development, including the development of a new driveway and fire truck turnaround.

Design Review approval is required because the project located in at planned district as outlined in Section 22.42.020.A of the Marin County Code.

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. A Biological Site Assessment (BSA) was prepared by Dan Sidle of LSA, dated November 12, 2019. This BSA indicated that there are two ephemeral streams which run along the northern and southern boundaries, respectively. The stream located at the northern portion of the project supports riparian habitat, while the southern stream does not. The project site is located more than 400 feet from the top of bank and riparian habitat.

The BSA further indicates that an 80-square foot patch of hydrophytic vegetation was found in a ditch along the western border of the property. However, upon investigation of the area, the area did not contain wetland soil nor hydrology to be considered a wetland.

As such, 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.

STRAWBERRY COMMUNITY PLAN CONSISTENCY

The proposed project is consistent with the Strawberry Community Plan for the following reasons:

- A. The project is consistent with the Natural Resource Conservation policies, including policies 1.1 and 1.2 because it would not result in any Bay or wetland fill or affect any protect historical or archeological resources.
- B. The project is consistent with the scale and character policies, including policies 2.1 and 2.2 because it would not be located on a slope exceeding 40 percent, interrupt a continuous view of a ridge crest, or interfere with a view of the Bay from any hilltop.
- C. The project is consistent with the safety policies, including policies 3.1 through 3.4, because it would be built in conformance with all safety standards related to slope stability, subsidence, and seismic activity.
- D. The project is consistent with the open space policies, including policies 4.1 through 4.35, because it would not adversely affect the access to or habitat quality of open space areas.

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 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. 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.

The proposed development is located on a relatively steep hillside. The project entails construction of a new home on this hillside, along with a driveway to access the residence, drainage improvements, and a firetruck turnaround. These improvements require a large quantity of earthwork (9,326 cubic yards of cut, 10,449 cubic yards of fill, and 1,123 cubic yards of import). However, the project retains the natural features of the property, grading does not create flat plans and sharp angles of intersection with the natural terrain. The proposed residence is nested into the hillside to reduce the overall bulk and mass, and the driveway, drainage, and firetruck turnaround follow the natural contours of the site as close as possible.

Stormwater runoff is to be collected and dispersed on site and is not anticipated to adversely impact surrounding properties. The ephemeral stream on site that supports riparian habitat is uphill from the project, as a result the improvements would not impact this watercourse.

The project does not require the removal of trees. One 18-inch bay and one 12-inch oak that are within the vicinity of the proposed home are to be relocated to ensure that the development does not negatively affect the existing species. In addition to the protection of existing site

trees, the project proposes to revegetate the hillside with areas of purple needlegrass, consistent with protecting rare plant communities.

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

The proposed dwelling and driveway improvements are located close to the street, on the lower portion of the approximately 6 acre lot. The proposed location maintains the majority of the hillside, which is visible from Highway 101, in its natural state. The location of the development is screened from the east and the north, reducing visual impacts from the adjacent properties. The location of the structure is not near a prominent ridgeline, and would not impact view corridors.

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

The project conforms to all development standards, including height limits. The structure measures a maximum height of 23.2 feet above surrounding grade, 6.8 feet below the maximum permitted height of 30 feet.

Proposed materials include stained cedar shingles, beige stucco, natural stone veneer, dark green windows, and a dark green roof. The selected materials will blend with the natural hillside and will not detract from the overall character of the site.

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

The project is set into the hillside to reduce the overall mass of the structure. Additionally, the project breaks roof forms and lines into a series of smaller building components, avoids the use of cantilevers on street elevations, utilizes materials (shingles, stucco, and stone) to articulate the façade. The structure steps with the hillside to avoid looming over the street, or adjacent properties. The gabled roof forms allow the roof form to follow the natural contours of the site.

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

As a condition of approval, all exterior lighting must be shielded and directed downward to ensure that the project would not result in adverse lighting impacts.

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

The project proposes to protect existing trees, which include Heritage and Protected species, and will be landscaped with several native and drought tolerant plantings. The plantings will be compatible with the open hillside and enhance the project.

ACCESS: Development standard C; Design Guidelines A-1.5

A new driveway and fire truck turnaround are included in the scope of work. The driveway is accessed close to the roadway and curves to follow the natural contours of the site. With the exception of the driveway, there are no modifications to the existing roadway.

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

There are a small number of single-family homes in the vicinity, and several multi-family developments across the street from the property, resulting in varied architectural styles and scales. The proposed residence is located well away from adjacent properties, which alleviates the impact of the development. Further, existing landscape is maintained between adjacent properties.

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

The project is in keeping with the character of the community because of the balanced architectural design, use of materials to articulate elevations of the development, landscaping, and overall site layout.

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.

Due to the location of the project on the site, the improvements would not result in a layout or design that would eliminate significant sun and light exposure, nor result in light pollution or glare. Because the structure is set low into the hillside, the proposal would not eliminate primary views and vistas. As noted above, vegetation is maintained on the majority of the site, including along common property lines. As such, the new residence and site improvements would not eliminate privacy enjoyed on adjacent properties.

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.

With the exception of the driveway access, there are no other improvements to the public right-of-way. The project is accessed from a private roadway. Due to the private nature of the right-of-way, the County cannot require improvements to the roadway, and instead, neighbors must coordinate this effort.

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.

A majority of the hillside will maintain its current conditions, and the project would be adequately landscaped. The proposal does not entail the elimination of natural features and will be required to comply with all fire safety measures.

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 construction of a new 2,662 square foot single family residence with an attached 970 square foot garage on a vacant lot in Mill Valley. The proposed development would have a building area of 3,632 square feet and a proposed floor area of 3,092 square feet, resulting in a floor area ratio of 1.1 percent on the 262,408 square foot lot. The proposed building would reach a maximum height of 23.2 feet above surrounding grade and the exterior walls would have the following setbacks: 74 feet from the eastern front property line; and more than 100 feet from all property lines. Various site improvements would also be entailed in the proposed development, including the development of a new driveway and fire truck turnaround.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "55 Thomas Drive," consisting of 37 sheets prepared by Lone Tree Residential Design, received in final form on April 17, 2020, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2020" with respect to all of the standard conditions of approval and the following special conditions: 6 and 7.

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

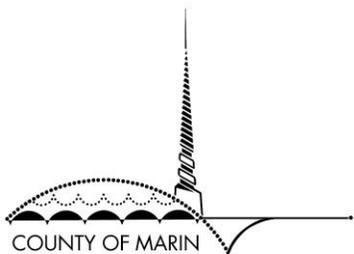
This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision (Jul 28, 2020)

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

CDA – Assistant Director
CDA – Planning Manager
DPW – Land Development
Marin Municipal Water District
Alto Sanitary District
Southern Marin Fire Protection District
Strawberry Design Review Board

Attachments:

1. Marin County Uniformly Applied Conditions 2020
2. Agency responses
3. Public Communication



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

2020

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

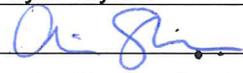
DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - First Transmittal

DATE: 1/8/2019

TO: Kathleen Kilgariff

FROM: Tyler Bylow

APPROVED: 

RE: Nijar Design Review
Project ID P2162

APN: 034-012-26

ADDRESS: Vacant Lot in Mill Valley

DUE: 1/3/2019

TYPE OF DOCUMENT

- DESIGN REVIEW
- COASTAL PERMIT
- LAND DIVISION
- VARIANCE
- USE PERMIT
- ADU PERMIT
- ENVIRONMENTAL REV.
- OTHER:

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

- Find it **COMPLETE**
- Find it **INCOMPLETE**, please submit items listed below
- Find it **NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM**

Comments Included (Inc.) or Attached (Att.) from other DPW Divisions:

- Traffic
- Flood Control
- Other: _____

Incompleteness Items:

1. In conformance with submittal checklist item 22, provide a current preliminary title report (within the last six months) that reflects the current status of the property, including all recorded easements. Submitted title report prepared by Old Republic National Title Insurance dated November 13th, 2018 is missing page 3 of 7. Also provide the title report for APN 034-061-09, a 30-foot strip of land along the westerly property line of APN 034-012-26.
2. In conformance with submittal checklist item 1B, clearly plot, dimension, and label all existing and proposed easements as described current title report for APN 034-061-09 and the title report for APN 034-061-09.
3. In conformance with submittal checklist item 1C, indicate on the site plan the locations where all retaining walls will be required, along with the top and bottom of wall elevations. Retaining walls to the north and south of firetruck turnaround do not include top and bottom of wall elevations.

Note to Planning and Applicant: Proposed bioswales will not be approved beyond property lines into the right of way. Bioswales must transition to roadside ditches from the property line to the edge of the adjoining street.

Merit Comments

Prior to Issuance of a Building Permit:

Driveways:

1. Per Marin County Code § 24.04.240, where a driveway intersects a road, every attempt shall be made to intersect at ninety degrees or as close to that angle as possible. Demonstrate compliance.
2. Per Marin County Code § 24.04.20, a minimum driveway length of twenty feet should be provided from the front of the garage or parking structure to the back of sidewalk or to the edge of pavement where no sidewalks exists. Demonstrate compliance.

3. Per Marin County Code § 24.04.255, the centerline radius of driveways extending in excess of one hundred fifty feet from a public or private road shall not be less than thirty feet. Demonstrate compliance.
4. Per Marin County Code § 24.04.260(a), the minimum improved width of a driveway serving a single dwelling unit is twelve feet. Demonstrate compliance.
5. Per Marin County Code § 24.04.275, turnouts shall be required on driveways over one hundred fifty feet in length or if sight distance problems exist unless the driveway is at least sixteen feet in width. The number, location and dimensions of required turnouts shall be subject to the review and approval of the agency and shall be no less than eighteen feet wide (full driveway width) and sixty feet long including transitions. Demonstrate compliance.
6. Per Marin County Code § 24.04.277, A turnaround may be required at the end of any driveway and/or adjacent to any parking area where, in the opinion of the Agency, the alignment, grade or street connection of the driveway is such that backing along the driveway or out onto the street would be inordinately difficult or dangerous. The alignment and dimensions of turnarounds shall be such as to allow the attainment of the desired direction by a standard sized car in no more than one movement. Demonstrate compliance.
7. Per Marin County Code § 24.04.280, maximum gradient measured along the centerline shall not be steeper than twenty-five percent. Where a segment of a driveway has a grade exceeding eighteen percent, the length of that segment shall not exceed three hundred feet. Any two driveway segments with a grade greater than eighteen percent shall be joined by a flatter segment not exceeding fifteen percent grade and at least one hundred fifty feet in length. Demonstrate compliance.
8. Per Marin County Code § 24.04.285, the driveway vertical positions shall start at least four feet back from the edge of the adjoining road. Driveways sloping downhill from the road shall be constructed so as to prevent diversion of roadside drainage down the driveway. Demonstrate compliance.
9. Per Marin County Code § 24.04.290, driveway approaches shall be constructed in accordance with the appropriate U.C.S. drawing unless prior approval to do otherwise is obtained from the agency. Demonstrate compliance.
10. Per Marin County Code § 24.04.295, driveway culverts shall be a minimum fifteen inches in diameter. Demonstrate compliance.
11. 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. Driveways over eighteen percent grade shall be surfaced with P.C.C. and given a broomed or otherwise roughened finish. Demonstrate compliance.
12. Per Marin County Code § 24.04.310, all driveways within the city-centered corridor and village areas shall be paved regardless of grade. Demonstrate compliance.

Parking:

13. Per Marin County Code § 24.04.340(a), for detached single-family dwellings and duplexes, two parking spaces per unit are required. Where the units are more than one hundred feet from the access street or where on-street parking is restricted or nonexistent, two additional spaces may be required. Demonstrate compliance.
14. Per Marin County Code § 24.04.380(a), head-in parking spaces shall be a minimum eight and one-half feet by eighteen feet. Parallel spaces shall be a minimum eight feet by twenty feet. For constrained locations such as garages serving single-family dwellings, spaces shall be a minimum nine feet by twenty feet. Demonstrate compliance.
15. **Drainage Setback:** Per Marin County Code § 24.04.560, all structures shall be set back from creeks, channels or other major waterways at least twenty feet from the top of bank or twenty feet plus twice the channel depth measured from the toe of the near embankment, whichever is greater. Demonstrate compliance.
16. **Grading & Drainage Plans:** Provide the following information on the drainage and grading plan:
 - a. Plan shall provide existing and proposed topographic contours, or a sufficient number of spot elevations, to describe drainage patterns. The proposed project shall maintain existing drainage patterns.

- b. 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 2016 California Plumbing Code (CPC) §1101.12.1 requires roof areas of buildings to be drained by roof drains and gutters. Note as well that CPC §1101.6.5(2) indicates that the point of discharge shall not be less than 10 feet from the property line.
- c. Per 2016 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. Demonstrate compliance.
- d. The plan shall also incorporate any recommendations from the Geotechnical Engineer, if such a professional is involved in the project.
- e. The plan shall tabulate the existing and proposed areas of impervious surface for the property, and demonstrate that there will be no net increase in runoff from the developed site compared to pre-existing development.
- f. Plan shall show and label the limit of disturbance. Provide the total area to be disturbed and the proposed cut and fill earthwork volumes. Indicate to where off haul will be taken.
- g. Indicate means of restoring all disturbed areas.
- h. 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.

17. **Geotechnical Review and Acceptance:** 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.

18. **Site Retaining Walls:**

- a. Clarify the proposed heights for all site retaining walls. 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.
- b. For each retaining wall, provide a cross sectional reference on the site plan which corresponds to a structural detail provided in the plan set.
- c. 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.
- d. 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.

Best Management Practices:

- 19. Per Marin County Code § 24.04.625(a)(c)(g)(k), provide a plan indicating construction-phase best management practices (BMPs) include erosion and sediment controls and pollution prevention practices. Erosion control BMPs may include, but are not limited to, scheduling and timing of grading activities, timely re-vegetation of graded areas, the use of hydroseed and hydraulic mulches, and installation of erosion control blankets. Sediment control may include properly sized

detention basins, dams, or filters to reduce entry of suspended sediment into the storm drain system and watercourses, and installation of construction entrances to prevent tracking of sediment onto adjacent streets. Pollution prevention practices may include: designated washout areas or facilities, control of trash and recycled materials, covering of materials stored on-site, and proper location of and maintenance of temporary sanitary facilities. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices. You may refer to the Marin County Stormwater Pollution Prevention Program's website, <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/erosionsediment-control-measures-for-small-construction-projects-2015.pdf?la=en>

Erosion & Sediment Control Plan:

20. 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.

Stormwater Control Plans:

21. 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.**
22. **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.
23. **Public Transportation Facilities Fees:** The project is in the Strawberry Interchange Area. 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.
24. **Encroachment Permit:** Thomas 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. The plans shall clearly identify all proposed work in the right of way. If any work is proposed in the right of way, complete and submit an Encroachment Permit Application with your re-submittal.

-END-

From: [emily sanders](#)
To: [Kilgariff, Kathleen](#)
Subject: Design Review Project ID P2679 Nijjar
Date: Sunday, June 14, 2020 9:27:39 PM

Thank you for speaking to me via phone last week. My husband and I support this project. We reside at 61 North Knoll Rd and own the property as opposed to rent. I tend to feel you paid for the land you should be able to do what you want with it within reason. My husband is in real estate/property as well so that helps. Plus, we are a young family excited at the idea of new neighbors. Our baby wakes early so trucks rumbling down the road to start in the AM won't bother us either.

I do have one major concern. North Knoll Road is NOT a county maintained road. Thomas Drive is. North Knoll Road isn't in great shape as it is. This project will pretty much destroy the road with construction traffic and heavy trucks. The trucks will use Thomas Drive and North Knoll Road.

The residents of North Knoll Road have to pay to maintain the road. This will be a problem. Honestly, the county should be maintaining the road as the massive apartment complex is a Marin Housing complex, but that is a battle for another day. I do not see the residents of North Knoll Road being happy to have to pay to pave this road after it is messed up by this project.

When three homes were built on the other end of North Knoll Road, the builder repaved all the road that was used by trucks....on both sides going away from the three units. I would seriously consider this owner/builder/developer do the same thing for the 2nd half of North Knoll Rd. There is precedent for new development to pave the road if doing a new build in this neighborhood and especially on this street within the last 3 years. My neighbors and I would like this builder to do the same for this project as the road will not survive.

I'd be happy to chat more or be a resource if i can be. Thank you for your time and consideration.

Emily Elam

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