

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

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

Decision:

Approved with Conditions

Date:

March 23, 2020

Project ID No:

P2573

Applicant(s):

Daren Joy

Owner(s):

Matt Ostrander

Assessor's Parcel No(s):

050-074-19

Property Address:

378 Lowell Avenue, Mill
Valley

Project Planner:

Kathleen Kilgariff
415.473.7173

kkilgariff@marincounty.org

Signature:

Kathleen Kilgariff

Countywide Plan Designation:

SF6 (Single-Family, 4-7 units/acre)

Community Plan Area:

Tamalpais

Zoning District:

R1 (Single-Family Residential)

Environmental Determination:

Exempt Pursuant to CEQA Guidelines Section 15303,
Class 3

PROJECT SUMMARY

The applicant requests Design Review approval to construct a new 576 square foot detached garage on a developed lot in Mill Valley. The proposed building would reach a maximum height of 13 feet above surrounding grade and the exterior walls would have the following setbacks: approximately 20 feet from the western front property line; more than 100 feet from the western side property line; 6 feet from the southern side property line; more than 40 feet from the eastern rear property line.

Design Review approval is required because the project is located within the required yard setbacks as outlined in Marin County Code Section 22.20.090.C.1.b.

COUNTYWIDE PLAN CONSISTENCY

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

- A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.

- B. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide habitat for special-status species of plants or animals.
- C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, baylands, or woodlands.
- D. The project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and CWP BIO-4.1) because the proposed development would not encroach into any Stream Conservation Areas or Wetland Conservation Areas.
- E. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.
- F. The project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during review of the Building Permit application and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.
- G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during review of the Building Permit application.
- H. The project is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines and the natural environment from adverse impacts related to development.
- I. The project is consistent with CWP residential design policies and programs (DES-3.b and DES-4c) because it would fit within the context of the neighborhood, minimize the perception of mass and bulk, and comply with the Single-family Residential Design Guidelines.

TAMALPAIS AREA COMMUNITY PLAN CONSISTENCY

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

- A. The project is consistent with the policies related to preserving community character, including Policies LU 1.1, LU 1.3, LU 1.4, and LU 1.5, because it would preserve and enhance the existing natural and built characteristics of the surrounding environment, while being compatible in scale (bulk, mass and height) and appearance (colors, materials, and design) of the surrounding neighborhood. The project would not exceed the floor area limits or maximum height guidelines established in Programs LU1.4a, 1.4b, 1.4c, and 1.4d. Further, the project is carefully sited to protect the sunlight, views and privacy enjoyed by adjacent homes, and to preserve open space.
- B. The project is consistent with the policies related to protecting habitats, wetlands, streams, and native vegetation, including Policies LU2.1, LU2.2, LU10.2, LU10.3, LU11.1, LU11.2, LU12.1, and 17.1, because it would respect the environmental constraints of the site. There are no known habitats for special-status species in the area, and the development

would not be located in buffer areas surrounding wetlands, streams or other drainage areas. Removal of native vegetation would be minimized, and native trees would be protected or replaced.

- C. The project is consistent with the access and parking policies, including Policy T2.4, T4.1, T8.2, T.11, because it would not take access from a new roadway or driveway connected directly to Shoreline Highway, would not reduce the existing levels of service on surrounding intersections, and would provide the required parking and adequate access as determined by the Department of Public Works.

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-1.4

The project entails 118 cubic yards of excavation to accommodate the proposed accessory structure. The garage would be set into the hillside, with excavation limited to the building area. The overall site is maintained in its current state.

The Tamalpais Design Review Board (TDRB) reviewed the project at their October 16, 2019 meeting. Overall, the TDRB found the proposal to be reasonable for the site, but discussed drainage impacts of the project. It was recommended that runoff from the garage be directed towards the rear of the structure to be dispersed on site.

The application proposes a roof drain on the garage that is directed toward the rear of the structure to a below grade, gravel dispersion pit, consistent with the TDRB recommendation. Further, the existing asphalt driveway is removed and replaced with permeable pavers, to retain runoff and enhance overall site drainage.

The Department of Public Works will further evaluate drainage plans at the time of Building Permit submittal to ensure that the project would not result in adverse drainage impacts to neighboring properties or watersheds.

No trees are proposed for removal and the project is required to comply with fire standards as the property is located in the Wildland Urban Interface (WUI).

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

The project site is not located within a Ridge and Upland Greenbelt, and is more than 100 feet vertically and 300 feet horizontally from a prominent ridgeline.

The structure is located near the existing dwelling, in an easily accessible location from Lowell Avenue. While the structure is located in a north to south fashion, it is not anticipated that this will result in significant energy conservation as the structure is to be used for parking and not considered living space.

There is an undeveloped paper street west of the proposed structure. This paper street contributes to additional separation between adjacent properties. As a result, noise impacts are not anticipated.

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

The accessory structure reaches a maximum height of 13 feet above surrounding grade, 2 feet below the maximum permitted height limit for the R1 zoning district. A roof deck is incorporated above the garage structure. However, the railings required for compliance with the California Building Code are not subject to the height limits of the overall structure pursuant to Section 22.20.090.C of the Marin County Development Code.

Proposed exterior materials include light gray brick cladding, gray solid garage doors, and a glass balustrade at the roof deck. The colors and materials are compatible with the main structure and will not detract from the surrounding environment.

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

As noted above, the garage structure is excavated into the hillside. Only a portion of the west and east (side) elevations are visible. The south (rear) elevation is entirely obscured by the hillside. This results in an overall reduction of visible bulk and mass.

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

As conditioned, all exterior lighting shall be located and shielded to avoid casting glare into the night sky or onto nearby properties (standard condition #3).

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

This section is not applicable as the project does not entail modifications to the existing landscaping.

ACCESS: Development standard C; Design Guidelines A-1.5

The project entails a driveway expansion. Widening the driveway results in an encroachment into the Lowell Avenue paper street, located west of the project site.

The Department of Public Works has stated in their review of the project that, "Although the county rejected the offer of dedication, the status of public use remains and allows the county to accept the offer at any time in the future" and requests the removal of improvements within the paper street.

As such, condition of approval is imposed on the project that requires the removal of proposed improvements within the paper street (condition #2.a). Driveway improvements are to be reviewed by the Department of Public Works at the time of Building Permit to ensure compliance with the Department's development standards.

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

The one-story structure is set back from adjacent properties. Additionally, mature vegetation is maintained around the perimeter of the property, resulting in a project that maintains privacy between neighboring properties. As a result, the proposal is compatible with overall neighborhood development.

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

The surrounding community contains a mix of architectural styles and development patterns. The proposed garage structure is compatible with the site surroundings and community as the structure is set into the hillside, resulting in a minimized visible mass.

- 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 one-story structure will not result in a site layout and design that eliminated sun and light exposure, result in light pollution or glare, and will not adversely impact primary views and vistas, or privacy enjoyed on adjacent properties due to its size, orientation, and overall site layout.

- 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.**

As noted above, the Department of Public works does not support the improvements within the Lowell Avenue paper street. Those improvements could adversely affect circulation within the street in the future. Additionally, the project entails development of a retaining wall within the paper street. This wall is not associated with site access and is not consistent with improvements that are typically located within rights-of-ways.

Therefore, the condition of approval removing improvements from the paper street is imposed on the project (condition #2.a).

- 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.**

The project maintains mature vegetation on the property and is adequately screened. Appropriate separation is maintained because the property is located at the end of the developed portion of Lowell Avenue. As noted above, the project is located in the WUI and will be required to comply with all fire department standards.

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 a new 576 square foot detached garage on a developed lot in Mill Valley. The proposed building would reach a maximum height of 13 feet above surrounding grade and the exterior walls would have the following setbacks: approximately 20 feet from the western front property line; more than 100 feet from the western side property line; 6 feet from the southern side property line; more than 40 feet from the eastern rear property line.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "O/M House," consisting of 10 sheets prepared by JOY Design, received in final form on December 4, 2020, 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. All improvements within the Lowell Avenue paper street must be removed.
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

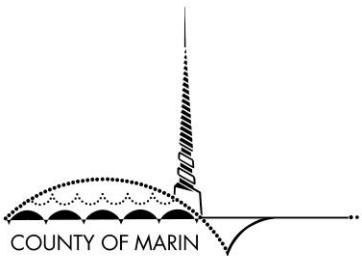
This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision

(April 2, 2020). Appeals must be submitted in-person to the Marin County Planning Division on an appointment only basis.

cc: *{Via email to County departments and Design Review boards}*
CDA – Assistant Director
CDA – Planning Manager
DPW – Land Development
Marin Municipal Water District
Tamalpais Community Services District
Southern Marin Fire Protection District Tam Valley Design Review Board

Attachments:

1. Marin County Uniformly Applied Conditions 2020
2. Planning Application Review, Department of Public Works, January 23, 2020
3. Tamalpais Design Review Board Minutes, October 16, 2019



C O M M U N I T Y D E V E L O P M E N T A G E N C Y
PLANNING DIVISION

**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 - Third Transmittal

DATE: 1/23/2020

TO: Kathleen Kilgariff

FROM: Tyler Bylow

APPROVED: Ostrander

RE: Ostrander Design Review
Project ID P2573

APN: 050-074-19

ADDRESS: 378 Lowell Avenue
Mill Valley, CA

DUE: 1/22/2020

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:**

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

- | | |
|---|---------------|
| <input checked="" type="checkbox"/> Find it COMPLETE | Traffic |
| <input type="checkbox"/> Find it INCOMPLETE , please submit items listed below | Flood Control |
| <input checked="" type="checkbox"/> Find it NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM | Other: _____ |

Needs Substantial Modifications to Conform: DPW does not support the project as presented. Recorded map RM 4-111 dedicates Lowell Ave to public use. Although the county rejected the offer of dedication, the status of public use remains and allows the county to accept the offer at any time in the future. Either remove the illegal encroachments from Lowell Avenue right of way or provide documentation that provides legal authority to encroach (fence, proposed retaining wall, driveway extension, and driveway retaining wall).

Condition of Approval: Provide written statement from structural engineer verifying construction and structural adequacy of driveway retaining wall for emergency vehicle loading.

Merit Comments

Prior to Issuance of a Building Permit:

1. **Grading & Drainage Plans:** 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 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.
 - b. 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.

- c. 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.
 - d. 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.
 - e. Indicate means of restoring all disturbed areas.
 - f. 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.
- 2. 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:

- 3. 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>
- 4. **Utilities:** Plan shall show the location of all the existing utility laterals and indicate which, if any, will be upgraded or relocated with this project. Be certain to include water, sanitary sewer, gas, electric and telecommunications.

-END-

Draft minutes – to be approved at a future TDRB meeting.

Tamalpais Design Review Board Meeting Minutes

Regular Meeting: October 16th, 2019, 7:00 PM

Meeting Location: TCSD Cabin - 60 Tennessee Valley Road, Mill Valley

I) Call to Order: 7:06pm - Andrea Montalbano (Chair)

Board Members Present: Andrea Montalbano (AM), Doron Dreksler (DD), Logan Link (LL), Alan Jones (AJ)

II) Approval of minutes: October 2nd, 2019

- Motion to approve: AM; Second: DD unanimous approval

III) Correspondence:

Ongoing discussion about proposed project on Alta Way:

- Tom Lai provided an update to AM regarding the current application for a grading permit.
- Current proposal is for 10 lots; applicant has offered to merge these to become six once grading permit is approved.
- Lai informed applicant that, if the applicant wishes for the project to be reviewed based upon six lots rather than ten, the merger would need to happen before the grading permit is issued.

TDRB Biannual Report:

- On a periodic basis, the board must complete a biannual report outlining goals and challenges.
- TDRB liaison Michelle Levinson sent the packet over to AM for completion.
- Board will discuss after agenda items.

Installation of FireWise sign in Tam Valley area:

- In follow up to board discussion at the 10.2.19 meeting, LL has been in touch with local resident and fire prevention leader Jim Casper to discuss placement and installation of a "FireWise" sign in the Tam Valley area.
- Casper was very receptive to board's sign placement recommendations and will look further into these sites in the coming days.
- Board suggestions included just past the "Welcome to Tam Valley" sign; the entrance to Tennessee Valley Road; and the turn onto Shoreline Hwy from Tam Junction.
- Casper also shared that he has access to two FireWise signs; LL recommend the Tam Valley Community Center as an additional location to consider.

TDRB meeting with Senator Mike McGuire:

Draft minutes – to be approved at a future TDRB meeting.

- AM and AJ will be meeting with Senator Mike McGuire in late October.
- Board engages in brief discussion to review topics to cover; meeting will be centered around proposed State housing legislation and how this may effect the role of Design Review and other local boards.
- DD notes that he is concerned that local boards are being made irrelevant; board agrees that this is a serious issue.
- Discussion ensues about the importance of local expertise in the creation of a successful development.
- AM questions why the Tam Design Review Board is considered only “advisory” and asks AJ if he knows why and when this change in authority was made.
- AJ is unsure but suspects that Tom Lai and Brian Crawford would be able to provide more information.

* please see further correspondence in section VI.

IV) Items not on the agenda / public comment:

Informal review for an ADU at 8 Heavenly Way, Mill Valley:

- Architect Chris Dorman and homeowners Dante Carpinito and Sonja Scharrer are seeking board advice before formally submitting plans for an additional dwelling unit.
- Engaged in another informal meeting with board earlier this year; Dorman shares that the advice was helpful and many good points were brought up.
- New/revised design shows a smaller, single-level ADU that holds 2bd/1ba and approximately 1,000sqft.
- Creation of a new fence will allow for a porch/private outdoor space.
- Because of height limitations, two stories is not feasible without digging very deep.
- The proposal will ask for a setback of 5ft (rather than the common 10ft); Dorman notes that new legislation may allow for 4ft beginning in January of 2020.
- Plans have also been drawn for a smaller ADU with a 10ft setback, although this is less favorable because it reduces the size of the living room/dining room area.
- AM comments that the revised plan is greatly improved, especially on the point of visually breaking up the lines of the structure.
- AM also applauds that the plans include private outdoor space for the ADU.
- Plans include two off-street parking spacing; Board notes this as a positive.
- AM asks applicants if they have spoken to the County about whether or not off-street parking can be located within setbacks; Dorman has not yet gone into details with Planning but does not foresee a problem.
- DD notes that the scale of the structure is very appropriate and appreciates that it steps up the site.
- LL circles back to the point of 5ft setbacks and asks if neighbors are okay with this. Applicants confirm that they have spoken to their neighbors and received no objections.
- AM advises applicants to choose an attractive roof, as it will be visible.

Draft minutes – to be approved at a future TDRB meeting.

V) Agenda Items:

A) Ostrander Design Review

378 Lowell Avenue, Mill Valley, CA 94941 | Parcel Number: 050-074-19 | Status: Incomplete | Project Planner: Kathleen Kilgariff 415.473.7173 | Applicant: Daren Joy 415-760-3169

Project Description: The applicant requests Design Review approval to construct a new 576 square foot detached garage on a developed lot in Mill Valley. The proposed building would reach a maximum height of 13 feet above surrounding grade and the exterior walls would have the following setbacks: approximately 20 feet from the western front property line; more than 100 feet from the western side property line; 6 feet from the southern side property line; more than 40 feet from the eastern rear property line.

Design Review approval is required because the project is located within the required yard setbacks as outlined in Marin County Code Section 22.20.090.C.1.b.

Zoning: R1 (Residential, Single-Family, 7,500 sq. ft. minimum lot area) | Countywide Plan

Designation: SF6 (Single-Family, 4-7 units/acre) | Community Plan (if applicable): Tamalpais Area Community Plan | Link to Most Recent Project Plans:

https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/projects/ostrander_dr_p2573/ostrander-plans.pdf?la=en

Presentation:

Neither the applicant nor a representative present.

Public Comment:

No public comment.

Board Discussion:

- When performing a site visit, AJ met the owner and walked the property. AJ's impression was that the request seems reasonable.
- AJ notes that, due to the paper street, the property feels larger than it is.
- DD reviews plans and observes that the garage is being dug into the hillside, minimizing the profile and impact.
- LL points out the rooftop deck and notes that, in this case, no neighbors appear to be impacted.
- LL brings up the issue of drainage.

Draft minutes – to be approved at a future TDRB meeting.

- Board views drainage plans; AM points out that, if water drains into the open space / planting area behind the garage, this could have a positive impact on the overall drainage on the site.
- AJ wonders where deck is draining to; board agrees that it appears to be draining to the sides. There is a roof membrane under the deck and the water pours into gutters. The plans do not clearly show where the water will go upon exiting the gutters.
- AM speculates that the gutters tie into existing underground pipes; AJ responds that this could add to the amount of water draining off-site.
- AM suggests that the board recommends the applicant be required to create a retention basin.

Motion:

DD brings a motion to approve with the following merit comment:

Board recommends that drainage runs off the back of the garage roof and is disbursed on site.

AM seconds; unanimous approval.

VI) Correspondence, continued:

Ongoing effort to address Tam Junction and Manzanita signage issues:

- Per the County's request, AM is in the process of creating a document that highlights any differences between the County and Tam Plan signage guidelines.

TDRB Biannual Report, continued:

- Board discusses and completes a draft of the required Biannual Report, which outlines goals and challenges facing the TDRB.
- Progress has successfully been made in all focus areas outlined in the Board' previous report.
- New goals include establishing the legality and enforcement of the Tam Plan, supporting an update of the Tam Plan, acquiring a projector to display project plans at meetings of high community interest, and working toward the undergrounding of power lines at Tam Junction.

VII) Public in attendance:

No public in attendance.

VIII) Meeting adjourned: 8:25pm