

**MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION
Peters Site Plan Review**

Decision: Approved with Conditions
Date: June 17, 2021

Project ID No:	P2916	Applicant(s):	Aliona Konvai
		Owner(s):	Andrew and Sara Peters
		Assessor's Parcel No(s):	172-041-04
		Property Address:	Vacant lot on Fire Road, Woodacre
		Project Planner:	Kathleen Kilgariff 415.473.7173 kkilgariff@marincounty.org
		Signature:	<i>Kathleen Kilgariff</i>
Countywide Plan Designation:		SF3 (Single Family, 1 unit/1-5 acres)	
Community Plan Area:		San Geronimo Valley	
Zoning District:		RSP-0.5 (Residential, Single-Family Planned, 1 unit/2 acres)	
Environmental Determination:		Categorically Exempt per CEQA Guidelines Section 15303, Class 3	

PROJECT SUMMARY

The applicant requests Site Plan Review approval to construct a new 3,480 square foot residence on a vacant lot in Woodacre. The 3,480 square feet of proposed development would result in a floor area ratio of 1.6 percent on the 4.8 acre lot. The proposed building would reach a maximum height of 18 feet above surrounding grade and the exterior walls would have the following setbacks: 31 feet, 6 inches from the northeastern front property line; 70 feet from the southeastern side property line; more than 100 feet from the northwestern side property line; more than 100 feet from the southwestern rear property line. Various site improvements would also be entailed in the proposed development, including construction of a septic system, driveway, guest parking area and pool.

Site Plan Review approval is required because the project the project is eligible for a Design Review Waiver as outlined in 22.42.048.

KEY ISSUES

Staff received 4 public comments related to the proposed project. These comments raise concerns about the development of the residence as it relates to Fire Road and potential damage

to the roadway as part of the project, location of the development on the site, overall size of the residence and compatibility with the rural nature of the community.

Fire Road

Commenters noted that Fire Road is a narrow street, with existing traffic issues (no guardrails, crumbling road, no room for parking, etc.). As a result, the commenters suggested that development should not be permitted at the subject property, or that the owners should be responsible for improving the roadway, or that the home should be sited in a way that the property would be accessed by Pine Avenue (located downhill from the location of the proposed residence).

The Department of Public Works and fire department have indicated that the roadway will be improved to meet minimum standards for emergency access. In addition, the Department of Public Works will require that the applicant implement a Construction Management Plan that will include construction staging locations and construction parking throughout the development process.

Siting and Overall Design

The 4.8 acre property is located on a hillside, with an elevation change of over 200 feet. The proposed development is located at the top of the hill. An ephemeral stream runs across the property, and is subject to the 100-foot Stream Conservation Area (SCA) buffer. There is also a small portion of an ephemeral stream at the western portion of the property. This stream is also subject to the 100-foot SCA.

As a result, the majority of the site is encumbered by the SCA buffer, leaving the only buildable portion of the lot at the top of the hill. This area is not subject to the Ridgeland and Upland Greenbelt policies, which limits development to 18 feet in height. However, the applicants have proposed a single-story residence that would not exceed 18 feet in height, reducing the overall appearance of the structure on the hillside.

Given the fact that the residence must be located at the upper portion of the project site, access from Fire Road is the logical choice and concentrates development on the site, maintaining a majority of the property in its natural state.

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 site contains two mapped ephemeral streams. A Biological Site Assessment and Constraints Map were prepared by Gary Deghi of Broadway Huffman Group, Inc. that map a 100-foot Stream Conservation Area (SCA) buffer from the ephemeral streams. No development is permitted within this SCA.

As a result, the project is consistent with the CWP stream and wetland conservation policies is consistent with the CWP stream and wetland conservation policies (CWP 1994 Policies EQ-2.4 through EQ-2.6) because the proposed development it 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.

SAN GERONIMO VALLEY COMMUNITY PLAN CONSISTENCY

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

- A. The project is consistent with the natural resources policies, including policies, ER-1.7, ER 1.8, ER-2.1, and CD-1.1, because it would preserve other natural site characteristics such as hillsides, water courses, stands of mature native trees, and rock outcroppings, which enhance natural habitats and the visual appeal of the area.
- B. The project is located at the top of a hill, what members of the community would consider a ridgeline. While there are higher elevations surrounding the property, the site is located within the viewshed of the Woodacre community. Program ER-1.3 indicates that no construction shall occur on top of or within 300 feet horizontally or within 100 feet vertically of visually prominent ridgelines whichever is more restrictive. However, ER-1.3a states that unless no other suitable locations are available on site and structures must be placed within this restricted area because of site constraints, they shall be in locations that are the least visible from adjacent properties and view corridors and will be limited to one story and an 18 ft. height limit.

Due to the constraints associated with the SCA, the project would be developed in the only feasible location. The residence is limited 18 feet in height, set into the hillside and landscaped to reduce overall visual impacts when viewed offsite.

- C. A neighbor noted that the project is out of scale with the community and the rural nature of the community. However, an evaluation of the surrounding properties and home sizes demonstrate that the development is proportional to other homes in Woodacre. As such, the project is consistent with the rural character and village identity policies, including policies CD-1.2, CD-1.3, CD-1.4, CD-5.1, and CD-1.11, because it would limit tree and vegetation removal, minimize grading, and result in a building mass that is compatible with the surrounding area, and have adequate landscaping on site.
- D. The project is consistent with the cultural resource policies, including CD-2.1 and CD-2.2, because it would not adversely affect historical or archaeological resources.
- E. The project is consistent with the agricultural enhancement policies, including AG-1.1, AG 1.2, and CD-2.1, because it would not be located in areas with the most productive agricultural soils and would not adversely affect any agricultural operations.

DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for 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.

BUILDING LOCATION: Development Standards D.1 through D.4

The site constraints created by the 100-foot SCA limits development to the upper portion of the site. As such, improvements are clustered in a manner that preserves the majority of the site in its natural state. The residence is limited 18 feet in height, set into the hillside and landscaped to reduce overall visual impacts when viewed offsite.

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

The project entails 2,046 cubic yards of excavation, 1,228 cubic yards of fill, and 818 cubic yards of export.

While the grading quantity is considerable, it entails typical earthwork required to develop a single-family residence, appurtenant structures, and access to the property - the project entails construction of a driveway to access the residence as well as guest parking, with ample space to turn a vehicle around, which reduces wear on the public right-of-way. The earthwork is concentrated in the footprint of the proposed improvements, retaining the natural features of the land to the greatest extent.

The proposed earthwork is not required to develop flat planes or outdoor space for the homeowners. Overall, the proposed development follows the natural contours of the site.

Drainage improvements have been reviewed and approved by the Department of Public Works (DPW). Additional review of the proposed project to ensure consistency with DPW's development standards will be required at the time of Building Permit submittal. Impervious surfaces are limited to the driveway and parking areas, residence, and pool, preserving a large majority of the site in its natural character.

No trees are proposed for removal as part of this application. The property is located within the Wildland Urban Interface and any development will be required to comply with the Marin County Fire Department's standards. A geotechnical report was provided that entails specific recommendations for the proposed improvements which would not result in impacts to geologic hazard areas.

LANDSCAPING AND VEGETATION REMOVAL: Development Standard F

As noted above, the majority of the site is maintained in its natural state. No trees are proposed for removal to accommodate the development. Introduced plantings around the site improvements are included in the project scope. The project is located within the Wildland Urban Interface. As a result, all landscaping must comply with the Fire Department's planting standards.

ACCESS: Development Standard C

No roadway development is included as part of the project. Instead, access improvements include a new driveway and guest parking area. These site features are located close to the roadway and the residence, consistent with clustering development guidelines. The access improvements follow the natural contours of the site.

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 development does not include any uses outlined in Chapter 22.32 nor subject to special purpose combining district standards provided in Chapter 22.14.

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

Best management practices for drainage and stormwater management are required by the DPW. Drainage will be collected and directed downhill to collection locations that will reduce stormwater runoff.

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.

Ground disturbance is limited to the development of the single-family residence and appurtenant structures. No grading outside the footprints of these improvements are proposed. Natural features of the area are maintained, and no development is proposed on the lower half of the property due to the required SCA. No impacts to streambeds or watercourses are anticipated.

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

Ground disturbance is limited to the footprints of the improvements and the removal of significant vegetation is avoided. Adequate landscaping is proposed and will soften the appearance of the development when viewed offsite.

ACTION

The project described in condition of approval 1 below is authorized by the Marin County Planning Division and is subject to the conditions of project approval.

This planning permit is an entitlement to apply for construction permits, not a guarantee that they can be obtained, and it does not establish any vested rights. This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

CONDITIONS OF PROJECT APPROVAL

CDA-Planning Division

1. This Site Plan Review approval authorizes the construction of a new 3,480 square foot residence on a vacant lot in Woodacre. The 3,480 square feet of proposed development would result in a floor area ratio of 1.6 percent on the 4.8 acre lot. The proposed building would reach a maximum height of 18 feet above surrounding grade and the exterior walls would have the following setbacks: 31 feet, 6 inches from the northeastern front property line; 70 feet from the southeastern side property line; more than 100 feet from the northwestern side property line; more than 100 feet from the southwestern rear property line. Various site improvements would also be entailed in the proposed development, including construction of a septic system, driveway, guest parking area and pool.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Peters Residence," consisting of 12 sheets prepared by Peters Design-Build, received in final form on May 17, 2021, 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 2021" 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

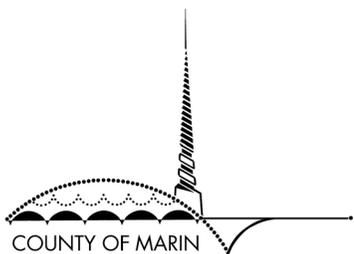
This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision (June 29, 2021).

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

CDA – Assistant Director
CDA – Planning Manager
DPW – Land Development
CDA – Environmental Health Services
Marin Municipal Water District
Marin County Fire

Attachments:

1. Marin County Uniformly Applied Conditions 2021
2. Agency responses
3. Public Comments



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

2021

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.

**INTERDEPARTMENTAL TRANSMITTAL
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES
ROOM 236, 415-473-6907**

DATE: October 13, 2020
TO: Megan Alton, Planner
FROM: Becky Gondola, REHS
RE: Peter's Site Plan Review

AP#: 172-041-04
ADDRESS: (no address) Fire Rd. Woodacre

TYPE OF DOCUMENT
DESIGN REVIEW
LAND DIVISION
USE PERMIT
VARIANCE
MASTER PLAN
COASTAL PERMIT
LOT LINE ADJ.
x OTHER

THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:

WATER	x SEWAGE	SOLID WASTE
POOLS	HOUSING	FOOD ESTABLISHMENT

THIS APPLICATION IS FOUND TO BE:

- FIND IT COMPLETE.
- FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.
- x FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.**
- RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.

EHS has verified the feasibility of the site to support a single family home on the parcel with a site review and percolation testing.

While the site plan appears acceptable with respect to the home site and the proposed septic system, the applicant has not provided a detail for the interior of the home to show the bedroom count. The septic system proposal shows feasibility for a 6 bedroom system.

If deemed acceptable by planning, EHS will review the building permit application for the bedroom count, not to exceed 6 bedrooms.

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - Second Transmittal

DATE: January 26, 2021DUE: February 4, 2021TO: Megan AltonFROM: Ali Iqbal

APPROVED: _____

RE: PetersP2916APN: 172-041-04ADDRESS: Vacant lot, Fire RdWoodacre, CA**TYPE OF DOCUMENT** DESIGN REVIEW COASTAL PERMIT LAND DIVISION VARIANCE USE PERMIT ADU PERMIT ENVIRONMENTAL REV. OTHER: SITE REVIEW

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: _____**Merit Comments****Prior to Issuance of a Building Permit:**

1. **Driveways:** A fire truck turnaround is 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 dimensions for this size turnaround can be found at Marin County Code § 24.04.150. Demonstrate compliance. If you believe this requirement should be waived, please submit letter documentation from the appropriate fire department or protection district stating otherwise.
2. Per Marin County Code § 24.04.280, maximum gradient measured along the centerline shall not be steeper than twenty-five percent. Sheet A0.60 shows a steep concrete driveway near twenty-five percent grade. Driveways over 18% shall be surfaced with PCC and given a broomed or otherwise roughed finish, otherwise the appropriate fire department or protection district shall be consulted for comment, advice and mitigation suggestions. Demonstrate compliance with a driveway profile.
3. Per Marin County Code § 24.04.285, driveways sloping downhill from the road shall be constructed to prevent diversion of roadside drainage down the driveway. Demonstrate compliance.
4. **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 2019 California Plumbing Code (CPC) §1101.12.1 requires roof areas of buildings to be drained

by roof drains and gutters. Show how excessive outlet velocities would be limited and controlled with energy-dissipating facilities.

- b. The plan shall also incorporate any recommendations from the Geotechnical Engineer.
 - 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. The limit for disturbance should include utility trenching work. Utility trenching is to be included in the area of disturbance and cut volumes. Indicate to where off haul will be taken.
5. **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.
6. **Site Retaining Walls:**
- a. 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. Sheet A0.50 shows retaining walls along the proposed driveway to be 8'-10' in height. 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.
7. **Erosion & Sediment Control Plan:** Sheet A0.00 indicates more than 250CY of material is being displaced on the project. Per Marin County Code § 24.04.625(b)(e), provide an ESCP along with MCSTOPPP ESCP's Standard Template. The County acknowledges the receipt of the Erosion and Sediment Control Plan (Sheet 3.0), but the MCSTOPPP ESCP Standard Template is missing. The template for the document 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 form to fill out begins on page 11 of the document. On section 2c, in the first blank space please include County of Marin – Dept of Public Works and MCC 24.04.625 in the second blank space.
8. **Stormwater Control Plans:** Since this project will have an impervious surface that exceeds 2,500 sf, thus a Stormwater Control Plan will be required. Provide a Stormwater Control Plan as required by Marin County Code § 24.04.627 Permanent Stormwater Controls for New and Redevelopment. Sheet A0.60 shows a stormwater collection/infiltration area. Be sure to include the drainage area each stormwater collection/infiltration area is filtering. You may refer to the BASMAA Post Construction Manual which you can access at the County's website for post-construction stormwater management requirements, publications and resources at: <http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/new-and-redevelopment-projects?panelnum=2>. Direction for this project is in Appendix C of the BASMAA manual, Stormwater Control Plans for Small Projects / Single Family Homes. **Provide completed Appendix C with your resubmittal as well as showing the runoff reduction measures on the grading, drainage and/or stormwater control plan contained within the building permit plan set.**

9. **Pool:** The plans shall provide details for the pool drainage and demonstrate that the drainage would comply with MCC 23.18 (Urban Runoff Pollution Prevention Code). Discharge into a watercourse is prohibited pursuant to MCC 23.18.094. If the pool is to be pumped into a water truck and disposed of offsite, please indicate this on the plans. You may refer to the Marin County Stormwater Pollution Prevention Program's website, www.mcstoppp.org, for more information.
10. Sheet A0.40 shows work outside of the property line. Ensure work is conducted within property line. If work is to be conducted outside the property line, provide documentation that provides legal authority to encroach onto APN 172-360-29.
11. There is a discrepancy regarding 3589 DR 54, 2725 DR 610 and the title report which pertains to the 50' driveway and utility easement. The lengths are described as 1,415.37 feet for 3589 DR 54 and 2725 DR 610 and 1,174.05 feet in the title report. On the Site Plan, provide a graphical representation of the described easements and which of the two provides legal access at it seems that your access rights may have been removed by 2725 DR 610. Please verify legal access.

-END-

From: [Rick Raddue](#)
To: [Kilgariff, Kathleen](#)
Subject: Peters Proposed House Build , Fire Rd. Woodacre
Date: Wednesday, March 17, 2021 5:00:56 PM

To whom it may concern. My Name is Rick Raddue, and I live at # 2 Fire Rd. Woodacre Ca. I have lived in, and known Woodacre since the 1960's, when my family moved here.

With all due respect. This proposed Peters building is Not in keeping with the rural character of Woodacre.

The proposed site is on a ridge top, in full view of Much of the town, and would be a Dominating presence as proposed.

If the building was 1) considerably downsized, and 2) moved at least half way down the hill , which the Peters own ,and accessed from Pine St., then maybe local folks would be more amenable to a home on the Peters land.

To conclude, I do not believe this current proposal should be given any sort of permit to continue.

Respectfully , Rick Raddue

From: [Rick Raddue](#)
To: [Kilgariff, Kathleen](#)
Subject: Re: Peters Proposed House Build , Fire Rd. Woodacre
Date: Monday, March 22, 2021 9:33:09 AM

Thank you very much! I do have an additional comment on the proposed Peters Building Plans on Fire Rd. in Woodacre.

This project, should it be approved at any size, will require LOTS of Truck and Heavy equipment travel up and down Fire Rd.

The home I and housemates occupy (2 Fire Rd.) is directly downhill from a bend in the road that is in 1) fairly bad shape and likely to be further degraded by the heavy use this build would require, and 2) should have had a guard rail installed a long time ago for the safety of all of us living here that could be very harmed by someone coming over the edge. We have thought the county negligent for leaving us in this danger, especially considering the ongoing heavy traffic use by those recreating, Partying, on the ridge.

Please consider this along with all other things when deciding how to best move forward, or not...

Thanks again, Rick Raddue #2 Fire Road Woodacre 415 686 3080

On Thu, Mar 18, 2021 at 11:59 AM Kilgariff, Kathleen <KKilgariff@marincounty.org> wrote:

Thank you for your comments. I will include your communication in the project record. Please reach out if you have any additional comments or questions.

Best,

Kathleen

Kathleen Kilgariff
PLANNER

County of Marin

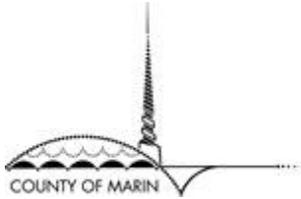
Community Development Agency

3501 Civic Center Drive, Suite #308

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415 473 7173 T
415 473 7880 F

kkilgariff@marincounty.org

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From: Rick Raddue <rickraddue@gmail.com>
Sent: Wednesday, March 17, 2021 5:01 PM
To: Kilgariff, Kathleen <KKilgariff@marincounty.org>
Subject: Peters Proposed House Build , Fire Rd. Woodacre

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Respectfully , Rick Raddue

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

From: [Kerry Keefe](#)
To: [Kilgariff, Kathleen](#)
Cc: ["Rick Raddue"; "Rebecca Burgess"](#)
Subject: project ID P2916
Date: Thursday, June 10, 2021 12:01:25 PM

Hello,

As the property owner of 2 Fire Rd I have concerns about the build out of this home. It is very impactful on our hillside. The amount of excavation is questionable for this lot near a vernal stream. I am also concerned about the number of large trucks going up and down that narrow road above our home. Trucks often must ride on the road edge, not the road, to make way for another car. It is extremely steep and there are no guard rails. I fear this is a risk that is beyond what a normal road would be. Please consider the risk this poses. I know you have done a survey about the reported accidents on that road and there appear to be none. However, it is a very small population that uses it, until now of course. Trucks should not be using that road for construction. Even the weight of trucks on the road will compromise the stability of the road and edge. I suggest you drive up there yourself and you will understand the risk.

Thank you,

Kerry Keefe
415 971-5824

From: [Rebecca Burgess](#)
To: [Kilgariff, Kathleen](#)
Subject: Comment on Peters Site Plan
Date: Thursday, April 15, 2021 11:43:50 AM

To Whom it May Concern,

Thank you for sending out a notification on the Peters Site Plan, and for the opportunity to make comment as a neighbor and community member that will be impacted by this development.

We live at 2 Fire Rd. and our rare Ag Zone property, built in 1959 abuts Fire Rd. in multiple locations. One of those locations is at the higher elevation of the roadway that has a sheer cliff drop off on the south facing side of the road. This road is what the Peters site design will depend upon.

Neighbors are already unable to get around one another on this part of the road. It requires honking horns and people backing up into peoples driveways to allow two passenger sized cars to pass one another safely.

Allowing more development on a road that is already crumbling and has no guard rails will be a danger to all involved in the construction of the home and those long term residents who will be putting increased wear and tear on this road in perpetuity.

We've met the Peters and their young children, and like all young families, driving is ritualistic and done multiple times a day, there will be much more use of the road by the Peters than your average Fire Rd. resident (most on the residents on the road are retired, or work from home.)

From a county road maintenance perspective (and yes, MMWD and the Fire Marshall confirmed this is a county maintained road), there will be costs of re-engineering this road, and maintenance if more traffic is allowed on it, particularly heaving trucks associated with construction. Will the Peters family have to pay for the road work directly? Or, do we all have to see our tax dollars cover the costs of their quite oversized and presumptuous build?

I highly recommend that the Peters site plan is adjusted to use Pine Rd. as the entry for their house site. This is a low elevation wide road that will put far less risk onto the high elevations of Fire Rd. It will also give the Peters Family a far safer fire escape route.

Lastly, as a fifth generation resident of this watershed, I'm very concerned about the use of ridge-lines for building, especially a home of this size which is not in keeping with the size of homes in this community (The Peters home is three times the square footage of our home for instance).

The house site (by law) I had thought would never be allowed on a ridge line. I could evaluate the legality further, but am hopeful that you'll make the correct decision and support the Peters to lower the building site elevation.

From a fire safety, road safety, keeping in tune with the cultural continuity of the community, and an overall questionable ridge line building attempt—the Peters design would benefit from several re-adjustments to support them to better place and size their home in consideration of the longstanding ecological and cultural baseline realities of where they are moving to.

It's up to all of us to help new and incoming people to understand the realities of where they are moving to, without guidance, they seem to construct fantasy based architectural designs carried by monetary wealth, but very little intellectual or emotional intelligence appear to be undergirding their decision making.

Thank you :)
Rebecca Burgess

415 717-0619