

MARIN COUNTY PLANNING DIVISION
ADMINISTRATIVE DECISION
Sandusky-Elder Design Review

Decision: Approve with modifications
Date: August 3, 2022

Project ID No:	P3564	Applicant(s):	Robert L Sandusky
Application No(s):	N/A	Owner(s):	Catherine Sandusky Elder
		Assessor's Parcel No(s):	043-231-05
		Property Address:	280 Richardson Drive, Mill Valley
		Project Planner:	Immanuel Bereket (415) 4736-2755 ibereket@marincounty.org
		Signature:	
Countywide Plan Designation:	SF5 (Single-Family residential, 2-4 units per acre)		
Community Plan Area:	Strawberry Plan Area		
Zoning District:	R1-B1 (Res. Single-Family combined district)		
Environmental Determination:	CEQA Guidelines Section 15301, Class 1		

PROJECT SUMMARY

The applicant requests Design Review approval to construct approval to construct a retaining wall on a developed lot located in Alto Strawberry area of Mill Valley. The proposed retaining wall would reach a maximum height of nine feet six inches above the surrounding grade and the exterior face of the retaining wall would maintain the following setbacks: zero setback from the southern front property line and encroach into the public rights-of-way by up to ten feet; 23 feet from the eastern side property line; 53 feet from the western side property line; and over 100 feet from the northern property line.

Various other improvements would also be entailed in the proposed development, including the following: (1) convert the existing 448 square-foot garage into a habitable space (2) construct a breeze way connecting the detached garage (proposed to be converted to habitable space) to the main residence; (3) construct a by-right, 558 square-foot garage attached to the main residence within three feet of the front property line; and (4) other improvements including interior remodel, installation of a driveway, new landscaping, and various general site improvements to accommodate the proposed project. The conversion and addition would result in a building area

of 3,666 square feet, a floor area of 6,670 square feet, and a floor area ratio (FAR) of 25 percent on the 10,365 square-foot lot.

Design Review approval is required pursuant to Marin County Code Section 22.20.052.B (Retaining Wall Standards) because the project entails an outward facing retaining wall that exceeds a height of 4 feet above surrounding grade.

KEY ISSUES

Under Marin County Code Section 22.20.090(E)(2), in any zoning district allowing residential uses, where the slope of the one-half of the parcel beginning at the street-access side is 20 percent or more, a parking structure may be built to within three feet of the front and side property lines that abut the adjoining street from which vehicular access is taken. Therefore, the proposed garage meets this exemption from discretionary review process. However, under Section 22.20.090(E)(1), architectural features, such as the attached decks to the primary structure, may extend beyond the wall of the structure and into the front by no more than 6 feet. The proposed deck shall be modified to comply with the requirements of Section 22.20.090(E)(1).

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.

COMMUNITY PLAN CONSISTENCY

The project is consistent with the goals and policies of 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 protected 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)

The project is consistent with the mandatory findings for Design Review approval for the reasons discussed below.

- A. The proposed development is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources and the character of the local community. Further, the exterior materials proposed for the development would complement the project design and the surrounding area. There are no standards provided in Chapter 22.14 that apply to the project.
- B. The proposed architectural design, massing, and scale of the project are compatible with the site surroundings and the community. Further, a standard condition of approval requires that exterior lighting installed for the project be unobtrusive to surrounding properties.

- C. The proposed site layout and design avoids eliminating sunlight, blocking primary views, or invading the privacy enjoyed on surrounding properties.
- D. The proposed development would not encroach into any streets or pathways and would not detract from the appeal of the streetscape.
- E. The proposed development would provide appropriate separation between buildings, retain healthy native vegetation and other natural features, and be adequately landscaped consistent with fire safety requirements.

ACTION

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

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

CONDITIONS OF PROJECT APPROVAL

CDA-Planning Division

1. This Design Review approval authorizes the construction of a new retaining wall on a developed lot located in Alto Strawberry area of Mill Valley. The proposed retaining wall shall reach a maximum height of nine feet six inches above the surrounding grade and the exterior face of the retaining wall shall maintain the following setbacks: zero setback from the southern front property line and encroach into the public rights-of-way by up to ten feet; 23 feet from the eastern side property line; 53 feet from the western side property line; and over 100 feet from the northern property line.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Residential Remodel and garage Addition," consisting of 23 sheets prepared by Robert L. Sandusky, received in final form on March 30, 2023, 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. The project shall comply with the allowed projection for decks under Section 22.20.090(E)(1).
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2022" 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

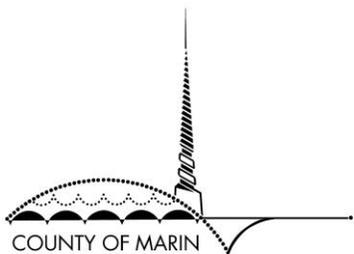
This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision ([date for end of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

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

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

Attachments:

1. Marin County Uniformly Applied Conditions 2022
2. Department of Public Works, Land Development Division, memorandum dated April 27, 2022
3. Strawberry Design Review Board meeting minutes from May 2, 2022
4. Richardson Bay Sanitary District, e-mail correspondence dated June 7, 2022



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

2022

STANDARD CONDITIONS

1. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.
2. The applicant/owner shall defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin, and shall cooperate fully in the defense.
3. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.
4. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

SPECIAL CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.

3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off-site shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the "Disclosure Statement Concerning Agricultural Activities," as required by Section 23.03.050 of the Marin County Code.
6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.
7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being

properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.
11. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building's finished floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.
12. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in "Exhibit A" unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
13. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.
14. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California's Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.
15. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all the approved and required landscaping has been completed and that any necessary irrigation has been installed.
16. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.
17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and

compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

CODE ENFORCEMENT CONDITIONS

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

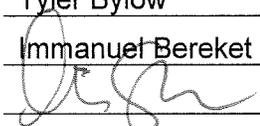
Inter-office Memorandum - First Transmittal

DATE: 4/29/2022

DUE: 4/22/2022

TO: Tyler Bylow

FROM: Immanuel Bereket

APPROVED: 

RE: Sandusky – Elder Design Review

Project ID P3564

APN: 043-231-05

ADDRESS: 280 Richardson Dr

Mill Valley, CA

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:

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

- Traffic
- Flood Control
- Other: _____

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 § 24.04.260(a), the minimum improved width of a driveway serving a single dwelling unit is twelve feet. Demonstrate compliance.
4. 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.
5. 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.
6. 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.
7. 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:

8. Per Marin County Code § 24.04.340(a), for detached single-family dwellings and duplexes, two parking spaces per unit are required. Demonstrate compliance.
9. 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.
10. Per Marin County Code § 24.04.400, the maximum cross-slope or grade of a parking area shall not be more than eight percent. Demonstrate compliance.
11. **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 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.
 - e. 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.
 - f. Indicate means of restoring all disturbed areas.
 - g. 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.
12. **Site Retaining Walls:**
 - a. Driveway retaining wall and curb to be designed for vehicular load and lateral impact force.
 - b. 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.
 - c. For each retaining wall, provide a cross sectional reference on the site plan which corresponds to a structural detail provided in the plan set.
 - d. 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.
 - e. 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:

13. 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:

14. If cutting/filling more than 250 CY 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:

15. If adding/replacing more than 2,500 SF of impervious area 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.**
16. **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.
17. **Encroachment Permit:** Richardson 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-

Strawberry Design Review Board (SDRB)

MINUTES

Public Meeting – Monday, May 2, 2022, 7:35 p.m.

Meeting location: Via Zoom.
Call to order: 7:35 p.m. by Joe Sherer, Chair
Board members present: Julie Brown, Penna Omega, Joe Sherer, Chad Sparks and Matt Williams.
Board members absent: None
Other attendees: Christian & Catherine Elder, Emily Lavin, Supervisor Stephanie Moulton-Peters, Michelle Sandusky, Robert Sandusky and Katherine Lehmann (notetaker).

Correspondence and announcements: None

Any Comments from the Public for Non-agenda Items:

- **District 3 Supervisor Stephanie Moulton-Peters:** Thanked the Strawberry DRB for their service, noted that more than one of the board members has served for more than five years, and shared the email response she recently received from Senior Planner Michelle Levenson, regarding the Next Steps related to the Seminary Project.
- The Draft EIR (Environmental Impact Report) will be ready in late fall of this year, followed by a 45-day Comment Period and Public Hearing with the Planning Commission. Then, the Final EIR will be prepared and will include responses received. Then, the Final EIR will go back to the Planning Commission and then to the Board of Supervisors (BOS). The Strawberry DRB, and members of the public, are welcome and encouraged to submit comments and make suggestions at any time, on both the Draft and Final EIRs, during the process.
- So, additional public meetings about the Seminary Project will be held at the Planning Commission. The Planning Commission meetings, like the BOS meetings, are hybrid meetings (both in-person and online), and members of the SDRB, as well as the public, are welcome to attend and voice their concerns.
- **Julie Brown** suggested that this update on the status of the Seminary Project be posted on the project page of the County website so that the public is aware of what is happening. **Stephanie Moulton-Peters** said she will pass that suggestion on to the County.

Agenda Item #1:

RE: Sandusky-Elder Design Review
280 Richardson Drive, Mill Valley
Assessor's Parcel 043-231-05
Project ID P3564

APPLICANT: Robert L. Sandusky
SENIOR PLANNER: Immanuel Bereket

PROJECT SUMMARY:

The applicant requests a Design Review approval to construct a retaining wall on a developed lot located in the Alto Strawberry area of Mill Valley. The proposed retaining wall would reach a

maximum height of nine feet, six inches (9'6") above the surrounding grade and the exterior face of the retaining wall would maintain the following setbacks: zero setback from the southern front property line *and encroach into the public rights-of-way by up to ten feet*; 23 feet from the eastern side property line; 53 feet from the western side property line; and over 100 feet from the northern property line.

Various other improvements would also be entailed in the proposed development, including the following: (1) convert the existing 448 square-foot garage into a habitable space (2) construct a breezeway connecting the detached garage (proposed to be converted to habitable space) to the main residence; (3) construct a by-right, 558 square-foot garage attached to the main residence within three feet of the front property line; and (4) other improvements including interior remodel, installation of a driveway, new landscaping, and various general site improvements to accommodate the proposed project. The conversion and addition would result in a building area of 3,666 square feet, a floor area of 6,670 square feet, and a floor area ratio (FAR) of 25 percent on the 10,365 square-foot lot.

Design Review approval is required pursuant to Section 22.42.020.B of the Marin County Development Code because the project proposes retaining walls that do not conform to Section 22.20.052 of the Code. Under Marin County Code Section 22.20.090(E)(2), in any zoning district allowing residential uses, where the slope of the one-half of the parcel beginning at the street-access side is 20 percent or more, a parking structure may be built to within three feet of the front and side property lines that abut the adjoining street from which vehicular access is taken. Therefore, the proposed garage meets this exemption from discretionary review process.

Zoning: R1-B1 (Residential Single Family combined district, 6,000 sq. ft. minimum lot)
Countywide Plan Designation: SF5 (Single-Family residential, two to four units per acre)
Community Plan: Strawberry Area Plan

Robert Sandusky Project: Residential Remodel & Garage Addition:

- Remodeling grandfather's house to add a garage at the lower level, with a roof deck on top. Additional remodeling of existing garage, raising its roof by 2 feet, and adding solar panels. Conversion from gas to electric.
- Retaining wall to create the lower-level garage.

BOARD REVIEW:

- Street frontage 44.5 feet, 60% of the frontage is concrete.
- Setback from the front to the deck? From the property line it is 9'8". This is within the regulations.
- Additional impervious surfaces in the driveway.

PUBLIC COMMENTS:

- Message from a next-door neighbor, Emily Lavin, who has no problem with the design.

BOARD DISCUSSION:

- Setbacks seem to be within the regulations. Use of spaces looks good.
- Existing driveway left behind looks a little odd.
- Steep slope (30 degrees) going down to the garage next to the retaining wall.
- When it rains, they will be dumping water at the property line, into the drainage pipe, which needs to be repaired and upgraded. Make sure the water going downhill won't affect the neighbors. Lot of water at the bottom of the site towards the neighbors. Street Gutter is shallow. Rainwater flowing down should not overwhelm the neighbor.

- This Drainage easement to be cleared out and needs to be maintained. (Note: The drainage ditches are not normally maintained by the County but by private homeowners).
- Existing garage could be screened from the road. (It has a view of the city). The owners intend to have some potted plants to have some screening, which could be moved when parking is needed.
- Code will require a 42” railing along the retaining wall between the driveways. That should help with the concern of backing over the drop off.
- Exterior lighting: downward lighting, shielded lights in the landscape. Not too harsh.
- Suggest making a Master Plan for the future works so that neighbors have a level of comfort with the current plan.
- Too much concrete. Some further screening and softening of the frontage would be a positive asset for the neighborhood.

Motion: To recommend approval of the application, with the following conditions:

- That a study of the drainage situation is pursued, to reduce the off flow from this site to the downhill neighbor's property.
- Installation of a curb on the driveway east edge, to force the water into the street or into their own backyard.
- That a railing be added at the retaining wall per code.
- Creation of a Master Plan for future work to reduce the driveway frontage and the amount of visible concrete.

The motion was approved unanimously 5-0.

Agenda Item #2:

Bi-annual Report:

The SDRB discussed different goals that **Julie Brown** recently suggested, in response to Joe’s request for input from the board members. Via county portal, the draft was amended and voted on. JS, JB, CS, PO, and MW all voted affirmatively. The unanimously approved draft report was submitted electronically prior to adjourning the meeting.

The SDRB thanked Katherine (the note-taker provided by the County) for all her help over the past year and wished her well. They also thanked Joe Sherer for all his leadership, as chair of the SDRB over the past 5+ years. Julie Brown will be chairing the next SDRB meeting in June.

The meeting was adjourned at approximately 10:10 p.m.

Bereket, Immanuel

From: rbsdtg@aol.com
Sent: Tuesday, June 7, 2022 9:27 AM
To: Bereket, Immanuel
Subject: P3564 - APN: 043-231-05

Hello Immanuel,

Please be advised that the Richardson Bay Sanitary District (RBSD) has no objection to the issuance of a permit for 280 Richardson Drive, Mill Valley, APN: 043-231-05. However, the sewer lateral will need to be inspected by RBSD prior to signing off on the County of Marin permit to insure that it is structurally sound and properly equipped.

Regards,
Paula Pfeffer
Office Manager

Richardson Bay Sanitary District
500 Tiburon Blvd.
Tiburon, CA 94920

415-388-1345