

March 14, 2024

VIA HAND DELIVERY

Immanuel Bereket – Principal Planner
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Re: Response to County’s Incomplete Letter for Project ID P4134 Souang Vesting Tentative Map and Housing Compliance Review APN 164-280-35

Dear Mr. Bereket,

Thank you for your letter dated December 15, 2023 (the “Incomplete Letter”) regarding the above-referenced housing development project. The Incomplete Letter includes 38 comments from Planning, plus additional comments from Public Works, Engineering, Las Galinas Valley Sanitation District and Marin County Fire Department. The comments are intended to be addressed before the project application can be deemed complete. We continue to desire to work productively with the County of Marin in efficiently processing this project and our responses to the enumerated comments are thus as follows.

Comment 1. In conformance with submittal checklist item No. 23, submit a Master Plan application, the required fees, and a Master Plan Exhibit. The Exhibit shall include a diagram, based on the site plan, which indicates locations for all of the key elements of the Master Plan. An associated narrative that includes tables of development standards shall also be provided.

Response. Comment noted. County has agreed that this comment was provided erroneously and does not apply to the project.

Comment 2. In conformance with submittal checklist item No. 1(D), submit roof plans that indicate existing and proposed roof pitch, slope direction, hips, valleys, and size and location of any mechanical equipment, vents, ducts, skylights, and chimneys. The roof plans must be overlaid on the topographic contours and include roof corners and ridgeline elevations.

Response. Comment noted. Please see revised Civil Sheets

Comment 3. In conformance with submittal checklist item No. 1(E), submit exterior lighting (for structures and landscaping), including the location and type of lights.

Response. Comment noted. Please see revised Architectural Sheets

Comment 4. In conformance with submittal checklist item No. 1(F), a site plan for each proposed lot must show all the location of any noise generating equipment, including air conditioners, generators, or other noise generator and must provide specifications for each equipment including the size, height, and anticipated noise levels.

Response. Comment noted. Please see revised Civil Sheets

Comment 5. In conformance with submittal checklist item No. 1(G), submit a site plan that shows all natural features must be shown, such as rock outcrops, ridgelines, streams, creeks (flow line and top of bank), ponds, water bodies, and all existing significant vegetation as defined per the Marin Countywide Plan and Marin County Development Code, including significant vegetation to be removed as part of the project. The trunk location, dripline, and common and scientific names of all existing trees on the subject property with a 6-inch or greater trunk diameter at breast height measured at a height of 4.5 feet above grade must be shown. Any trees proposed for removal must be indicated. Areas of geological instability shall be identified, including faults and landslides.

Response. Comment noted. Please see revised Civil Sheets

Comment 6. In conformance with submittal checklist item No. 1(K), show the location of signs, propane tanks, trash enclosures, exterior fixtures, mailboxes, fencing pathways, retaining walls and other site design elements for each proposed lot.

Response. Comment noted. Please see revised Civil Sheets

Comment 5. In conformance with submittal checklist item No. 1(G), submit a site plan that shows all natural features must be shown, such as rock outcrops, ridgelines, streams, creeks (flow line and top of bank), ponds, water bodies, and all existing significant vegetation as defined per the Marin Countywide Plan and Marin County Development Code, including significant vegetation to be removed as part of the project. The trunk location, dripline, and common and scientific names of all existing trees on the subject property with a 6-inch or greater trunk diameter at breast height measured at a height of 4.5 feet above grade must be shown. Any trees proposed for removal must be indicated. Areas of geological instability shall be identified, including faults and landslides.

Response. Comment noted. Please see revised Civil Sheets

Comment 6. In conformance with submittal checklist item No. 1(K), show the location of signs, propane tanks, trash enclosures, exterior fixtures, mailboxes, fencing pathways, retaining walls and other site design elements for each proposed lot.

Response. Comment noted. Please see revised Civil Sheets

Comment 7. In conformance with submittal checklist item No. 4, indicate the location of all public and private utility connections and methods of extension (overhead or underground). The size and capacity of utilities may also be required.

Response. Comment noted. Please see revised Civil Sheets. All utility connections will be underground.

Comment 8. In conformance with submittal checklist item No. 9, provide a staking plan showing development features such as the edges of hardscape site improvements, building footprints, driveways, the edge of development envelopes and the limits of grading and development envelopes, including decks. Said plan shall be prepared by the project architect, designer, civil engineer or qualified professional and the stakes shall subsequently be installed.

Response. Comment noted. On the Marin County Application Submittal Checklist dated May 2023, Site Staking is noted as an item where “Information may be required based on project-specific circumstances”. Since this is not a universal requirement for all development applicants seeking the same approvals, it is not a state mandated completeness item pursuant to the Permit Streamlining Act (Gov. Code § 65920 et seq.) and in particular Government Code § 65940, which requires (a)(1) Each public agency to compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project (See also Gov. Code §§ 65940.1(a)(1)(C) [requiring uniform application checklists to be posted in advance online], 65942 [any modification to the uniform application checklists shall apply prospectively only to applications submitted subsequently], and 65943(a) [limiting those items included on an incompleteness determination to those “actually required” on the County’s uniform application checklist]. That said, the applicant will work with the County to provide any and all information needed to prepare the Project application for consideration on the merits, including robust environmental review, and will work with the County to submit and execute a staking plan to the extent necessary to take final action on the Project application and/or comply with CEQA.

Comment 9. In conformance with submittal checklist item 10, submit a story pole plan showing the locations and heights of all story poles that are necessary to clearly and accurately demonstrate the maximum heights of roof ridges and edges for all proposed structures shall be provided. The plan should be prepared by the project architect, designer, civil engineer or qualified professional, and the story poles shall subsequently be installed. The story poles must be connected by orange construction netting and shall clearly and accurately demonstrate the maximum roof height and perimeter of the structure. The construction netting must be at least 1.5 feet wide and must be installed at the perimeter of the building and at the ridgelines of the roof to represent the height, mass, and bulk of the structure to the maximum extent feasible. The story poles must be constructed in such a manner that they will be able to withstand the elements until the end of the planning permit process.

Response. Comment noted. Based on discussions with consultants, complying with this request is likely to cost close to, and possibly exceed \$100,000. As such, the applicant will formally request an incentive/concession under the Density Bonus Law to remove this story pole item, which would result in identifiable and actual cost reductions to provide for affordable housing costs. (See Gov. Code § 65915(k)(1),(3)). Note that HCD has recognized story pole requirements as a potential/actual governmental constraint on housing. (See HCD Letter to Los Altos Hills Regarding 6th Cycle Housing Element, January 25, 2023, at Page 6.) Please also note that the applicant is working with the County to prepare a photometric study, which will thoroughly analyze the Project's potential aesthetic impacts.

Comment 10. In conformance with submittal checklist item No. 12, submit a composite constraints map that shows the proposed site boundaries and improvements overlain by environmental constraints and adequate buffers surrounding significant environmental features. The constraint map shall be prepared by the project architect or civil engineer in consultation with other technical specialists working on the project. These buffers shall be based on County environmental protection polices in the Marin Countywide Plan (CWP) and on the environmental studies required for the application, such as biological site assessment, arborist report, etc.

Response. Comment noted. Please see revised Civil Sheets

Comment 11. In conformance with submittal checklist item No. 14, submit a grading plan must include grading calculations (cubic yards) of cut, fill and off-haul, if any.

Response. Comment noted. Please see revised Civil Sheets

Comment 12. In conformance with submittal checklist item No. 18, submit a cross section through each proposed structure that is based on accurate topography and indicates the finished floor, foundation line, and roof ridge elevations must be submitted.

Response. Comment noted. Please see revised Civil Sheets

Comment 13. In conformance with submittal checklist item No. 30, submit a photo simulation of the proposed project prepared by a qualified professional or firm that is acceptable to the County.

Response. Comment noted. On the Marin County Application Submittal Checklist dated May 2023, Photo Simulations and 3D Rendering is noted as an item where “Information may be required based on project-specific circumstances”. Since this is not a universal requirement for all development applicants seeking the same approvals, it is not a state mandated completeness item pursuant to the Permit Streamlining Act (Gov. Code § 65920 et seq.) and in particular Government Code § 65940, which requires (a)(1) Each public agency to compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project (See also Gov. Code §§ 65940.1(a)(1)(C) [requiring uniform application checklists to be posted in advance online], 65942 [any modification to the uniform application checklists shall apply prospectively only to applications submitted subsequently], and 65943(a) [limiting those items included on an incompleteness determination to those “actually required” on the County’s uniform application checklist]. That said, the applicant will work with the County to provide any and all information needed to prepare the Project application for consideration on the merits, including robust environmental review, and will work with the County to submit and execute a Photo Simulation and 3D Rendering to the extent necessary to take final action on the Project application and/or comply with CEQA.

Comment 14. In conformance with submittal checklist item No. 32, submit an arborist’s report that has been prepared by a qualified arborist. The arborist’s report shall provide an evaluation of the trees that could potentially be affected by the development or fuel reduction requirements that meet the definition of a “protected” or “heritage” tree in Chapter 22.130.030 of the Marin County Development Code. The arborist’s report shall, at a minimum, indicate the health of the trees in this area, and evaluate any adverse effects to the trees that would occur due to the project. Specifically, the arborist’s report shall recommend appropriate tree protection zones for trees that would remain on the property and appropriate locations for replacement trees to be planted.

Response. Comment noted. Please see included arborist report.

Comment 15. In conformance with submittal checklist item No. 37, submit a biological site assessment that has been prepared by a qualified biologist and provide evidence regarding the presence of sensitive biological resources, determine the property’s habitat value relative to any special status species, and recommend setbacks and development timing, and provide conclusions regarding how the project may affect those resources. Environmentally sensitive habitat areas (ESHA), stream channels, tops of banks, and edges of riparian vegetation and the buffer areas from these resources as defined and required by policies of the Marin Countywide Plan must be clearly mapped. In addition, the biological site assessment shall evaluate the habitat value of any watercourses adjacent to

the proposed project, and whether the project would result in adverse effects to the riparian vegetation surrounding the watercourse or the water quality of the watercourse. If there are wetlands adjacent to the project, then a wetland delineation shall be submitted, and the boundary of any riparian vegetation shall be clearly identified in the report. The report shall also indicate whether there are any exotic species of plants on the site and whether any species are invasive. If the report finds that the project could result in a significant impact, then a further evaluation of potential mitigation measures may be required. The biological assessment is subject to peer review at the Director's discretion.

Response. Comment noted. Please see included biological assessment.

Comment 16. In conformance with submittal checklist item 41, submit an affordable housing plan that must include the following information:

- a. Construction schedule and phasing of inclusionary units in relation to market-rate units.
- b. Provisions for income certification and screening of potential purchasers and/or renters of inclusionary units, resale control mechanisms, and ongoing monitoring and administration.
- c. If incentives or waivers are requested, each incentive or waiver must identify which relevant County ordinance, Countywide Plan element, law, policy, resolution, or regulation that project it wants to modify.
- d. Any incentive requested pursuant to Chapter 22.24 (Affordable Housing Incentives), including the additional information specified in that Chapter.
- e. Any waiver requested must be accompanied by a financial analysis, which includes a total cost comparison between development with and without the waiver. The total cost comparison shall include construction and financing for a code compliant development and for the development with the waiver. The total cost comparison shall be based on estimates and evaluations prepared by qualified professionals and based on the most current information available. The County reserves the right to have the financial analysis peer reviewed at the applicant's expense.

Response. Comment noted. Please see included Affordable Housing Memo. Please note that state law does not require financial analyses to be prepared by the applicant and an incentive is presumed to result in cost reductions. Waivers may be requested from development standards that will have the effect of physically precluding the construction of a project at its proposed density.

Comment 17. In conformance with submittal checklist item 41(E), the above-mentioned affordable housing plan must include the following additional information:

- a. Provide “base project” subdivision plan, i.e., the project that does not exceed the “maximum allowable residential density” enumerated in Development Code Sec. 22.14.090, Table 2-12 and without any modifications to applicable development standards.
- b. A detailed written analysis of the project’s compliance with the Form Base Code.
- c. Alternatively, if modifications to the Form Based Code are requested, provide a list of Form Base Code standards the project varies from, and provide a written demonstration that a modification from each Form Base Code standard is necessary and demonstrate how each Form Base Code standards would preclude the development of the project as proposed.

Response. Comment noted. Please see response to Comment 17.

Comment 18. In conformance with submittal checklist item No. 1, submit all items described in the Planning Application Submittal Checklist for a Tentative Map (starting on page 9 of the Marin County Planning Application Submittal Checklist). The application did not provide the required information and documents. Tentative Map must be prepared by a registered civil engineer or licensed surveyor to clearly show the details of the map (preferably one-inch equals 10 feet). Title of the tract must be shown on the Tentative Map. Existing and proposed property lines, easements, and other boundary lines such as zoning and city limits, as well as Assessor Parcel numbers are required. Average lot slope calculations for the original lot and all proposed lots must be shown on the Tentative Map. The net lot area calculation must be shown on the Tentative Map. “Vesting Tentative Map” must be printed in bold letters across the top of the Tentative Map. Proposed drainage proposed public areas and justifications and reasons for any exceptions requested must be provided.

Response. Comment noted. Please see revised Civil Sheets

Comment 19. In conformance with submittal checklist item No. 1(G), submit a site plan that shows all natural features must be shown, such as rock outcrops, ridgelines, streams, creeks (flow line and top of bank), ponds, water bodies, and all existing significant vegetation as defined per the Marin Countywide Plan and Marin County Development Code, including significant vegetation to be removed as part of the project. The trunk location, dripline, and common and scientific names of all existing trees on the subject property with a 6-inch or greater trunk diameter at breast height measured at a height of 4.5 feet above grade must be shown. Any trees proposed for removal must be indicated. Areas of geological instability shall be identified, including faults and landslides.

Response. Comment noted. Please see revised Civil Sheets

Comment 20. In conformance with submittal checklist item 1(C), provide the footprint of all existing improvements, structures, utility connections, driveways, etc.

Response. Comment noted. Please see revised Civil Sheets

Comment 21. In conformance with submittal checklist item 1(G), all natural features shall be shown and labeled. Natural features include rock outcrops, ridge lines, creeks and water ways (mapped and observed flowlines for perennial, intermittent and ephemeral flows with direction of flow, width of channel), and areas of geological instability, including faults and landslides. Show and label significant features along the right of way fronting the subject property as well. Proposed road outlet onto Lucas Valley Road appears to be where there is an existing hill with partial rock face sloping toward the road shoulder.

Response. Comment noted. Please see revised Civil Sheets

Comment 22. In conformance with submittal checklist item 1(H), plans shall show and label existing and proposed topographic contours. Contours shall be provided in at least 5 foot intervals. Natural features and human made improvements must be shown and labeled (trees, rock outcrops, slides, creeks, structures, improved driveways, etc.). A topographic survey is required and shall extend to the north side of Lucas Valley Road right of way from the storm drain inlets to the east to the western extent of the subject parcel. Indicate datum used; NAVD 88 is preferred.

Response. Comment noted. Please see revised Civil Sheets

Comment 23. In conformance with submittal checklist item 1(I), plans shall provide detailed information on access to the site from the improved Lucas Valley Road.

- a. Show the entire width of the Lucas Valley Road right of way along the frontage of the subject property and 300 feet to the east of the subject parcel (east of tree cluster at parking area for trail head to include mapped ephemeral water course), including all roadway improvements (road surface, curb, gutter, striping, signage, drainage improvements) and the improvements associated with Mt Muir Court intersection, road side drainage, the area associated with parking for the trail head and access to the neighboring property at 1499 Lucas Valley Road.
- b. Identify improvements associated with connecting the road for the new subdivision to the travel way on Lucas Valley Road, including striping, signage, intersection improvements, drainage improvements, etc.
- c. Clarify modified access to the existing home, showing the slope, surface, turnouts and alignment of the driveway to the existing residence.

Response. Comment noted. Please see revised Civil Sheets

Comment 24. In conformance with submittal checklist item 1(J), plans shall show and label any existing private water wells and water supply systems as well as the location of any existing or proposed water storage tanks on the subject and adjoining properties. Also show the location of any existing or proposed sewage disposal system within 150 feet of any proposed well.

Response. Comment noted. Please see revised Civil Sheets

Comment 25. In conformance with submittal checklist item No. 2, provide a preliminary grading plan that shows and labels existing and proposed contours across the subdivision; lists the cut and fill volumes of earthwork, and labels existing and proposed slopes. Plans and geotechnical review shall be consistent. Sheet C5.0 indicate up to 25 feet of cut and fill but the preliminary geotechnical report only discusses 10 feet cut and fill. It is unclear from the preliminary grading plan, C5.0, that the project can conform to existing grades with a maximum 2:1 slope. Demonstrate proposed grades will not increase runoff onto adjacent properties. Note that the project, as presented, will disturb over one acre and therefore will require a General Construction Permit from the California San Francisco Bay Regional Water Quality Control Board.

Response. Comment noted. Please see revised Civil Sheets

Comment 26. In conformance with submittal checklist item No. 3, provide a preliminary drainage plan, prepared by the qualified civil engineer, hydrologist, architect or landscape architect, showing all existing and proposed drainage improvements and drainage patterns for the site, structures, proposed roads and other improvements. Plan shall show existing roadside drainage along Lucas Valley Road and indicate drainage improvements associated with the required grading. Provide sufficient information to demonstrate that the project will not increase runoff onto adjacent properties. Hydrologic calculations are required to determine whether there would be any additional surface run-off resulting from the development. Drainage improvements shall be prepared in coordination with Submittal Checklist Items 11 Stormwater Control Plans, 35 Preliminary Geotechnical Report, and 36 Hydrological Report.

Response. Comment noted. Please see revised Civil Sheets

Comment 27. In conformance with submittal checklist item No. 4, indicate the size of proposed extensions and location of existing service mains. Show the alignment of existing onsite well, water lines and septic to determine any conflicts or required modifications. Provide documentation to verify if project is currently in the service districts for each of the following service providers or if the property must be annexed into any service district. Also refer to MCC 24.04.24.04.840(f).

a. Las Gallinas Valley Sanitary District (LGVSD)

- b. Marin Water (MMWD) (also see Checklist Submittal Item 29 Evidence of Water sufficient for each lot and fire protection), both domestic water and recycled water.
- c. Marinwood Community Services District
- d. PG&E
- e. Marin Sanitary Service - Trash/recycling
- f. Marin County Fire

Response. Comment noted. Please see revised Civil Sheets.

Comment 28. In conformance with submittal checklist item No. 5, identify the location of any existing septic system components and indicate if system continues to serve the home or if the existing residence will be connected to the public sanitary sewer system (LGVSD). Also see Utilities Plan.

Response. Comment noted. Please see revised Civil Sheets. The project will be connected to LGVSD's system.

Comment 29. In conformance with submittal checklist item No. 7, a site survey must be prepared and signed by a licensed surveyor whose name, address and phone number are indicated. Surveys shall show all property lines, boundaries, rights-of-way, easements, locations of structures and other improvements. Also see submittal requirements for a Tentative Map beginning on page 9 of the Planning Application Submittal Checklist.

Response. Comment noted. Please see revised Civil Sheets

Comment 30. In conformance with submittal checklist item No. 8, the topographic survey information must be prepared by a licensed surveyor whose name, seal, and signature appear on the plans. For property with an average slope of 15% or less, two foot contours intervals must be indicated. For a property with an average slope greater than 15%, five foot intervals are acceptable. The scale of the topographic survey must be sufficiently large to show the details of the plan clearly and shall match the site plan. Provide datum; NAVD 88 is preferred. Also see Submittal Checklist Item 1.H.

Response. Comment noted. Please see revised Civil Sheets

Comment 31. In conformance with submittal checklist item No. 11, provide Stormwater Best Management Practice Plans, which must include the following information:

- a. Based on information provided, the project will be a regulated Stormwater Project. 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: <https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/basmaa-postconstruction-manual.pdf?la=e>. Follow direction in Appendix D, Stormwater Control Plan Template for Regulated Projects, of the BASMAA Post Construction Manual, and provide correct reference to this Manual. Notes on C7.0 reference San Mateo C3 criteria, and these are not applicable.

- b. Project will be subject to trash control/capture requirements (install and maintain certified full trash capture devices on private storm drain system).
- c. Applicant appears to ask for an exception to bioretention systems with a Filterra flow through planter. Clarify how project meets the exceptions in the BASMAA Manual.
- d. Provide a draft O&M Plan. Applicant shall clarify how the common stormwater controls will be owned and maintained.
- e. Provide Hydrology calculations – also see Submittal Checklist Item 36

Response. Comment noted. On the Marin County Application Submittal Checklist dated May 2023, Stormwater Control Plan is noted as an item where “Information may be required based on project-specific circumstances”. Since this is not a universal requirement for all development applicants seeking the same approvals, it is not a state mandated completeness item pursuant to the Permit Streamlining Act (Gov. Code § 65920 et seq.) and in particular Government Code § 65940, which requires (a)(1) Each public agency to compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project (See also Gov. Code §§ 65940.1(a)(1)(C) [requiring uniform application checklists to be posted in advance online], 65942 [any modification to the uniform application checklists shall apply prospectively only to applications submitted subsequently], and 65943(a) [limiting those items included on an incompleteness determination to those “actually required” on the County’s uniform application checklist]. That said, the applicant will work with the County to provide any and all information needed to prepare the Project application for consideration on the merits, including robust environmental review, and will work with the County to submit and execute a Stormwater Control Plan to the extent necessary to take final action on the Project application and/or comply with CEQA.

Comment 32. In conformance with submittal checklist item No. 13, provide an Emergency Access and Evacuation Map for properties within the proposed development shall include the following:

- a. Width of the right of way, road prism and the paved roadway and curbs or shoulders.
- b. All horizontal and vertical obstructions.

- c. Alleyways and pedestrian access alignments
- d. Road profiles and sections for roadway segments exceeding a slope of 15% grade, that show centerline radii, vertical curves, superelevation and grades.
- e. Road surface and structural section.
- f. Turnarounds and turnouts.
- g. Culverts.
- h. Red curbs and areas where parking is restricted.

Response. Comment noted. On the Marin County Application Submittal Checklist dated May 2023, Emergency Access and Evacuation Map is noted as an item where “Information may be required based on project-specific circumstances”. Since this is not a universal requirement for all development applicants seeking the same approvals, it is not a state mandated completeness item pursuant to the Permit Streamlining Act (Gov. Code § 65920 et seq.) and in particular Government Code § 65940, which requires (a)(1) Each public agency to compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project (See also Gov. Code §§ 65940.1(a)(1)(C) [requiring uniform application checklists to be posted in advance online], 65942 [any modification to the uniform application checklists shall apply prospectively only to applications submitted subsequently], and 65943(a) [limiting those items included on an incompleteness determination to those “actually required” on the County’s uniform application checklist]. That said, the applicant will work with the County to provide any and all information needed to prepare the Project application for consideration on the merits, including robust environmental review, and will work with the County to submit an Emergency Access and Evacuation Map to the extent necessary to take final action on the Project application and/or comply with CEQA.

Comment 33. In conformance with submittal checklist item No. 14, provide cut and fill calculations and indicate the total area of disturbance (expressed in square feet).

Response. Comment noted. Please see revised Civil Sheets

Comment 34. In conformance with submittal checklist item No. 23, provide a current Preliminary Title Report (prepared within the last 6 months). The report must the current status of the property and include all recorded easements provide proof of ownership, and be issued from a Title Company.

Response. Comment noted. Please see included Preliminary Title Report.

Comment 35. In conformance with submittal checklist item No. 35, provide a geotechnical report can be prepared by a certified engineering geologist, a soil engineer, a geotechnical engineer or a civil engineer practicing within the area of his or her competence, which identifies seismic and geologic hazards, and recommends construction measures and other precautions to reduce the risk of these hazards to acceptable levels. The term geotechnical report may encompass documents referred to as soils report, soil investigation report, soils stability report, preliminary soils report, and other similar terms.

Response. Comment noted. Please see included geotechnical report.

Comment 36. In conformance with submittal checklist item No. 36, a hydrological report shall be prepared by a qualified hydrologist, geomorphologist or engineer. Report shall provide calculations of pre-project and post-project amounts of stormwater runoff. The report shall assess whether the proposed project would increase the likelihood of downstream erosion, channel instability or flooding, or other potentially significant impacts to the environment. If the study finds that the project could result in a significant impact, then a further evaluation of potential mitigation measures may be required. Refer to the BASMAA manual and Marin County Code 24.04. section VI. Drainage Facilities.

Comments from DPW Water Resources staff in e-mail dated December 4, 2023, which are also provided as ATTACHMENT 1: Draft Notes on Required Hydrology and Hydraulics Report for the Souang Development Project
The Consultant shall submit the following:

- a. Develop a connected stormdrain model using a SWMM engine or equivalent. Model all hydraulic conveyance elements (i.e. pipes, culverts, open channels, basins, outfalls) as discrete entities.
- b. Contributing watersheds shall be modeled with hydrologic rainfall-runoff transformation methods. The delineation of the contributing watersheds shall be in terms of significant drainage divides and significant differences in runoff characteristics. Roofs and impervious connected drainage areas shall be reflected explicitly in the model discretization.
- c. All error message and internal modeling error analysis (i.e. continuity error percentage) shall be provided. Large continuity errors shall not be allowed (based on the judgement of the County engineer). Hand calculations using rational method is not preferred.
- d. Downstream boundary conditions shall be fully described, and the model domain shall be extended downstream far enough to allow for convergence.

e. The design rainfall shall be based on Alternating Blocks hyetograph using values for NOAA Atlas 14 latest edition for depths. Other design rainfall approaches may be considered, the consultant shall submit their design rainfall plan prior to performing the analysis. Historic rainfall (i.e. NY 2005 flooding event) for model validation to known flooding patterns shall be conducted where anecdotal or high water marks are available. If applicable, more than one design storm shall be used – one small, more intense storm for stormdrain system sizing and one higher volume storm event for volume-based designs (i.e. detention storage). If hydromodification mitigation and/or water quality design is required, then refer to the Marin stormwater program guidelines (MCSTTOPP).

f. The resultant hydrograph shall not differ in impacts from the existing site runoff hydrograph.

g. All modeling assumptions and input parameters shall be fully described in an H&H report. The model of existing conditions shall be calibrated with any data (or high-water marks and local knowledge) if it exists or validated to any known patterns of flooding.

h. The H&H report shall contain results consisting of a plan of all proposed storm drain systems, with proposed pipe sizes and invert elevations, open channel sizes and invert elevations, contributing watershed areas, peak 10-year design flows, and peak 10-year hydraulic grade lines. The proposed 10-year peak hydraulic grade lines shall remain at least 0.5 ft below proposed and existing gutter grades.

i. The report shall also document 100-year peak design flows and overland flow paths with sufficient calculations to show that they 100-year flows stay in the streets with at least 1 ft freeboard to house pads, and show release points. Existing offsite drainage systems that serve as boundary conditions shall also be shown with peak flows and hydraulic grade lines.

j. The report shall also document the off-site 100-year floodplain if it encroaches on or near the property, and that the design protects the development from the floodplain and does not negatively impact it.

Response. Comment noted. On the Marin County Application Submittal Checklist dated May 2023, Hydrological Report is noted as an item where “Information may be required based on project-specific circumstances”. Since this is not a universal requirement for all development applicants seeking the same approvals, it is not a state mandated completeness item pursuant to the Permit Streamlining Act (Gov. Code § 65920 et seq.) and in particular Government Code § 65940, which requires (a)(1) Each public agency to compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project (See also Gov. Code §§ 65940.1(a)(1)(C) [requiring uniform application checklists to be posted in advance online], 65942 [any modification to the uniform application checklists shall apply prospectively only to applications submitted subsequently], and 65943(a) [limiting those items included on an incompleteness determination to those “actually required” on the County’s uniform application checklist]. That said, the applicant will work with the County to provide any and all information

needed to prepare the Project application for consideration on the merits, including robust environmental review, and will work with the County to submit and a Hydrological Report to the extent necessary to take final action on the Project application and/or comply with CEQA.

Comment 37. In conformance with submittal checklist item No. 40, provide a traffic study that evaluates the existing levels of service at intersections around the project site, the proposed level of service including the project, calculate existing peak PM trips and PM peak trips added by the project, and determine cumulative traffic conditions. **Comments from DPW Traffic Division for additional comments pertaining to the traffic study and road/circulation design which are also provided as ATTACHMENT 2:**

- a. The applicant shall conduct a traffic study to determine the impact of the proposed project on the Lucas Valley Road corridor. In particular, the traffic study shall address intersection operations including at the intersections of Mt. Muir Ct., Mt. Lassen Drive and the Lucas Valley/ Highway 101 interchange, as necessary. The study shall include analysis of turning movements, level of service, acceleration lanes, and sight distance. Mitigation measures for any changes to safety or service along Lucas Valley Road shall be included in the traffic study.
- b. Revise the Vesting Tentative Map and Architectural sheets to include topography across Lucas Valley Road. Revise the grading plan to show any hillside grading necessary at the proposed A Street connection to allow intersectional sight distance.

Response. Comment noted. On the Marin County Application Submittal Checklist dated May 2023, Traffic/Parking is noted as an item where “Information may be required based on project-specific circumstances”. Since this is not a universal requirement for all development applicants seeking the same approvals, it is not a state mandated completeness item pursuant to the Permit Streamlining Act (Gov. Code § 65920 et seq.) and in particular Government Code § 65940, which requires (a)(1) Each public agency to compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project (See also Gov. Code §§ 65940.1(a)(1)(C) [requiring uniform application checklists to be posted in advance online], 65942 [any modification to the uniform application checklists shall apply prospectively only to applications submitted subsequently], and 65943(a) [limiting those items included on an incompleteness determination to those “actually required” on the County’s uniform application checklist]. That said, the applicant will work with the County to provide any and all information needed to prepare the Project application for consideration on the merits, including robust environmental review, and will work with the County to submit and execute a Traffic Study to the extent necessary to take final action on the Project application and/or comply with CEQA.

Comment 39. (Applicant Note there is no Comment #38) General Corrections required:

- a. The project is in unincorporated Marin County. Remove or correct references to the City of San Rafael to unincorporated Marin County.
- b. The project is in unincorporated Marin County. Remove references to San Mateo and design stormwater controls per local requirements.
- c. Driveway aprons shall not be called sidewalks where the only improved surface behind the curb is the driveway apron.

Response. Comment noted. Please see revised Civil Sheets

With the submission of the revised plans in combination with the responses above, we respectfully request the Planning Department deem this application complete and move the project forward.

Sincerely,



Steve Reilly, Managing Member
330 Land Company, LLC

Cc: Travis Brooks, Miller Starr