

**MARIN COUNTY PLANNING DIVISION
MINISTERIAL DECISION**
Hoyt, Lee Housing Compliance Review

Decision: December 6, 2024
Date: Approved with conditions

Project ID No:	P4478	Applicant(s):	Marinwood Propco LP
		Owner(s):	Lee Hoyt
		Assessor's Parcel No(s):	164-64, -65, -69 and -70
		Property Address:	121, 155, 175 and 197 Marinwood Avenue, San Rafael (Lucas Valley)
		Project Planner:	Michelle Levenson; 415- 473-3615; and michelle.levenson@ marincounty.gov
		Signature:	<i>Michelle Levenson</i>
Countywide Plan Designation:		GC-HOD (General, Commercial-Housing Overlay Combining District)	
Zoning District:		CP-HOD (Commercial, Planned-Housing Overlay Combining District)	

PROJECT SUMMARY

The applicant requests Housing Compliance Review approval to construct a multifamily residential/mixed used development on the former Marinwood Plaza site, located just west of Highway 101, in the community of Marinwood, in the Lucas Valley area of unincorporated San Rafael. A portion of the 5-06-acre (220,321 square feet) site is currently developed with a retail use (a grocery store) and there are no changes proposed to the existing retail use as part of the project.

The applicant proposes to develop a total of 125 affordable units that would be contained in four, three-story buildings (Buildings A, B C and D). The units would be affordable to households with incomes that range from 30- to 70-percent of the area median income (this equates to an annual household income of \$53,000 to \$98,000 for a family of four). The development would contain a mixture of 1- 2- and 3-bedroom units, ranging in size from 675 to 1,125 square feet in area (a total of 121,770 square feet of building area). In addition to the residential units, a 1,040-square-foot retail space (a "café" is contemplated) is proposed on the first floor of Building D adjacent to a proposed public landscaped open space area ("civic plaza") that would be accessed from Marinwood Avenue. Resident services and amenities would be located on the first floor of Building B.

The development would reach a maximum height (as measured from grade to the proposed building ridgeline) of 40 feet and would maintain varying distances from property lines from a minimum of 6 feet to a maximum of 104 feet.

The applicant has also proposed several private open space areas for residents, a Class II bicycle lane along Marinwood Avenue, on-site parking to service the proposed development and existing grocery store (a total of 189 parking spaces are proposed), bicycle parking, and landscaping improvements.

Housing Compliance Review approval is required pursuant to Marin County Development Code (MCDC) Section 22.42.020 as the project site is zoned "HOD" and a development is proposed at a density consistent with the HOD designation for the site (Table 2.12 of the MCDC). Pursuant to County Code Section 22.64.020(A), the proposed development is a Type 1 Project eligible for Housing Compliance Review consideration and approval.

DEVELOPMENT CODE CONSISTENCY

Application Review for Type 1 Projects (Form Based Code) (Marin County Code Section 22.56.040)

A. The proposed development complies with the application review provisions for Type 1 Housing Compliance Review projects and the applicable standards of the Form Based (FB) Code special purpose combining district provided in Section 22.14.100 of the Marin County Development Code (Title 22).

Section 22.56.040 of the Marin County Development Code states that the Director may approve or conditionally approve an application for a Type 1 Housing Compliance Review if the project is consistent with all of the applicable standards in the Marin County Form Based Code. In addition, Section 22.14.100 of the County Code lists those standards that apply to new development proposed on sites with an HOD designation. The proposed development complies with these standards as the proposed development, a mixed-use housing development project, would not affect allowable uses on the CP (Commercial, planned)-HOD zoned property. In addition, at least five new primary units are proposed, and at 125 primary units the project density would be consistent with the density prescribed for the site in Table 2.12 of the County Code. Attachment No. 1 details the project and its consistency with the standards contained in the County's Form Based Code (FBC), as well as those waivers requested by the applicant to the FBC standards pursuant to MCDC Chapter 22.24-Affordable Housing Incentives and State Density Bonus Law (California Government Code Sections 65915-65918).

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 Housing Compliance Review approval authorizes the construction of a multifamily residential/mixed used development on the former Marinwood Plaza site, located just west of Highway 101, in the community of Marinwood, in the Lucas Valley area of unincorporated San Rafael.

A total of 125 affordable units are authorized and shall be contained in four, three-story buildings (Buildings A, B C and D). The units shall be affordable to households with incomes that range from 30- to 70-percent of the area median income (this equates to an annual household income of \$53,000 to \$98,000 for a family of four). The development shall contain a mixture of 1- 2- and 3-bedroom units, ranging in size from 675 to 1,125 square feet in area (a total of 121,770 square feet of building area). In addition to the residential units, a 1,040-square-foot retail space (a "café" is contemplated) in the first floor of Building D adjacent to a required, public, landscaped open space area ("civic plaza") accessed from Marinwood Avenue shall be provided. Resident services and amenities shall be located in the first floor of Building B.

The development shall reach a maximum height (as measured from grade to the proposed building ridgeline) of 40 feet and shall maintain varying distances from property lines from a minimum of 6 feet to a maximum of 104 feet.

The applicant shall also provide several resident open space areas, a Class II bicycle lane along Marinwood Avenue, on-site parking to service the proposed development and existing grocery store (a total of 189 parking spaces are proposed), bicycle parking, and landscaping improvements.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Marinwood Apartments," consisting of 50 sheets prepared by LPAS Architecture + Design and Carlile Macy, received in final form on September 11, 2024, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall comply with the following requirements:

- a. The applicant shall obtain Lot Line Adjustment approval for the relocation of lot lines to accommodate the development consistent with Marin County Development Code Section 22.90.020.
- b. The applicant shall obtain Tree Removal Permit approval consistent with Marin County Development Code Section 22.62.020.
- c. The applicant shall obtain approval of a construction management plan that includes procedures for public notification of construction activities and schedule.

- d. The applicant shall comply with the requirements for Outdoor Construction Activities consistent with County Code Section 22.20.040. Requirements include the following: (1) post a publicly visible sign with the construction supervisor’s name, telephone number and address to contact regarding dust control, noise control, and other complaints about construction activities. A total of two construction signs shall be posted and remain on site until outdoor construction activities are completed; (2) building verifications specific to setback and building height verification; and (3) archaeological, historical and paleontological resource protection and procedures in the event that resources are encountered during construction.
 - e. Consistent with County Code Section 22.20.110, utilities to serve the proposed 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.
 - f. Should additional waivers, and/or concessions be requested by the applicant pursuant to MCDC Chapter 22.24-Affordable Housing Incentives and State Density Bonus Law (California Government Code Sections 65915-65918), the project Affordable Housing Plan shall be amended to reflect all affordable housing incentives pursued for the project.
1. The project shall conform to the Planning Division’s “Uniformly Applied Conditions 2024” with respect to all of the standard conditions of approval and the following special conditions: 2- Approved Building Setbacks; 3-Exterior Lighting; 10-Other Agency Approvals (including evidence from the Regional Water Quality Control (RWQCB) that all agency requirements have been met); 12-Exterior Materials; and 13-Landscaping; 15-Landscape Professional Verification.

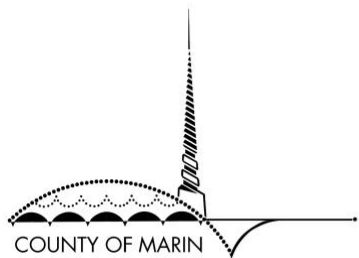
VESTING

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.

cc: *{Via email to County departments}*
 DPW – Land Development
 DPW – Traffic
 Las Gallinas Sanitary District
 Marinwood Community Services District
 Marin Municipal Water District

Attachments:

1. County Form Based Code Consistency Review, dated December 6, 2024
2. Marin County Uniformly Applied Conditions 2024
3. Agency responses



December 6, 2024

Alex Waterbury
Impact Residential Development LLC
404 Galleria Parkway, Suite 1450
Atlanta, GA 30339

and

Jack Robertson
Tableau Development Company
407 Riviera Drive
San Rafael, CA 94901

RE: Hoyt, Lee Housing Compliance Review-Form Based Code Consistency Review
121, 155, 175 and 197 Marinwood Avenue, San Rafael
APNs 164-471-64, -65, -69 and -70
Project ID P4478

Dear Mr. Waterbury and Mr. Robertson,

On April 15, 2024, the Marin County Planning Division received your Housing Compliance Review application to construct a multifamily residential/mixed use development pursuant to SB 330 on the Marinwood Plaza site, located just west of Highway 101, in the community of Marinwood, in the Lucas Valley area of unincorporated San Rafael.

The proposed project includes the following: (1) 125 affordable units that would be contained in four, three-story buildings (Buildings A, B C and D); (2) one, 1,040-square-foot retail space; (3) a public, landscaped open space area (“civic plaza”) that would be accessed from Marinwood Avenue, adjacent to the proposed retail space; (4) resident services and amenities located in the first floor of Building B; (5) several resident open space areas; (6) a Class II bicycle lane along Marinwood Avenue; (7) on-site parking to service the proposed development and existing grocery store (a total of 189 parking spaces are proposed); and (7) landscaping and hardscape improvements. The existing market would remain with development of the project.

FORM BASED CODE CONSISTENCY

Consistent with Table 2-12 and Section 22.14.090 of the Marin County Development Code, the site is zoned with a Housing Overlay Designation (HOD). Consistent with this overlay designation, you are pursuing ministerial review of the housing development project via a Housing Compliance Review Permit pursuant to the standards contained in the County’s Form Based Code (FBC) and

other relevant County regulations. Summarized below is a review of the project pursuant to the development standards contained in the FBC:

Transect-T5-Downtown Center.

Form Based Zone-Core Main Street (CMS).

Frontage Type-Stoop.

03.100-T5 Core Main Street.

03.100(2)-Subzones: none.

03.100(3) Building Types and Design Site Size: Complies with standards with the exception of the following requested waiver: (a) number of primary buildings (one building required per standard, four buildings proposed).

03.100(4) Building Form: Complies with standards with the exception of the following requested waiver: (a) ground floor ceiling height (16 feet required per standard, nine feet proposed).

03.100(5) Building Placement: Complies with standards with the exception of the following requested waivers: (a) front façade zone (10 foot maximum required per standard, nine feet proposed); (b) side street façade (10 foot maximum required per standard, 30 feet proposed); (c) building façade front (90-percent minimum required per standard, 55-percent proposed); and (d) building façade side (80-percent minimum required per standard, 48-percent proposed).

03.100(6) Encroachments: Complies with standards.

03.100(7) Parking: Complies with standards with the exception of the following requested waivers: (a) parking distance from right of way (ROW)/design site line-front setback (40 feet required per standards, 0 feet proposed (due to utilization of existing parking lot)); and (b) driveway curb cut width-residential (28 feet required; 26 feet proposed (due to utilization of existing driveways (proposed width meets Fire Code requirements))).

03.100(8) Frontages: Complies with standards with the exception of the following requested waivers: (a) allowed public frontage type-assembly (16 feet required; 8 feet, six inches proposed); (b) curb walkway (12 feet required; 5 feet proposed (consistent with existing sidewalk width)); and (c) planter width (4 feet required between walkway and street; 4 feet proposed between proposed buildings and walkway).

Table 04.020.A Maximum Screening Height: Complies with standards with the exception of the following requested waiver: (a) front and side street fencing (fencing not allowed pursuant to the standard; 6-foot fence proposed at the corner of Miller Creek and Marinwood Drive due to proximity of freeway and lack of sidewalks along overpass).

04.020.5 Mechanical Equipment Screening (a) existing building would continue to utilize existing screening thereby not complying with standards; waiver requested; and (b) plumbing and mechanical roof vents (grouping and locating so as to not be visible from the opposite side and/or side street or abutting civic spaces required; sloped roofs are proposed and placement of vents will be contingent on building code requirements); waiver requested.

04.030 Landscape and Lighting. Complies with standards.

04.040(3) Bicycle parking standards: Waiver requested; 205 spaces required per standard, 177 spaces proposed.

04.040(4) and (5) General Vehicular Parking Standards and Number of Parking Spaces Required: Complies with reduced residential and retail parking requirements.

04.040(6) Electric Vehicle Charging-Complies with standards (exception to Title 19-Marin County Building Code EV requirements required during the building permit review process).

04.040(7) Traffic Reducing Parking Standards: Carshare Parking Spaces-Complies with standards.

04.040(8) Parking Spaces, Design and Layout: Complies with standards except of the following requested waivers: (a) location (12 feet from building required; less than 12 feet provided at certain locations due to curved street condition); (b) landscaping (5-foot planters every 5 parking spaces required; planter locations vary as proposed).

Table 04.060.C Public Frontage Assembly Standards: Does not comply with standards; waivers requested for the following: (a) total width-16 feet required, 8.5 feet proposed; (b) walkway pedestrian zone-12 feet required; 5 feet proposed; and (c) planters-4-feet (tree wells) required; 3.5 feet proposed between buildings and walkway.

05.170(2) Number of Units: Does not comply with standard; waiver requested for the following: (a) 1 building maximum required; 4 buildings proposed.

05.170(3) Building, Size and Massing: Complies with standards with the exception of the following requested waiver: (a) Main body width (200 foot maximum required; 219 feet proposed).

05.170(4) Pedestrian Access: Complies with standards.

05.170(5) Vehicle Access and Parking: Complies with standards.

05.170(7) Main Body Composition: Complies with standards with the exception of the following requested waiver: (a) wall length (40-foot maximum required; 46-foot maximum at three locations).

Table 06.030 Private Frontage Types-Stoop: Complies with standards with the exception of the following requested waiver: (a) finish level above sidewalk (12 inch maximum required; :0 inch proposed to meet accessibility requirements).

07.060(3) Wall Trim: Complies with standards.

07.040(4) Wall Base: Complies with standards.

07.040(5) Building Roof: Complies with standards.

07.040(6) Rake: Complies with standards.

07.040(7) Eave: Complies with standards.

07.040(8) Parapet: Complies with standards.

07.040(9) Windows: Complies with standards with the exception of the following requested waivers: (a) proportion, ground floor (2.0 required; 1.667 proposed); (b) proportion, upper floor (1.75 required; 1.667 proposed); (c) frame width at rail (2.5 inches required; function of manufacturer-tbd); (d) frame width at stile (2.5 inches required; function of manufacturer-tbd); (e) Window frame recess (2 inches required; ; function of manufacturer-tbd); and (f) window sill depth (2.5 inches required; function of manufacturer-tbd).

07.040(10) Bay Windows: Complies with standards with the exception of the following requested waiver: (a) Horizontal articulation (continuous on building-shall wrap bay form required; break in horizontal trim to reduce building mass proposed).

07.040(12) Entry Doors: Complies with standards with the exception of the following requested waiver: (a) number of panels (2 panels required; 1 glass panel proposed at retail space).

07.040(13) Balconies: Complies with standards.

07.040(14) Porches: Complies with standards with the exception of the following requested waivers: (a) column shape (square-tapered required; double posted proposed); and (b) column spacing (9 feet 6 inches minimum on center required; 8 feet, 1 inch to 12 feet, 7 inches on center proposed).

07.040(15) Storefronts: Complies with standards with the exception of the following requested waivers: (a) storefront module (10 foot minimum-15 foot maximum required; variable proposed); (b) distance between storefront modules (1 foot min-2 foot max required; 6 feet proposed); (c) height (13 foot min required; 11 feet, 9 inches proposed); and (d) head height (10 foot min required; 8 feet, 9 feet, 1 inch required).

07.040(16) Materials: Complies with standards with the exception of the following requested waivers: (a) base or foundation (stone, cast stone, painted concrete required; wall base that matches wall materials proposed); (b) window frames (wood, aluminum-clad wood, aluminum, fiberglass required; vinyl proposed); (c) glazing (clear glass, shall not be tinted, mirrored or colored required; windows with low E coating to meet CBC proposed); (d) storefronts-columns (composite wood, wood, fiberglass, metal required; cement plaster and stone veneer proposed); and (e) storefront-base (wood panels, brick, stone, tile, fiber cement required; stone veneer and cement plaster proposed).

Table 08.020.A Block Size Standards: Does not comply with standards; waivers requested for the following: (a) block size (400 feet required; blocks not proposed); and (b) maximum perimeter length (1,600 feet required; blocks not proposed).

Figure 08.020(2) Walkable Neighborhood Plan Design: Does not comply with standards; waiver requested for the following: (a) streets (new public streets are required to separate blocks in compliance with standards; blocks not proposed); (b) civic space (10-percent of total development area required; less than 10-percent of development area proposed); and (c) plaza (2,500 square feet required; 1,800 square feet proposed).

08.020(6) Block size: Does not comply with standards; waiver requested for the following: design sites (subdivision into blocks required to achieve width and length standards; no blocks proposed)

08.020(8) Applying zones: Does not comply with standards; waiver requested for the following: allocation of zones (application of two zones required, one zone proposed).

08.030(3) Does not comply with standards; waiver requested for the following: architectural styles (two styles required, one style proposed).

CONCLUSION

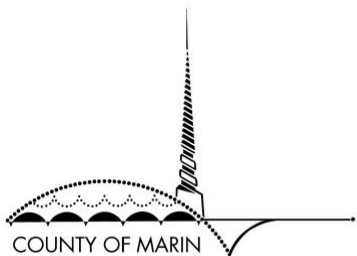
The waivers requested to the FBC standards are consistent with the provisions outlined in Marin County Development Code Section 22.24.020 and State Density Bonus Law. Please note that the concession requested to the EV charging requirements contained in Title 19 of the Marin County Municipal Code should be requested in your project building permit application.

If you have any further questions, please call me at (415) 473-3615 or contact me via email at mlevenson@marincounty.org.

Sincerely,

Michelle Levenson

Michelle Levenson
Principal Planner



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

2024

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. If the project is subject to the affordable housing requirements of Development Code Chapter 22.22, the applicant shall provide a copy of the affordable housing plan required by Development Code section 22.22.110 to the CDA Planning Division following its approval by the CDA Housing Division.
3. 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.
4. 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.
5. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

SPECIAL CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.
2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of

the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.

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

into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

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

17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

CODE ENFORCEMENT CONDITIONS

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

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - Third Transmittal

DATE: October 7, 2024

DUE: October 7, 2024

TO: Michelle Levenson

FROM: Cara E. Zichelli, Alicia Stamps

APPROVED: 

RE: Hoyt Housing Compliance Review

P4478 (Marinwood Plaza)

APN: 164-471-64, -65, -69 and -70

ADDRESS: 121, 155, 175 and 197 Marinwood Ave.

San Rafael

TYPE OF DOCUMENT

DESIGN REVIEW

COASTAL PERMIT

LAND DIVISION

VARIANCE

USE PERMIT

ADU PERMIT

ENVIRONMENTAL REV.

OTHER:

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

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

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

- In Traffic
 In Flood Control/Water Resources
 att Other: MCSTOPPP

Notes regarding ultimate design for construction and items required prior to issuance of a building permit:

- Encroachment Permit:** Marinwood Avenue is a County maintained road. An Encroachment Permit from the Department of Public Works (DPW) is required for any and all work in 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, prior to the start of that work. Pavement restoration limits will be identified as part of the encroachment permit process.
- Frontage Improvements:** *The Applicant indicates a waiver for sidewalk widths (see sheet A.03).* DPW staff will coordinate with the applicant to finalize details for Marinwood Avenue street parking, bicycle facilities and sidewalk widths. Be aware of the requirements in Marin County Code (MCC) 24.04 Section IX Trees and Landscaping as well.
- Public Transportation Facilities Fees:** Project is in the Northgate Activity Center and shall pay Public Transportation Facilities Fees per MCC 15.07.
- Site Boundary Survey:** Provide a site survey 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. The topographic survey included in the Housing Compliance Review (HCR) application provided most of this information, but it was not signed and stamped by a surveyor.
- Easements and Agreements:** The project identifies four separate parcels that imply shared parking, utilities, stormwater management and access.
 - A shared parking agreement between the parcels shall be developed and shared with DPW for review. The Parking Needs Assessment provided with the HCR application asserts that the existing market has a lower parking demand than the minimum parking required by MCC 24.04.340.(f) (see Table 24.04.340-B.d General Retail). By accepting

- this lower parking demand for the existing market, the project, as proposed, will be limiting future uses of the existing commercial space.
- b. It appears that the proposed development will require the creation of utility, stormwater and access easements between the four parcels shall be established. These proposed easements shall be presented to the County for review and comment prior to recordation.
 - c. The project presented in the HCR application indicates the vacation or abandonment of an "ex.15' pipeline esmt. IFO MMWD". Easement abandonment shall also be completed prior to issuance of a building permit.
 - d. Map shall include depiction and label "access prohibited" to Highway 101.
 - e. Applicant is responsible for honoring existing and future agreements with telecommunication lease holders for access and maintenance.
6. **Sidewalk Easement:** The Marinwood Avenue sidewalk is located within the southern portion of the project boundary (APN 164-471-070). A public access easement shall be provided for portions of public sidewalk and or associated improvements that are located on the parcel.
7. **Compliance with State and Federal Accessibility Requirements, on and off site:** All proposed improvements shall comply with CBC 11A and 11B requirements. Incorporate design guidelines in the Public Right of Way Accessibility Guidelines (PROWAG).
8. **Lighting:** Street lighting along the property frontage shall be provided at a minimum at all entrance driveways off Marinwood Avenue, at crosswalk locations and at intersection locations. The placement and design of street lighting shall be coordinated with DPW, and maintenance and acceptance of the lighting shall be coordinated with the Marinwood Community Services District.
9. **Access, Circulation and Parking:** Proposed off-street parking and loading areas, including driveways and maneuvering areas, must be indicated and dimensioned. The necessary turning radius for backout maneuvers, dimensioned parking stalls, driveway profiles, cross-sections through the driveway, turnouts, turnarounds and access driveway dimensions must be shown. Typical cross sections and proposed grades of all streets, and details of curbs, gutters, sidewalks and other improvements must be included. The site plan must show the legal access from the property to a public right-of-way, the width of the right of way, and the edge of pavement and width of the street along the property's frontage. All easements and dedicated areas of the property must be identified. Loading and unloading areas, as well as parking spaces meeting the State Accessibility requirements and accessible paths of travel, must be shown.
- a. *The Applicant indicates a waiver for the driveway widths (see sheet A.03)*
 - b. *The Applicant indicates a waiver for the number of bicycle parking spaces (see sheet A.03).*
 - c. Provide parking table on the plans, identifying the number of accessible spaces, van accessible spaces, EV spaces, and regular parking spaces.
 - d. Number the parking spaces on the plan.
 - e. Show accessible paths of travel from site arrival points (bus stop, street and accessible parking stalls) to building entrances and throughout the site to all amenities (laundry, community room, sales office, mailboxes, etc.).
 - f. Show location of vehicular access onto the school bus property to the south.
 - g. Clarify if there will be any restrictions on specific vehicles entering at the various driveways due to turning radii. Provide a site circulation plan, and associated signage, as required for trash collections, market deliveries and emergency access.
10. **Associated Design Elements:** Plans shall show the location of identification signs, trash enclosures, exterior lighting fixtures, mailboxes, fencing, paths and walkways, retaining walls, bicycle stands (number of bicycles to be accommodated), and other features that affect the

exterior appearance and use of the property. Verify whether mailboxes for all apartments will be in the mailroom in Building B.

11. **Geotechnical Report:** A preliminary Geotechnical Report was provided (submittal checklist item 35) with the HCR. The geotechnical engineer recommends additional site exploration to develop design criteria. Provide a project specific, detailed report with recommendations for construction of this project, including design criteria for the structural engineer and considerations for the civil engineer.
12. **Geotechnical Review:** The geotechnical engineer shall review and comment on the structural and civil engineering plans. Review shall indicate if the plans meet the intent of their recommendations or shall offer recommendations for plan modifications.
13. **Grading Plan.** Provide sufficient elevations and contours on the grading plan to illustrate existing and proposed contours across the building site, existing and proposed lot slope, and the limits of grading. Clarify proposed slopes along paths of travel and along proposed drainage improvements. Plans to identify volumes of cut and fill in cubic yards and identify fill areas on the plans.
14. **Drainage Plan.** Provide a drainage plan, prepared by a 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. Plans shall maintain existing drainage patterns. Indicate all pipe diameter, schedule, slope and invert elevations at inlets, outlets and junctions as well as at crossings. Drainage improvements shall be prepared in coordination with Stormwater Control Plans, Geotechnical Report, Hydraulic Calculations and Hydrological Report. Refer to MCC 24.04 Section VI Drainage Facilities. Any existing undersized facilities in the County road right of way shall be identified on the plans and upgraded. As proposed, the private stormdrains in the right of way will not be allowed as shown; all work in the right of way shall be designed in accordance with MCC 24.04.550 and the Uniform Construction Standards <https://publicworks.marincounty.org/documents/2018-marin-county-uniform-construction-standards/> .
15. **Hydraulic Calculations.** Per MCC 24.04.520, design engineer to provide calculations, reference, model studies, reports, watershed topography and other pertinent information to confirm the design. Design shall be predicated on ultimate development of the tributary watershed. Analyses shall be based on the 100 year storm. Verify the size, condition and capacity of the existing stormdrain systems into which the project proposes to connect and show the means of conveyance of stormwater from rooves and parking areas into the bio-retention areas.
16. **Hydrological Report.** A Hydrological Report was prepared by Carlile Macy dated July 5, 2024 and updated on September 6, 2024, which indicates that a "storm drain hydraulic analysis will be completed using StormCAD modeling software during development of construction documents." Applicant shall provide a comprehensive Hydrological and Hydraulic analysis for review by DPW. Analysis shall address and/or incorporate the following comments offered by DPW Water Resources staff:
 - a. Provide relevant figures and table within the report text.
 - b. Design and construct improvements to the insufficiently sized stormdrain pipes in the Marinwood Avenue right of way.
 - c. Provide evaluation of conveyance sizing to demonstrate drainage system feasibility.
 - d. Provide justifications for selected coefficients, factors and variables.
17. **Stormwater Control Plan.**
 - a. A Stormwater Control Plan is required by MCC § 24.04.627 Permanent Stormwater Controls for New and Redevelopment. Based upon the area of new impervious surfaces, this project is a regulated Stormwater Project. Currently, the BASMAA Post Construction

Manual provides direction and guidance on design criteria for stormwater control plans, with specific direction for regulated projects provided in Appendix D. This document can be viewed at the Marin County Stormwater Pollution Prevention Program's (MCSTOPPP's) website for post-construction stormwater management requirements, publications and resources at:
<https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/basm-aa-postconstruction-manual.pdf?la=en> .

- i. See plan comments provided in Attachment 1 from the Marin County Stormwater Pollution Prevention Program.
 - ii. **Be aware that the NPDES Phase II State Stormwater Permit is expected to be renewed in 2025 with changes to post-construction requirements that may impact this project at time of building permit application.**
 - b. Project will also be subject to trash control/capture requirements (install and maintain certified full trash capture devices on private stormdrain system).
 - c. Applicant shall clarify how the common stormwater controls will be owned and maintained. Regulated projects are required to enter into a Stormwater Management Facilities Agreement with the County, which shall be executed and recorded prior to final building inspections.
18. **During Construction Stormwater Protection Measures:** Based on information provided, project will disturb over an acre and will need to obtain a General Construction Permit from Regional Water Quality Control Board. Prior to issuance of the building permit, applicant shall provide the Waste Discharge Identification number. Additionally, applicant shall provide a phased erosion and sediment control plan to DPW along with the completed template in the MCSTOPPP Erosion and Sediment Control Plan Applicant Package available on MCSTOPPP's website: <https://mcstoppp.org/2020/03/construction-projects/> . The actual section to fill out begins on page 11 of this document.
19. **Utilities Plan:** Provide a utilities plan showing the locations of all existing and proposed public and private utility connections and methods of extension (overhead or underground). Indicate the size of proposed extensions and realignments to existing service mains. Provide approvals and/or conditions from each service provider.
- 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)
 - c. Marinwood Community Services District
 - d. PG&E
 - e. Refuse and Recycling Collection (residential and commercial)
 - f. Fire
20. **Construction Management Plan:** Applicant shall provide a comprehensive construction management plan which provides a general schedule of phased activities, locations of any temporary construction fencing and portable toilets, a stabilized construction access, labeled areas for material storage and staging, and contractor parking. Plan shall include signage to identify site manager and emergency contact information and other relevant information (safety information, hours of work, etc.). Plan shall include erosion and sediment control plans, dust and noise control plans.

END


INTER-OFFICE MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

DATE: 10/4/24

TO: Area Engineer & Senior Engineer, DPW Land Development

FROM: Liza DeFrain, DPW Stormwater

APPROVED: Rob Carson 

RE: **Hoyt Housing Compliance Review and P4478**
121,155,175 & 197 MARINWOOD AVENUE -
APN 165-471-64; 165-471-65; 165-471-69; 165-471-70

Plans and Documents reviewed: Plans Transmittal Date: 9/12/24; Plans Dated: 9/6/24

DPW Stormwater Comments:

1. **The Stormwater Control Plan appears complete.**
2. **While the sizing factor for all bioretention systems is compliant, they are all just within the size requirement and allow no room for error during construction or adjustments further in design such as correctly draining all inflows to treatment. With that in mind, consider the following that will be needed prior to permit issuance:**
 - a. **DMA A:** Bubble up elevation and detail needed from roof drain. Designs should attempt to keep inflow at grade through overland flow or trench drain or pipe at grade. Water from bubble ups can bypass treatment through weep hole for smaller rain events.
 - b. **DMA B:** DI next to market building appears to allow water to bypass treatment. Curb opening location at treatment will make it difficult for water to enter system. Consider placement at the other corner of parking and bulb out. How will water inflow from non-parking areas?
 - c. **DMA C:** location of curb opening will make it difficult for water to flow into system at a 90 degree angle. Consider placement at the other corner of parking and bulb out. How will water inflow from non-parking areas?
 - d. **DMA G & J:** Some curb cuts appear to be located outside inflow to treatment.
 - e. **DMA I:** Is there the ability to use the proposed landscape area as a "direct drainage to landscaped areas" as described in BASMAA manual 3-4?
 - f. **DMA L:** portion of flow lines appear to allow flow to bypass treatment and enter street.
 - g. **DMA M & N:** Treatment needs perforated pipe indicated with elevations. Plans need inflow details and sufficient understanding of how flows from all of DMA will inflow to treatment at proper elevation.
 - h. **DMA O:** Existing DI within parking area needs to be removed so that treatment isn't bypassed. Added DI within landscaped area should be removed or separated as self retaining or self treating and designed to BASMAA manual.
 - i. **DMA P:** Curb cuts should not be located directly in front of overflow drain. Bubble up elevation and detail needed from roof drain. Designs should attempt to keep inflow at grade through overland flow or trench drain or pipe at grade. Water from bubble ups can bypass treatment through weep hole for smaller rain events.

- j. **DMA Q:** Insufficient curb cut openings for water to drain to treatment
- k. **DMA X:** Added DI within landscaped area should be removed or separated as self retaining or self treating and designed to BASMAA manual. Overflow drain appears outside of bioretention system. Treatment needs perforated pipe indicated with elevations. Plans need inflow details and sufficient understanding of how flows from all of DMA will inflow to treatment at proper elevation.
- l. **DMA D, E, F, H, R, S, T U, V, W :** Overflow drain appears outside of bioretention system. Treatment needs perforated pipe indicated with elevations. Plans need inflow details and sufficient understanding of how flows from all of DMA will inflow to treatment at proper elevation.
- m. **DMA Y:** location of curb opening will make it difficult for water to flow into system at a 90 degree angle.
- n. **Bioretention Detail:** perforated pipe not properly placed per BASMAA manual. Perforations should only be located on bottom half of pipe. Pipe can be 4inches, per manual.
- o. **Bioretention Note:**
 - i. perforated pipe cannot be wrapped in filter fabric, per BASMAA manual.
 - ii. Class II rock spec: 68-2.02F(3).
 - iii. Note 5 should be adjusted to meet BASMAA manual requirements.
 - iv. Add: to call for inspection at time of installation
 - v. Add: Reference contractor must install using BASMAA Manua;
 - vi. Add: Reference contractor must follow BAMSAA manual Appendix B Construction Checklist
- p. **Details needed:**
 - i. Curb cut
 - ii. Bubble up
 - iii. All other proposed inflow types
- q. **Grading sheet**
 - i. Identify bioretention facilities
 - ii. Call out square footage
 - iii. Elevations
 - a. Bottom of gravel layer
 - b. Top of gravel layer
 - c. Top of soil layer
 - iv. Adjacent elevations
 - a. Finish grade
 - b. Top of curb
 - v. Spot elevations so that DMA's can be verified
- r. **Utility sheet**
 - i. Call out sub drain-pipe elevations (want to confirm that sub drain sits just below top of gravel layer and is flat)
 - ii. Call out inverts for storm drain
 - iii. Call out rim elevations for overflow inlet
 - iv. Call out elevation of curb cut or end of pipe (want to confirm that water entry point is above top of soil layer and below overflow RIM elevation)

3. Be aware that the NPDES Phase II State Stormwater Permit is expected to be renewed in 2025 with changes to post-construction requirements that may impact this project at time of building permit application.

END



**MARIN
WATER**

VIA ELECTRONIC MAIL

July 30, 2024
Service No. 37711 et al.

Marin County Planning Dept
3501 Civic Center Dr Ste 308
San Rafael CA 94903

RE: WATER AVAILABILITY – Redevelopment
Assessor's Parcel No.: 164-471-64, -65, -69 and -70
Location: 121, 155, 175, and 197 Marinwood Av., San Rafael

To Whom It May Concern:

Assessor Parcel Number 164-471-70 is not currently being served. The remaining above referenced parcels are currently being served. The purpose and intent of these services are to provide water for commercial use and landscape irrigation. The proposed construction of a mixed use development including 125 living units and commercial space will not impair the District's ability to continue service to these properties. However, the property's current annual water entitlement will be insufficient for the new use; therefore, the purchase of additional water entitlement will be required. Please note, the District owns and maintains facilities through parcels 164-471-65 and 164-471-69. No construction shall encroach upon or encumber access to District facilities. Water service required for the proposed redevelopment will be available upon request and fulfillment of the requirements listed below.

1. Complete High Pressure Water Service Applications.
2. Submit a copy of the building permits.
3. Pay appropriate fees and charges.
4. Complete the structure's foundation within 120 days of the date of application.
5. Comply with the District's rules and regulations in effect at the time service is requested. A meter per use per structure is required.
6. Comply with all indoor and outdoor requirements of District Code Title 13 – Water Conservation. This may include verification of specific indoor fixture efficiency compliance.
7. If you are pursuing a landscaping project subject to review by your local planning department and/or subject to a city permit, please contact the district water conservation department at 415-945-1497 or email to plancheck@marinwater.org. More information about district water conservation requirements can be found online at www.marinwater.org
8. Comply with the backflow prevention requirements, if upon the District's review backflow protection is warranted, including installation, testing and maintenance. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1558.
9. Comply with Ordinance No. 429, requiring the installation of gray water recycling systems when practicable for all projects required to install new water service and existing structures undergoing "substantial remodel" that necessitates an enlarged water service.
10. Comply with California Water Code – Division I, Chapter 8, Article 5, Section 537; which requires individual metering of multiple living units within newly constructed structures.

If you have any questions regarding this matter, please contact us at 415-945-1530.

Sincerely,

Louis Cacho

Louis Cacho
Engineering Technician



DISTRICT BOARD

Megan Clark
Craig K. Murray
Barry Nitzberg
Gary E. Robards
Crystal Yezman

DISTRICT ADMINISTRATION

Curtis Paxton,
General Manager
Michael P. Cortez,
District Engineer
Mel Liebmann,
Plant Manager
Dale McDonald,
Administrative Services Manager
Greg Pease,
Collection System/Safety Manager

To: PLANNING DEPARTMENT

Fax:

- City of San Rafael
 County of Marin

415-485-3184
415-499-7880

ATTN: Michelle Levenson, Principal Planner Phone:

From: Michael Cortez PE, District Engineer

Date: 5/23/2024

We have received your referral/submittal for the following proposed project:

**Marinwood Plaza
Housing Compliance Review**

APN #	Site Address
APNs 164-471-64, -65, -69 & -70	121, 155, 175, & 197 Marinwood Avenue, San Rafael

We have the following comments:

- The proposed project is within the Sphere of Influence but not District facilities boundary.
- The proposed project is within the Sphere of Influence and District facilities boundary.**
- The proposed project is not within the Sphere of Influence or District facilities boundary.
- The proposed project must apply for and receive an allocation of sewer capacity from this District before it can receive sewer services. Please download the application form at: https://www.lgvsd.org/wp-content/uploads/Application-for-Allocation-of-Capacity-8-16-23_fillable.pdf.**
- The proposed project has received an allocation of sewer capacity; however, the proposed building alteration/addition needs District staff review for possible additional load on sewer system. Please download the application form at: https://www.lgvsd.org/wp-content/uploads/Application-for-Allocation-of-Capacity-8-16-23_fillable.pdf.
- The proposed project must make satisfactory arrangements with this District for the construction of any off-site or on-site sewers which may be required.**
- No comment.

DECISION: **Not Applicable**

DATE: **May 23, 2024**

SUBJECT: COMMENTS ON PLANNING DIVISION TRANSMITTAL DATED APRIL 24, 2024 (via Email from Michelle Levenson dated 4/25/2024):

1. LGVSD has no comments on the following items included in the transmittal received on 4/25/2024:
 - a. Letter Regarding Affordable Housing Plan dated 4/15/2024 from Tableau Development
 - b. Arborist Report dated 2/19/2024 prepared by Urban Forestry Associates, Inc.
 - c. Preliminary Geotechnical Study Report dated 12/29/2023 prepared by RGH Consultants
 - d. Hydrology Study dated 4/12/2024 prepared by Carlile Macy
 - e. Parking Needs Assessment dated 4/12/2024 prepared by Nelson\Nygaard
 - f. Preliminary Title Report by Old Republic National Title Insurance Company
 - g. Stormwater Control Plan dated 4/12/2024 prepared by Carlile Macy
2. Housing Compliance Review – The total number of units proposed is consistent with the 125 units shown in the Marin County Housing Element Update 6th Cycle 2023-2031. LGVSD requires hydraulic modeling analysis of downstream impacted sewers to determine if capacity upgrades are required.
3. Entitlement Package (Project Plans) dated 4/12/2024 prepared by LPAS Architecture + Design
 - a. General Architectural Plans (Sheet A.01 to A.30) – No comments.
 - b. Landscape Plans (Sheet L.01 to L.03) – No comments.
 - c. Civil Plans (Sheet C.01 to C.08) – No comments.
 - d. Utility Plan (Sheet C.09 to C.10)
 - i. Submit complete sanitary sewer design profile and plans for District review when available. The plan and profile shall clearly indicate pipe cover, clearances between other utilities, etc., in addition to the basic pipe size, slope, lineal footage, etc.
 - ii. The portions of the sanitary sewer that lie within the property are identified as private (PVT). Add the same callout to the portion of the proposed sewer within the street ROW to indicate that it is a private sewer lateral and shall be connected a few feet downstream of the existing manhole (not directly into the manhole).
 - iii. All sewer lateral work shall be constructed in accordance with the LGVSD standard specifications. (Link to LGVSD Specifications for Lateral Sewers: https://www.lgvsd.org/files/dbfd7404f/2019-Lateral-Specs_edited-6-8-2021_final.pdf.) Note the minimum pipe cover, trench detail, minimum pipe size, pipe materials, pipe slope, other acceptable fittings and materials, etc. The cleanout nearest the building foundation shall be provided with a Backwater Prevention Device.
 - iv. Use LGVSD Standard Details for sanitary facilities, such as manholes, manhole connection, cleanout, trench backfill, etc., as applicable.
 - v. Revise and resubmit Preliminary Utility Plans to include plan and profile and applicable standard details.
4. Sewer Capacity Study dated 4/12/2024 prepared by Carlile Macy
 - a. Page 1, *Existing Conditions* – The diameter of the sewer main within Marinwood Avenue is 10” per District records, not 12” as shown in the study. Field-verify and revise hydraulic calculations as necessary.
 - b. Page 1, *Proposed Conditions*, last sentence – Per District standard specifications, sewer laterals shall be tied to a sewer main, not directly into a manhole.

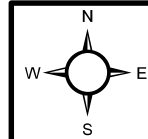
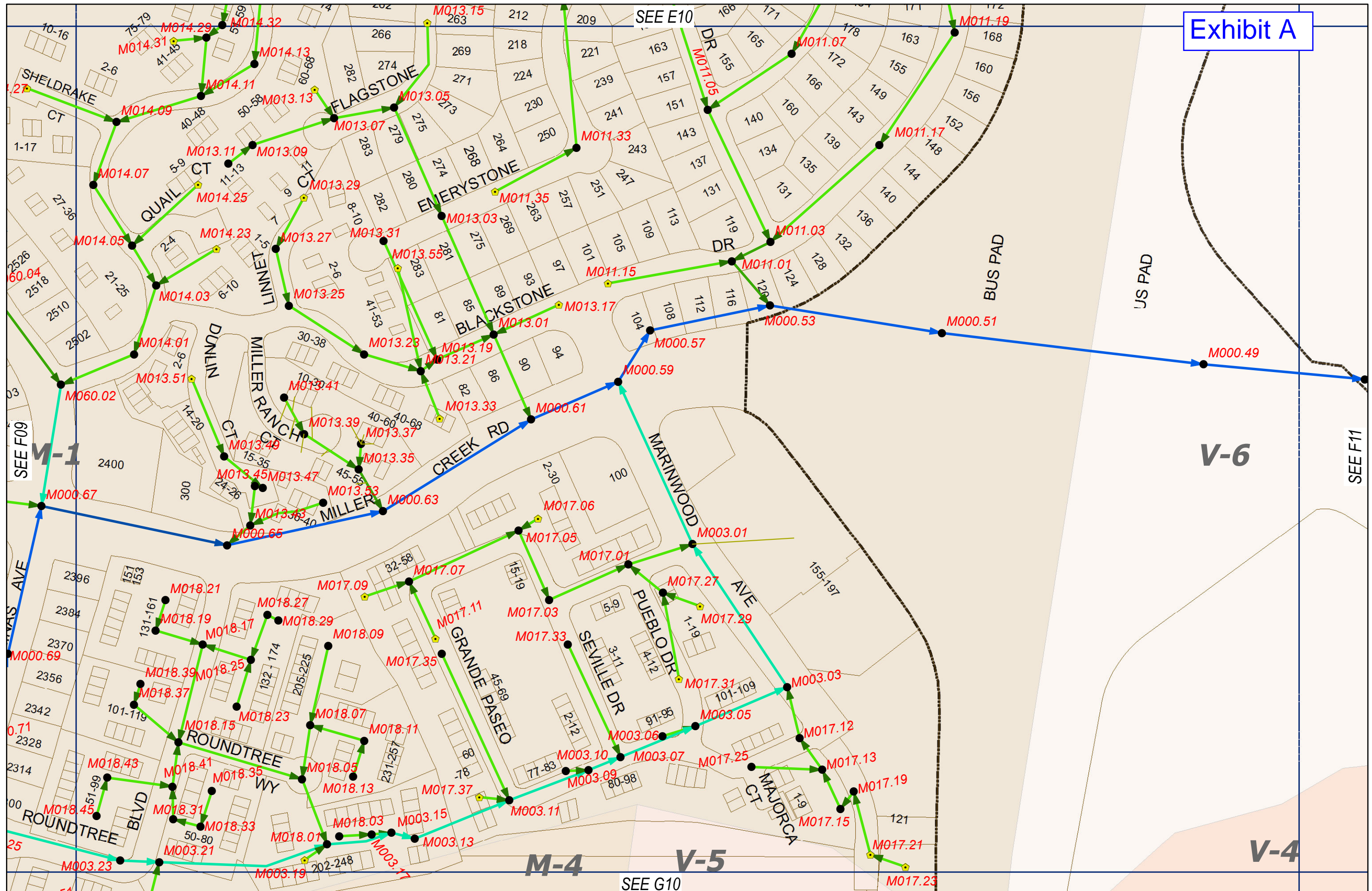
- c. Page 1, *Design Assumptions* – Per District standard specifications, the minimum slope for a sewer lateral greater than four inches is 1.0%. Revise 0.5% slope of the “private backbone sewer within the project site” to meet the minimum 1.0% requirement. All sanitary sewer lines within the project site are considered “private lateral.”
 - d. Page 2, *Conclusion*
 - i. See comment 3.d.i above regarding missing sanitary sewer plan and profile. It is premature for the study to conclude that the proposed sewer main and laterals meet LGVSD standards without final design plans.
 - ii. The last sentence is unclear. LGVSD agrees that the sewer flow contribution shall be added to the LGVSD sewer hydraulic model in order to determine whether the existing system has sufficient capacity to handle the proposed flows. However, the design engineer shall use LGVSD standards for Density, Demand Flow, and Peak Load Factor to calculate the total additional flows from the development project.
 - e. Page 4, *Development Sewer Capacity Calculations* – See comment 4.d.ii above. Revise and resubmit calculations.
 - f. General Comments: There exist potential capacity limitations downstream of the proposed development.
 - i. See attached Exhibit A for basin maps for a segment of Marinwood Trunk Sewer likely to be impacted by the proposed development. The segment begins from MH M017.12 on Map F10 to MH M000.01 (terminal manhole near Marinwood Pump Station at the treatment plant) on Map H12.
 - ii. The Sewer Capacity Study submitted is inadequate for the District to review and understand the overall impact on the downstream sewer system of the proposed development. Revise and resubmit overall report.
 - iii. Hydraulic modeling and analysis of impacted sanitary sewer facilities are required for this project. Applicant shall coordinate hydraulic modeling with District and its consultant.
 - iv. A flow monitoring study may be required in order to perform a more detailed hydraulic modeling.
5. Capacity Upgrades
- a. Pursuant to District Ordinance Title 3 Chapter 2, An Ordinance Relating to Reimbursement for Public Sewer Main Extensions and/or Sewer Capacity Upgrades, Applicant shall be responsible for any capacity upgrades of existing sanitary sewer facilities that may be required for this project.
6. Inflow and Infiltration Reduction Projects as Wet Weather Flow Mitigation Option
- a. The District has adopted a program that would allow the developers to pay a proportionate share of wet weather flow mitigation by contributing towards an inflow and infiltration reduction project in lieu of sewer upsizing and facilities upgrade. See Exhibit B.
7. Please include the following LGVSD requirements in the Planning Commission’s conditions of approval for the project:
- a. LGVSD Conditions of Approval - The application is deemed incomplete unless the applicant meets the requirements outlined in this LGVSD response.
 - b. Development Agreement – Will be required for this project if results of hydraulic modeling require upgrade of sanitary sewer with capacity deficiencies.
 - c. Sewer Main Construction Approval Letter – Will be issued upon applicant’s compliance with LGVSD plan review comments on the off-site and on-site sewer design.

- d. Will Serve Letter – Requires LGVSD Board approval, subject to applicant’s compliance with all LGVSD requirements.
 - e. Final Inspection Sign-Off of Sewer Facilities Prior to Final Occupancy
8. Refer to District Ordinance Title 2 Chapter 1. Applicant shall be responsible for the preparation of the following documents for review and approval by the District:
 - a. **Final** sewer plans and specifications related to the Project.
 - b. Flow calculations. Flow monitoring may also be required if deemed necessary.
 - c. Hydraulic modeling and analysis of impacted sanitary sewer facilities.
 - d. New sewer easements, if applicable.
 - e. Other documents deemed necessary by the District during the plan review process.
 9. Submit design/construction plans to LGVSD for review when available. Plans must show including but not limited to the following: a table showing existing and proposed plumbing fixture count, existing and proposed floor plans showing location of plumbing fixtures, location of backwater prevention devices, sanitary sewer, cleanouts, manholes, and other relevant sanitary sewer details or information that may be applicable. Sanitary sewer design must comply with LGVSD standard specifications.
 10. The District discourages individual sewer pumps and will require a recordable non-responsibility covenant should a pump be required.
 11. The District strongly discourages the construction of “back yard sewers” because of the difficulties in maintenance. Every effort should be made to construct sewers in public or private streets. Every manhole must be accessible via an unobstructed ten (10) foot wide easement from the nearest paved public roadway and subject to District review and approval.
 12. The use of recycled water and dual plumbing where appropriate are strongly encouraged.
 13. The District is not incurring any liability of any nature, including but not limited to mandate, damages, or injunctive relief. The District is making no representation to the Applicant nor waiving any rights it has under any applicable State or Federal law. In the event there is any court-imposed moratorium on the District, a connection to the District collection system may not occur. In the event any government agency imposes a moratorium on the District, a connection to the District system may not occur.
 14. Applicant shall reimburse the District for sewer capacity analysis/calculations, plan review, field verification before and after construction, inspection fees, and all third-party consultant fees accrued by the District in association with this development project.
 15. These are comments on PROJECT REFERRAL / TRANSMITTAL / SUBMITTAL DATED 4/24/2024. **Final approval in the form of a Will Serve Letter will not be granted until the District Board acts favorably on your Application of Allocation.**

Please note:

1. Based on the District Ordinance and Miscellaneous Fee Schedule, preliminary cost estimates are:
 - a. For new buildings, structures, and developments:
 - i. \$8,266 per Equivalent Sewer Unit (ESU)
 - ii. Actual fees will be adjusted according to specific conditions and ENR adjustments outlined in the Ordinance.

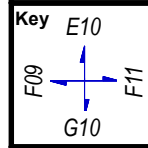
- b. For existing buildings, structures, and developments:
 - i. \$413 per Plumbing Fixture Unit (PFU)
 - ii. Credit may be given to existing plumbing fixtures.
 - iii. Actual fees will be adjusted according to specific conditions and ENR adjustments outlined in the Ordinance.
 - c. Connection fee will be assessed based on the Capital Facilities Charge per ESU at the time of Will Serve Letter issuance.
2. Applicant must complete and submit Application for Allocation of Capacity to LGVSD along with an application fee of \$500. Application is available at https://www.lgvsd.org/wp-content/uploads/Application-for-Allocation-of-Capacity-8-16-23_fillable.pdf.
3. Applicant is required to obtain a sewer permit from LGVSD for any sewer lateral work. The permit application is available at <https://www.lgvsd.org/wp-content/uploads/SL-Permit-Fillable-12.2023.pdf>. Submit the permit application to the District office and call 24 hours in advance of backfill for lateral inspections.
4. Applicant is required to obtain an encroachment permit from LGVSD for repair or replacement of sewer facilities, CCTV sewer inspections, and confined space entry into sewer facilities, when applicable. The permit application is available upon request. Submit the permit application to the District office. No work shall commence until the encroachment permit is issued.
5. For more information about District Ordinance and permitting process, please visit <http://www.lgvsd.org/>.
6. District Standard Details/Specifications are available upon request.
7. Applicant shall submit plans electronically to LGVSD for review.



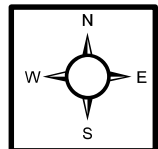
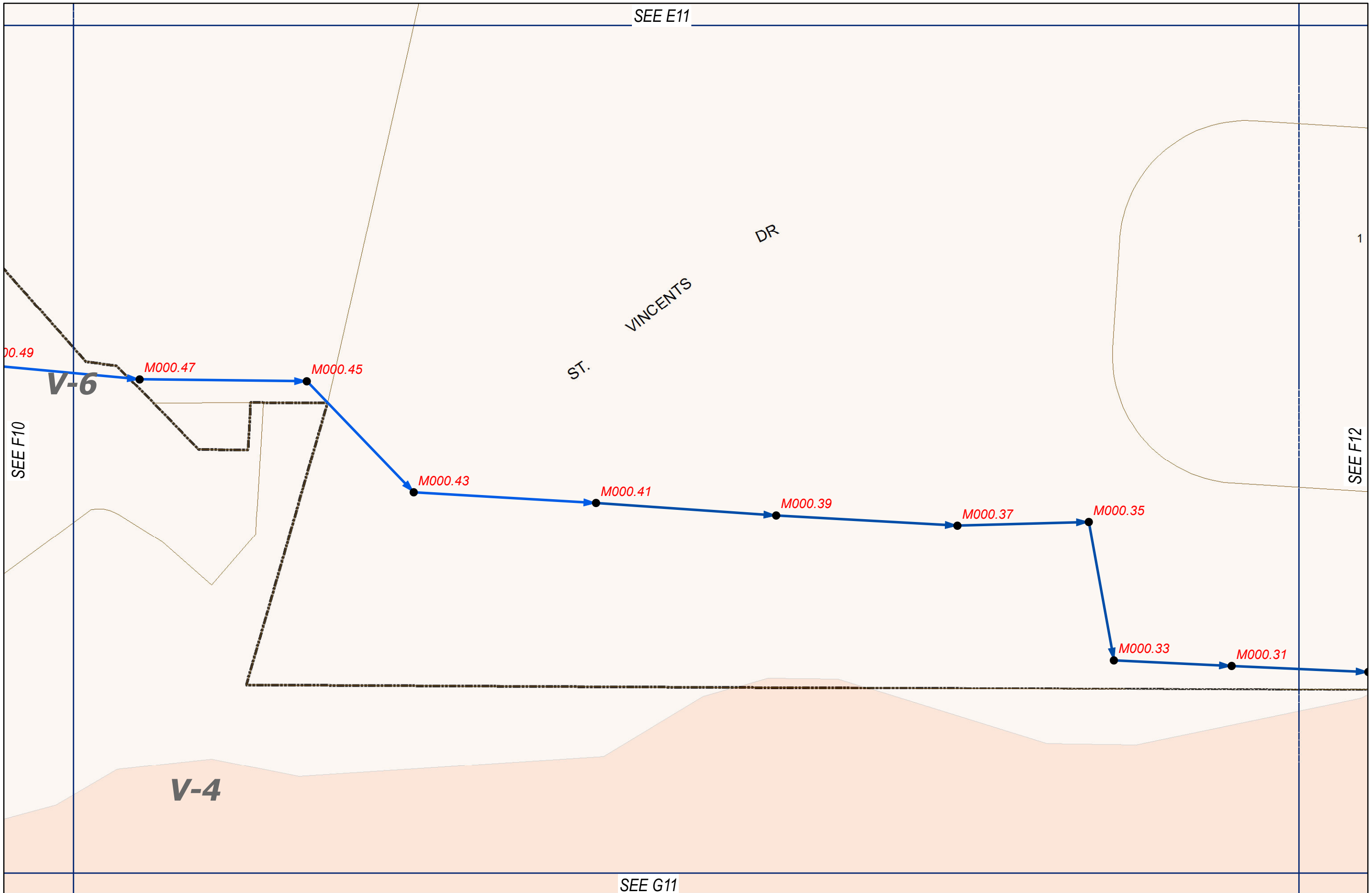
SANITARY SEWER SYSTEM

Date: 7/16/2012

LAS GALLINAS VALLEY SANITARY DISTRICT
Marin County, California

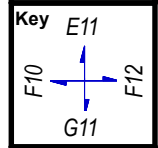


Drawing No. **F10**

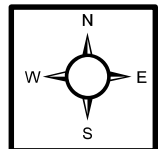
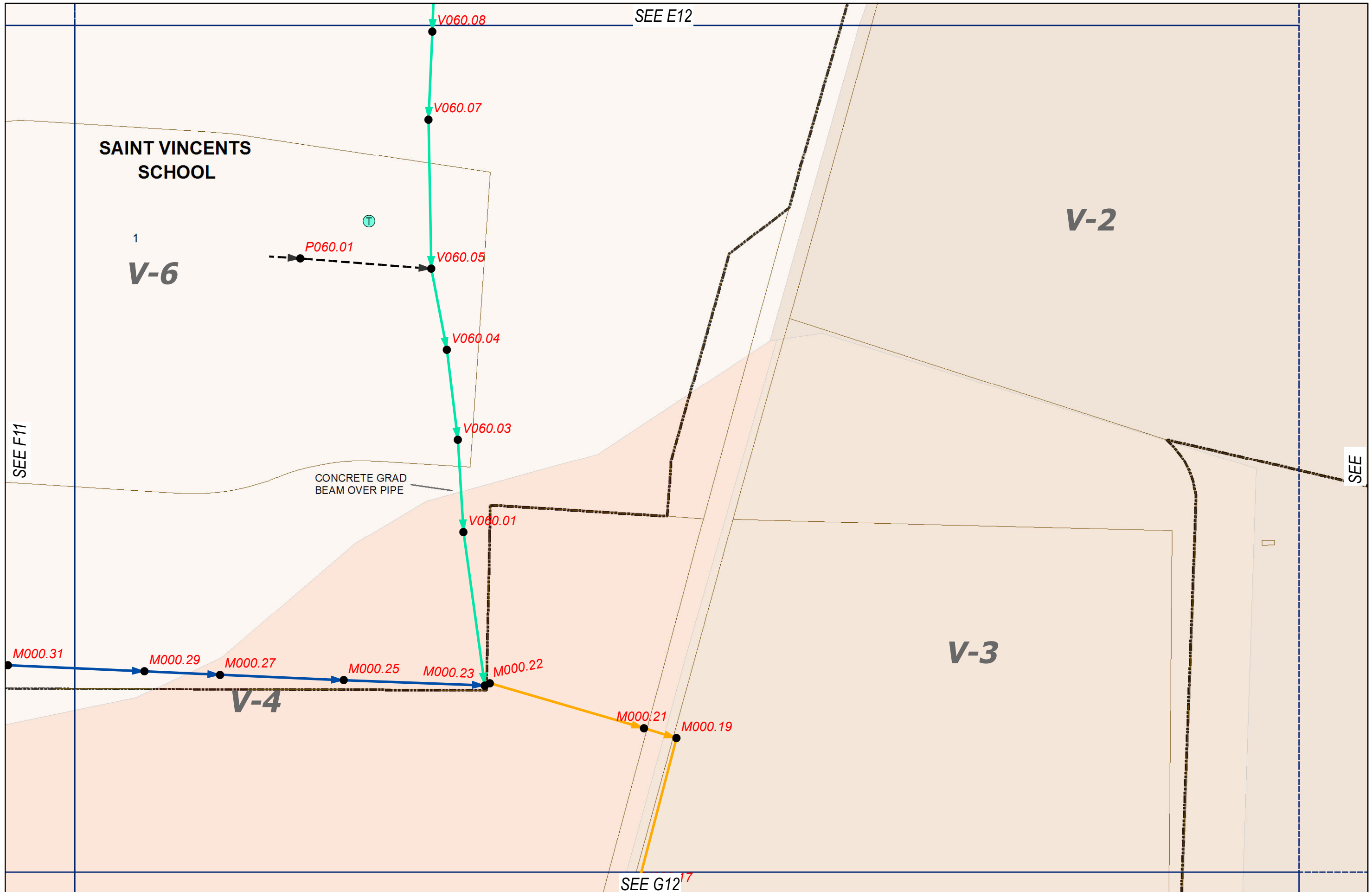


SANITARY SEWER SYSTEM
Date: 7/16/2012

LAS GALLINAS VALLEY SANITARY DISTRICT
Marin County, California

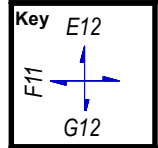


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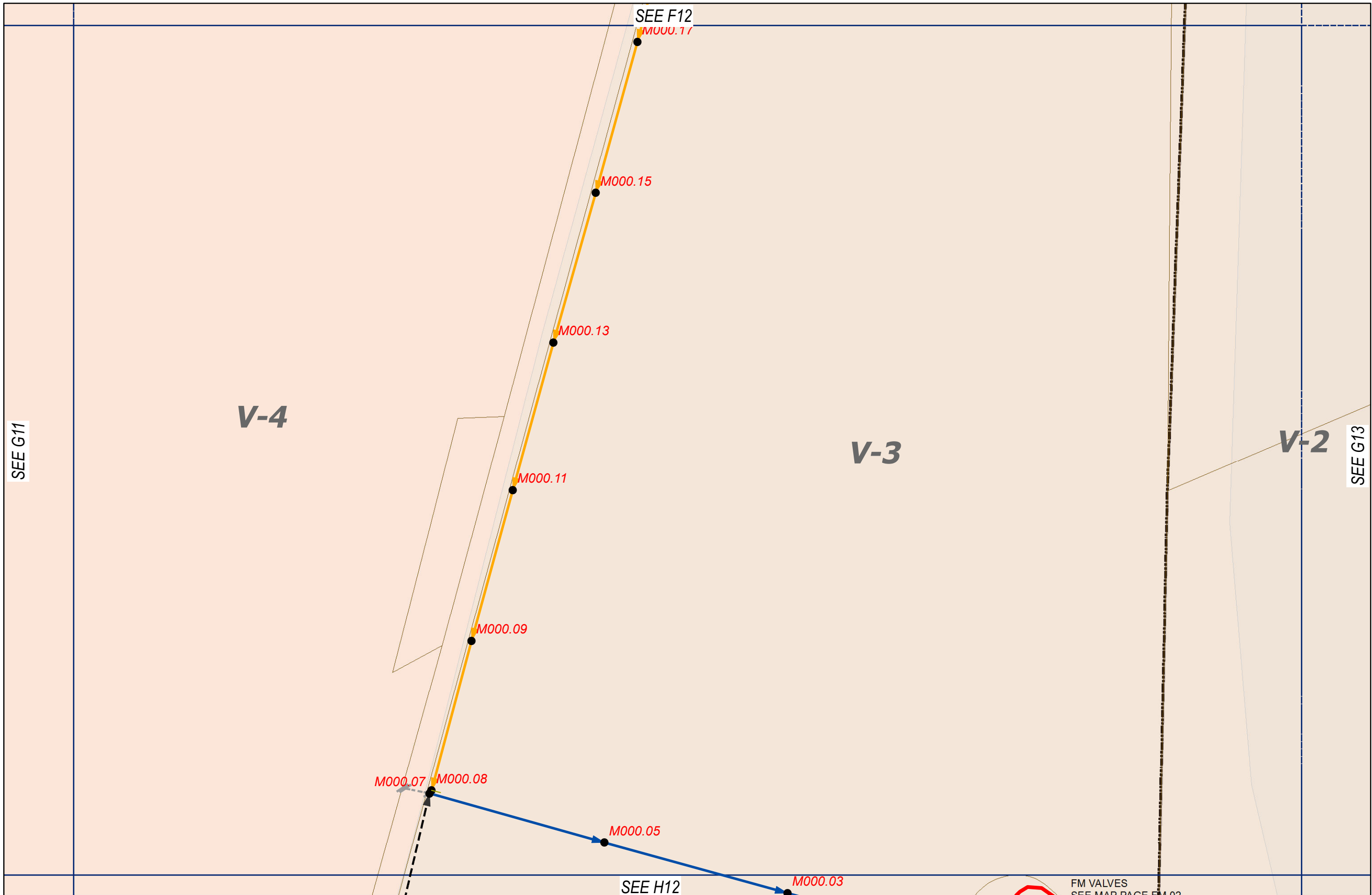


SANITARY SEWER SYSTEM
Date: 7/16/2012

LAS GALLINAS VALLEY SANITARY DISTRICT
Marin County, California



Drawing No.
F12



SEE G11

V-4

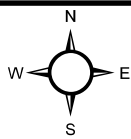
V-3

V-2

SEE G13

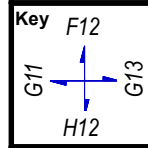
SEE F12

SEE H12



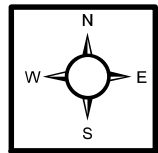
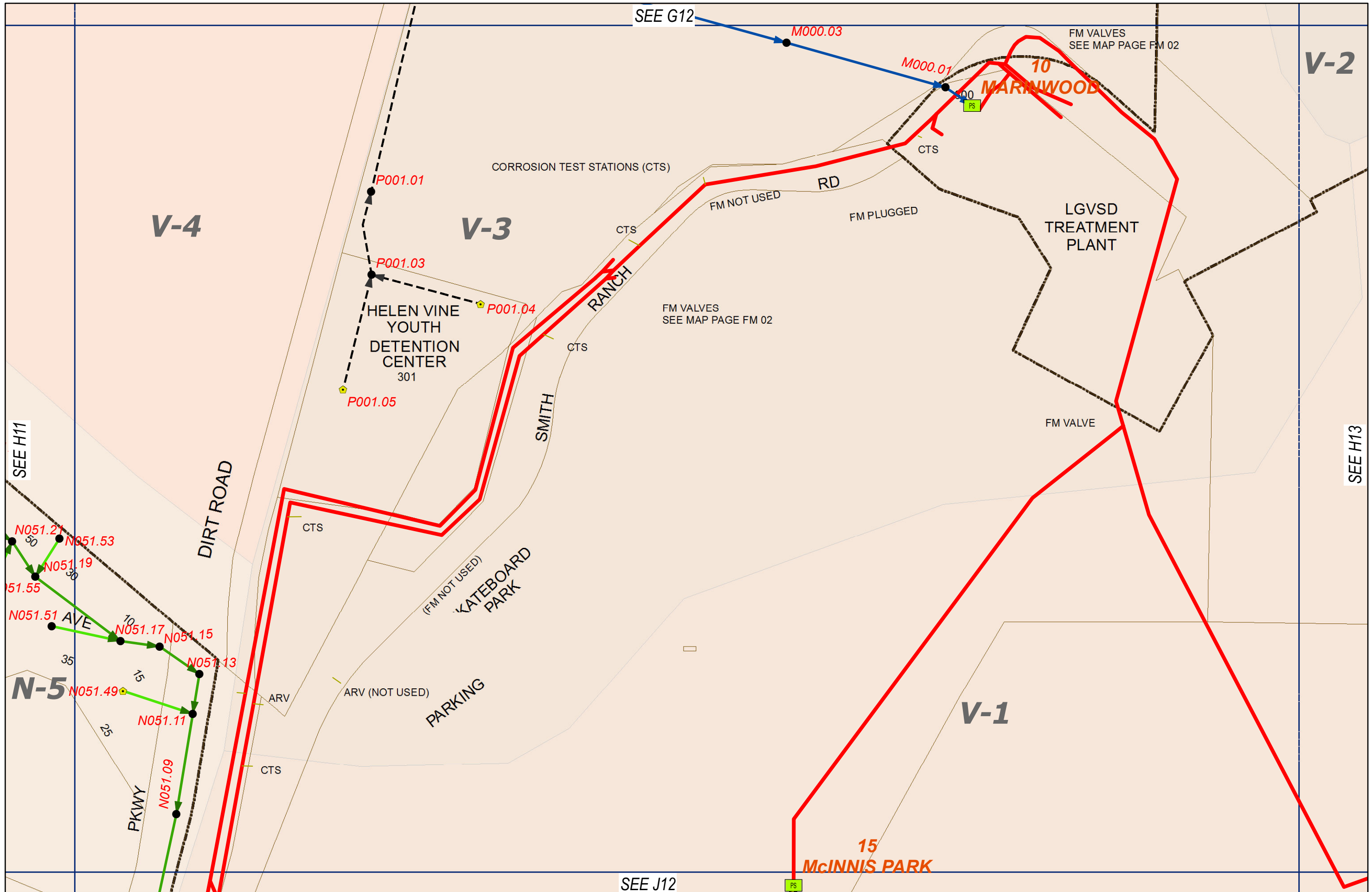
SANITARY SEWER SYSTEM
Date: 7/16/2012

LAS GALLINAS VALLEY SANITARY DISTRICT
Marin County, California



Drawing No.
G12

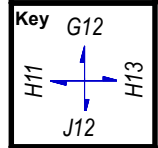
FM VALVES
SEE MAP PAGE FM-02



SANITARY SEWER SYSTEM

Date: 7/16/2012

LAS GALLINAS VALLEY SANITARY DISTRICT
Marin County, California



Drawing No.
H12

RESOLUTION No. 2023-2318

A RESOLUTION ADOPTING A POLICY ALLOWING INFLOW AND INFILTRATION REDUCTION PROJECTS AS A WET WEATHER FLOW MITIGATION OPTION FOR NEW LAND DEVELOPMENT PROJECTS

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, the 6th Cycle (2023-2031) Housing Element of the City of San Rafael General Plan 2040, as adopted on May 15, 2023, created additional sites for multifamily housing by allowing more housing in commercial areas at densities that would make affordable housing feasible, as shown in Exhibits A and B; and

WHEREAS, the 6th Cycle (2023-2031) Housing Element of the County of Marin Countywide Plan 2007, as amended and adopted on January 24, 2023, promoted the need for affordable units and housing types besides single family residential units, as shown in Exhibits A and B; and

WHEREAS, the California Health and Safety Code Section 65583(c)(7) require that cities and counties develop a plan that incentivizes and promotes the creation of Accessory Dwelling Units (ADUs) as part of the Housing Elements; and

WHEREAS, Senate Bill 9 (SB 9), otherwise known as the California Housing Opportunity and More Efficiency (HOME) Act, promotes strategic infill growth in urbanized areas or urban clusters that would make it possible for a homeowner to create a duplex or subdivide an existing lot up to no more than four units on what is currently a single-family parcel; and

WHEREAS, the number of proposed developments and ADUs outlined in both city and county housing elements, including new units as may be created under SB 9, would impact existing sanitary sewer mains, trunk lines, pump stations, and/or force mains within the District service area; and

WHEREAS, the District had essentially completed the recommended collection system improvements outlined in the 2008 Sewer System Management Plan (District de facto Master Plan) that preceded the latest state housing mandates; and

WHEREAS, the District completed a Collection System Hydraulic Model (CSHM) to evaluate potential system capacity deficiencies from new discharges to the collection system during wet weather events; and

WHEREAS, the CSHM identified portions of the existing collection system that have capacity deficiencies during wet weather flow conditions directly related to inflow and infiltration (I&I); and

WHEREAS, the CSHM recommends I&I reduction and/or pipeline capacity upsizing to address these capacity deficiencies during wet weather flow conditions; and

WHEREAS, the I&I reduction and/or pipeline capacity upsizing recommendations will be incorporated into the future District Integrated Wastewater Master Plan (IWMP) with a target planning period through 2040; and

WHEREAS, the development projects could request sewer service that were not anticipated or are larger than the growth projections in the two general plans and IWMP; and

WHEREAS, such a development project requesting sewer service could be located within the same subbasin or upstream of sewer mains, trunk lines, pump stations, and/or force mains that were identified as lacking sufficient wet weather capacity during the 10-year design storm in the CSHM; and

WHEREAS, it is possible to create adequate wet weather capacity in sewer mains, trunk lines, pump stations, and/or force mains by removing the ability for I&I to enter the collection system within the same subbasin or upstream of a development project by rehabilitating the sewer system; and

WHEREAS, the cost to create adequate wet weather capacity must be borne proportionately by the developers in addition to the Capacity Facilities Charge also known as Connection Fee, so that existing ratepayers do not pay for the cost of the additional capacity that otherwise would not be needed; and

WHEREAS, the Las Gallinas Valley Sanitary District Board of Directors, by this Resolution, desires to adopt a policy to provide direction to staff for future development projects that are beyond anticipated projections and are within the same subbasin or upstream of sewer mains, trunk lines, pump stations, and/or force mains that lack sufficient wet weather capacity.

NOW, THEREFORE, BE IT RESOLVED by the Las Gallinas Valley Sanitary District Board of Directors, hereby authorizes and directs the implementation of the following policy for future development projects that are beyond planning projections and are within the same subbasin or upstream of sewer mains, trunk lines, pump stations, and/or force mains with wet weather capacity deficiencies:

1. Circumstances under Which Staff May Consider an I&I Reduction Project:

- a. The proposed development can be considered if it is located inside the District's boundary; and
- b. The proposed development is upstream of sewer mains, trunk lines, pump stations, and/or force mains identified in the CSHM that lacks sufficient wet weather capacity.

2. Requirements for an I&I Reduction Project

- a. An I&I reduction project must achieve a total peak wet weather flow rate reduction greater than the incremental increase from the proposed development for two primary reasons:
 - i. Depending on the location and type of I&I rehabilitation work, collection system flows from that location could be attenuated prior to reaching the portion of the sewer mains, trunk lines, pump stations, and/or force mains impacted by the incremental flow increase; and
 - ii. The rehabilitated and/or replaced portions of the existing sewer collection system will degrade over time, which can result in a future increase in I&I at those locations.

As such, the District requires a 2:1 mitigation ratio for an upstream I&I reduction project.

- b. An I&I reduction project must be located within the same subbasin or upstream of the sewer mains, trunk lines, pump stations, and/or force mains where flows are projected to be greater than capacity. The developer shall pay for the District to install flow monitors in the collection system immediately upstream of the impacted sewer mains, trunk lines, pump stations, and/or force mains during the wet weather seasons before and after the

I&I reduction project is constructed, including data interpretation and hydraulic model recalibration by a third-party consultant if necessary.

- c. An I&I reduction project shall completely rehabilitate the public sewer system between manholes. The public sewer system includes mains, public laterals, and manholes.

3. Developer Options

- a. The developer may contribute funds to a planned District capital project if the project meets the above requirements. The estimated developer contribution shall be calculated by multiplying the estimated total project cost by the development's estimated peak wet weather flow and dividing by the measured I&I reduction of the planned District capital project as shown in the sample calculation in Exhibit C.
 - i. If the developer contribution calculated based on the actual bid price is within 5% of the estimated developer contribution, the developer obligation on I&I reduction is deemed complete and the District may proceed with the project without further consultation.
 - ii. If the developer contribution calculated based on the actual bid price exceeds the estimated developer contribution by more than 5%:
 - 1) The District will meet and confer with the developer over the cost and each party will retain its right to re-evaluate its decision to proceed with the project.
 - 2) Upon project completion, the District will furnish the developer with detailed accounting of the actual cost including cost of any change orders.
 - 3) The District will reimburse any overages or collect additional funds based on the final I&I reduction project cost.
- b. If the District does not have a planned project, the Developer shall enter into an agreement with the District to fund all costs to design and construct an I&I reduction project. District staff will select and manage a design consultant who will prepare construction documents. The project will be bid in accordance with District procedures. Depending on the scale of the project, District staff or a consultant will manage and inspect the construction of the I&I reduction project.
- c. If the measured I&I reduction exceeds the amount required for the development project, the sewer mains, trunk lines, pump stations, and/or force mains will effectively have additional wet weather capacity to support other upstream development. The developer shall have the option to apply the excess capacity to another project that is upstream of the under-capacity sewer mains, trunk lines, pump stations, and/or force mains for a period of 10 years after the completion of the I&I reduction project. The developer is allowed to transfer the excess capacity to another developer's project as long as the sale of excess capacity is based solely on the proportional actual direct cost of the I&I project that created the capacity. The District must agree to the transfer in writing prior to the transfer, or the transfer will not be recognized by the District. The 10-year period shall not be extended if the capacity is transferred to another developer.

* * * * *

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on December 7, 2023, by the following vote of the members thereof:

AYES, and in the favor thereof, Members: *Clark, Ford, Murray, Roberts, Yezman.*
NOES, Members: *None.*
ABSENT, Members: *None.*
ABSTAIN, Members: *None.*



Teresa L. Lerch, Board Secretary
Las Gallinas Valley Sanitary District

APPROVED:



Megan Clark, Board President

(seal)

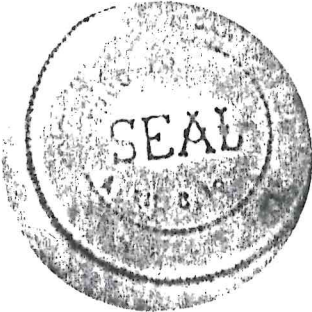


Exhibit A

Prepared by: LGVSD Staff
Date: 11/8/2023

ID#	City of San Ramon		Sewer Inventory Within LGVSD		Trunk Line/ Sewer Main	Sewer Facilities Upgrade		P.S. Upgrade Cost (B)	Total Cost (A+B)	Sewer Service Area	I&I Wet Weather Mitigation	
	Address		Theoretical	Realistic		Pump Station(s)	T. S. Upgrade Cost (A)				I&I Reduction Cost	P.S. Upgrade Cost
E-5	145 & 155 N Redwood Dr		89	62	Smith Ranch	Smith Ranch	TBD	TBD	TBD	N-4	TBD	TBD
E-6	30 Smith Ranch Rd		62	50	Smith Ranch	Smith Ranch	TBD	TBD	TBD	N-4	TBD	TBD
A-1	Los Gamos Dr		247	192	Smith Ranch	Northgate Industrial, Smith Ranch	TBD	TBD	TBD	N-3	TBD	TBD
B-4	160 Mitchell Blvd		56	18	Smith Ranch	Smith Ranch	TBD	TBD	TBD	N-4	TBD	TBD
E-2	900 Las Gallinas Ave		21	17	Terra Linda	John Duckett	TBD	TBD	TBD	T-4	TBD	TBD
A-8	Northgate Walk		301	136	Lower Terra Linda	John Duckett	TBD	TBD	TBD	T-3	TBD	TBD
D-7	245 Nova Albion Wy		164	97	Terra Linda	John Duckett	\$4,000,000	N/A	\$4,000,000	T-4, T-5	\$2,237,000	N/A
					Freitas Siphon	John Duckett	\$1,000,000		\$1,000,000			
					Nova Albion	John Duckett	TBD		TBD			
B-3*	Northgate Mall		1,905	907	Northgate	John Duckett	TBD	TBD	TBD	T-3	TBD	TBD
E-10	401 Merrydale Rd		39	32	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-12	TBD	TBD
D-13	3501 Civic Center Dr		80***	48***	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-9, S-15	TBD	TBD
E-9	380 Merrydale Rd		78	62	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-10	TBD	TBD
A-7	350 Merrydale Rd		99	45	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-10	TBD	TBD
E-13**	3765 & 3769 Redwood Hwy		29	23	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-10	TBD	TBD
D-12	25 Golden Hide Blvd		24	20	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-13	TBD	TBD
E-19	100 El Prado Ave		13	12	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-11	TBD	TBD
D-11	159 Merrydale Rd		19	16	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-10	TBD	TBD
D-10	50 Merrydale Rd		12	12	Mulligan	Mulligan, Civic Center	TBD	TBD	TBD	S-10	TBD	TBD
			Total:	1,749								

Total RHNA needs within City Jurisdiction: 3,220

Percentage of Total City RHNA Needs Within LGVSD: **100.6%** **54.3%**

* - Project Concept 2025 (retail space plus 965 multi-family units) and Project Concept 2040 (retail space plus 1374 multi-family units) for Northgate Mall Redevelopment.

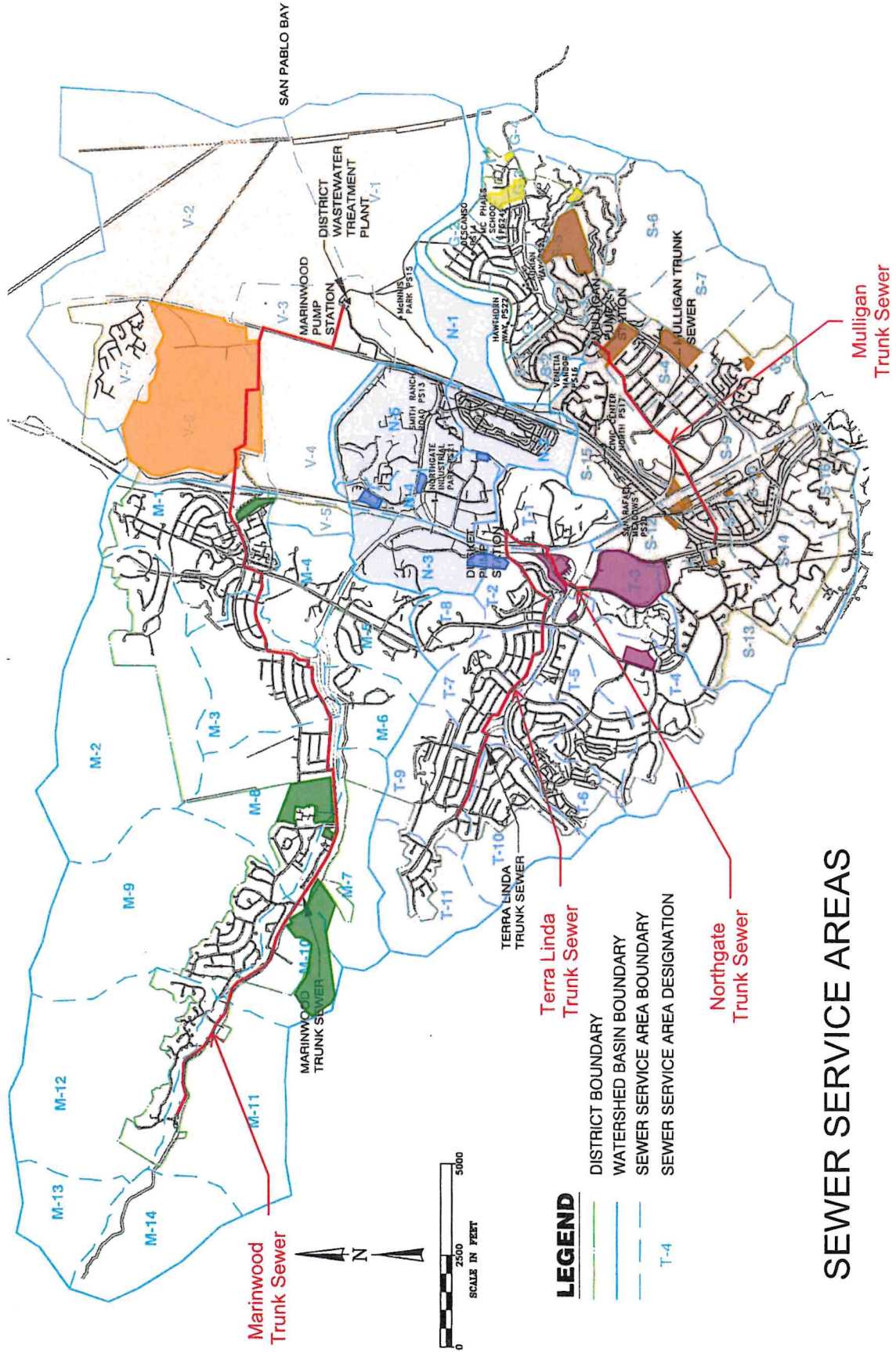
** - Incorrectly noted as E-14 on the San Rafael Housing Opportunity Sites Map.

*** - Theoretical and realistic sites inventory inadvertently transposed in the City of San Rafael Housing Element.

Community/Site Name	County of Marin		Sewer Inventory Within LGVSD		Trunk Line(s)	Sewer Facilities Upgrade		P.S. Upgrade Cost	Total Cost	Sewer Service Area	I&I Wet Weather Mitigation	
	Per Site	Total	Theoretical	Realistic		Pump Station(s)	T. S. Upgrade Cost				I&I Reduction Cost	P.S. Upgrade Cost
Lucas Valley				138								
Office Building (APN 164-481-10)	58											
Marin County Juvenile Hall	80											
Lucas Valley Envoiros		26										
Lucas Valley Envoiros Vacant												
Marinwood		135										
Marinwood Plaza	125											
Miller Creek District Properties	10											
Santa Veneta		181										
Church of Jesus Christ	35											
Congregation Rodef Shalom	13											
Bernard Osher Marin JCC	36											
McPhail School	33											
Old Gallinas Children's Center	50											
Vacant Santa Veneta (APN 180-171-32)	2											
Outumbered2, LLC (APN 180-261-10)	4											
Vacant Santa Veneta (APN 179-332-19)	3											
Vacant Bayhills Dr (APN 180-333-01)	5											
St Vincent's		680										
St. Vincent's School for Boys												
		Total:		1,160								

Total RHNA Needs Within County Jurisdiction: 3,569

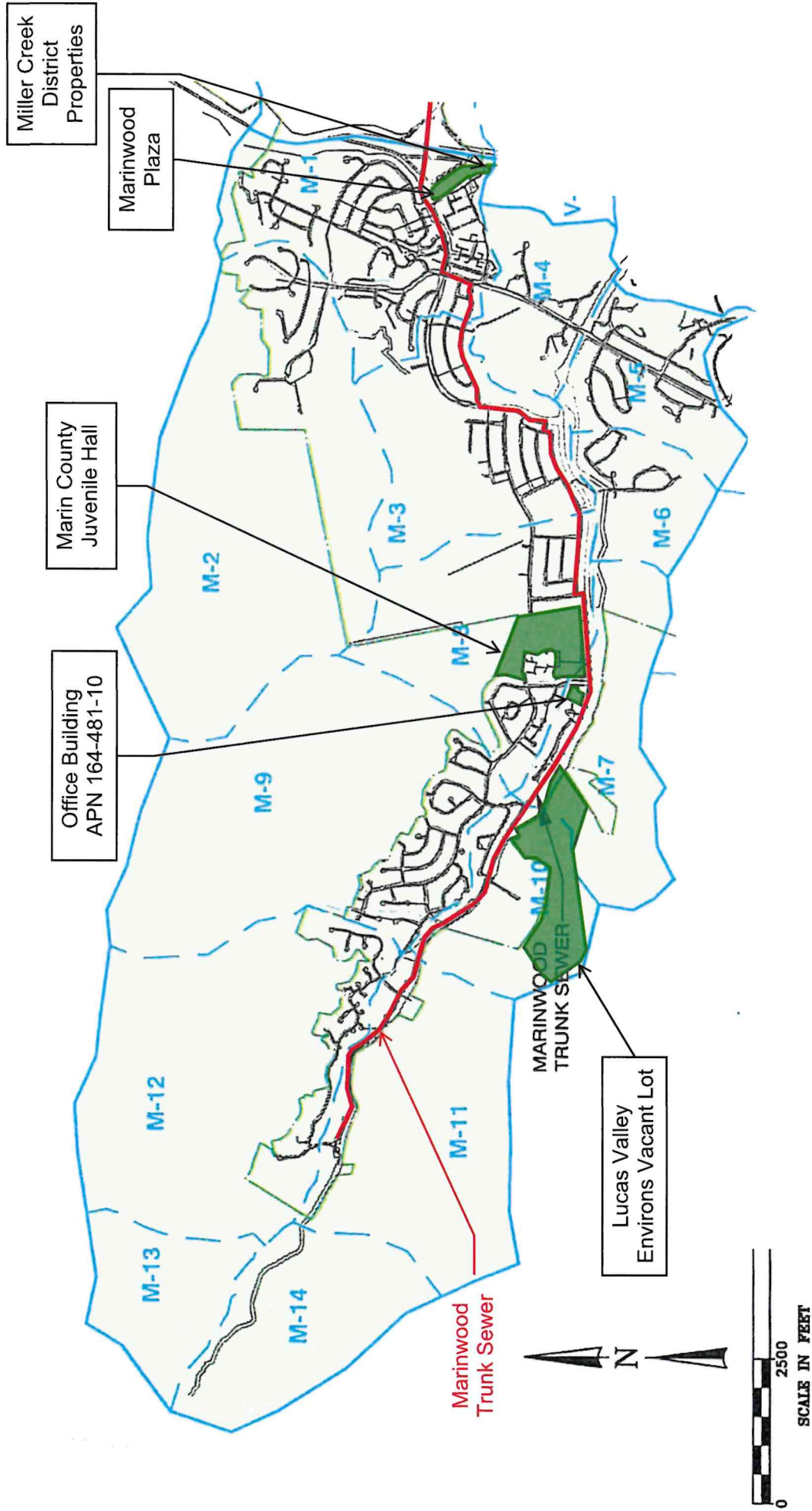
Percentage of Total County RHNA Needs Within LGVSD: **32.5%**



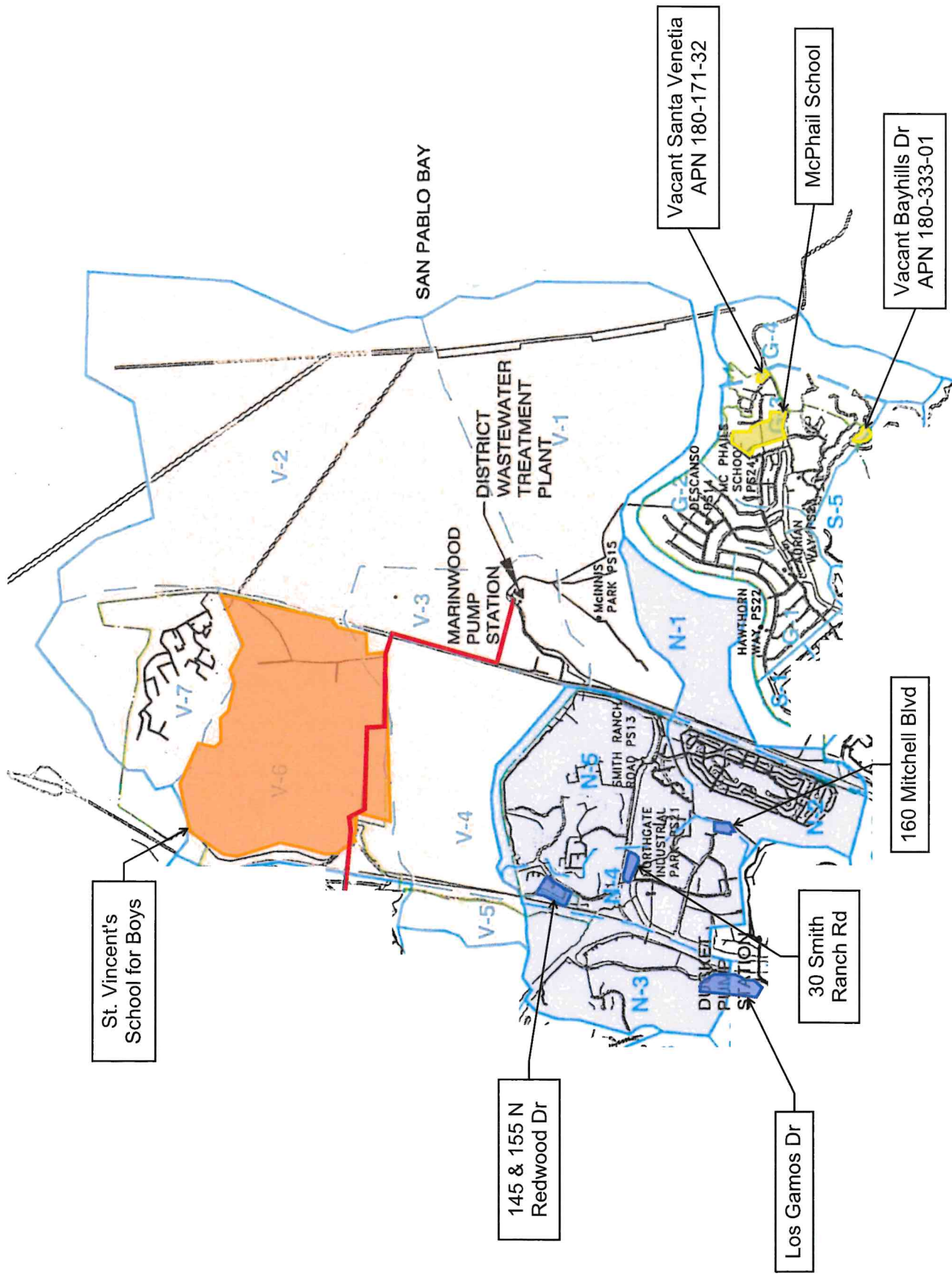
SEWER SERVICE AREAS

BASIN M FOR I&I REDUCTION

Exhibit A Page 3 of 5



BASINS V, G, & N FOR I&I REDUCTION



BASINS T & S FOR I&I REDUCTION

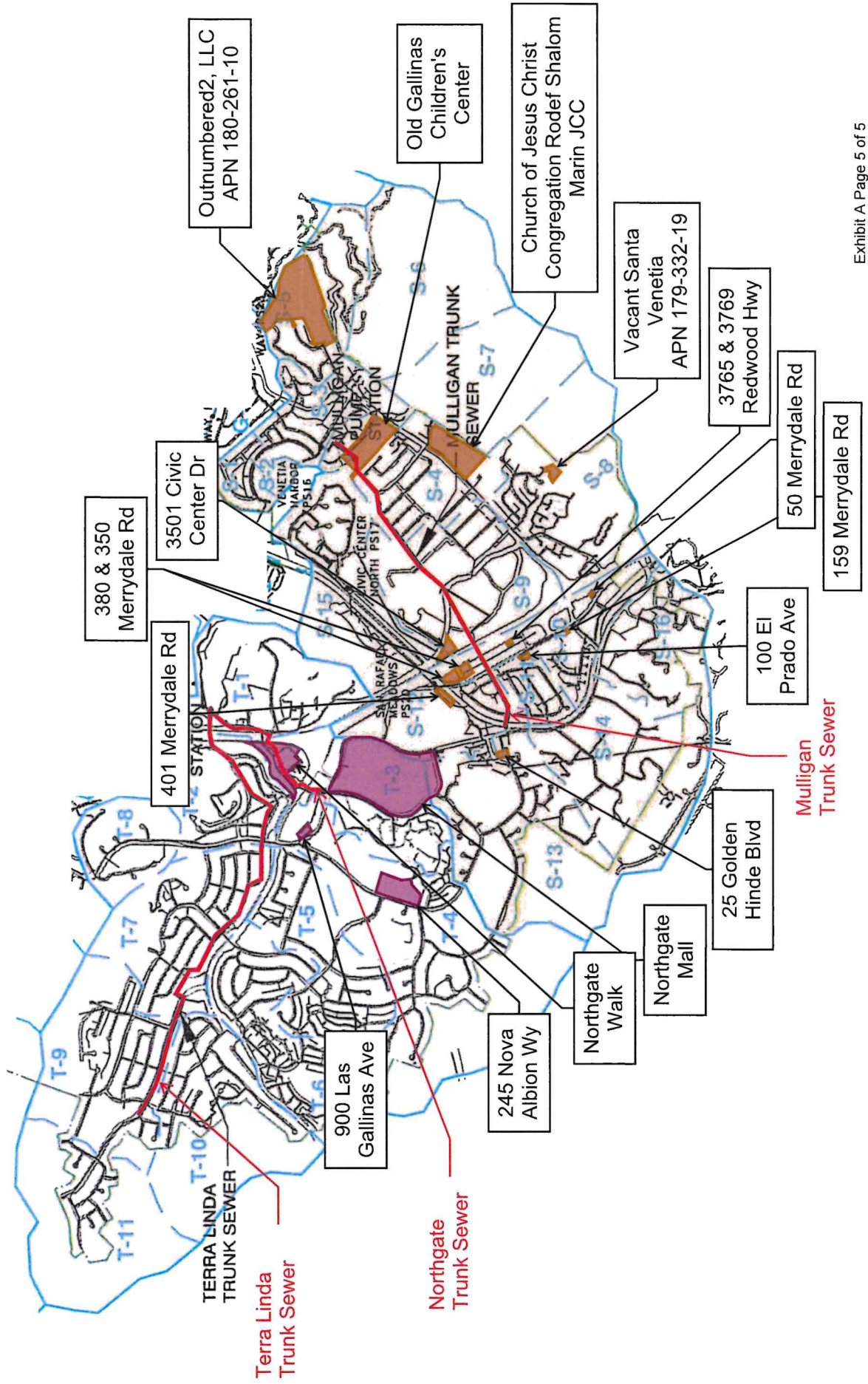


Exhibit B

Yellow Highlights - Sites inventory within LGVSD boundary.

Table C-4: Residential Sites Inventory by Community (FINAL ADJUSTMENTS to Unit Counts)

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			Criteria and Status
							Lower	Moderate	Above Moderate	
North Marin										
Blackpoint-Greenpoint										
Vacant Sites										
Vacant Blackpoint (Olive Ave)	143-110-31	55.1 (14.5)	300 Olive Ave, Blackpoint	SF3/ARP-2	4	No	0	0	58	Meets Criteria #2, 7 Existing Use - Vacant; Building-to-Land Value Ratio: 0.00
Underutilized Sites										
Greenpoint Nursery	153-190-24	15.4 (3.5)	275 Olive Ave, Blackpoint	AG1/ARP-60	15	No	0	0	53	Meets Criteria #2, 7 Existing Use - Wetlands/Vacant with nursery on corner; Building-to-Land Value Ratio: 0.00
Marinwood/Lucas Valley										
Commercial Center Mixed Use										
Marinwood Plaza	164-471-64	0.4	121 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	16	0	0	16 Meets Criteria #4, 6, 7 Existing Use - Large format standalone commercial; GP Housing Overlay; Floor Area Ratio: 0.00; Building-to-Land Value Ratio: 0.00
	164-471-65	1.9	155 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	10	10	0	20 Meets Criteria #4, 5 Existing Use - Grocery store, built 1959; GP Housing Overlay; Building-to-Land Value Ratio: 3.91
	164-471-69	1.1	175 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	43	0	0	43 Meets Criteria #4, 5 Existing Use - Office park low, GP Housing Overlay; built 1962
	164-471-70	1.5	197 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	46	0	0	46 Meets Criteria #4, 6, 7 Existing Use - Large format standalone commercial; GP Housing Overlay; Floor Area Ratio: 0.00; Building-to-Land Value Ratio: 1.54

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (d/urac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Miller Creek District Properties (Marinwood Plaza adjacent)	164-471-71	0.2	Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	0	4	0	4	Meets Criteria #2, 4 Existing Use - Storage facility; GP Housing Overlay
	164-471-72	0.3	Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	0	6	0	6	Meets Criteria #2, 4 Existing Use - Storage facility; GP Housing Overlay
	164-481-10	2.4	7 Mt Lassen Dr, Lucas Valley	GC/CP	25	No	58	0	0	58	Meets Criteria #4, 6, 7 Existing Use - Office Park, Low; Floor Area Ratio: 0.310; Building-to-Land Value Ratio: 1.45
Public Sites											
Marin County Juvenile Hall	164-640-01	33.0 (10.0)	2 Jeannette Prandi Way, Lucas Valley	PF/PF	30	No	80	0	0	80	Meets Criteria #2, 3 Existing Use - County juvenile hall facility, offices, and open field.
Other ³ - North Marin											
Vacant Sites											
Buck Center Vacant Property	125-180-79	97.3 (24.3)	Redwood Hwy, North Novato	AG1/A60	1	No	0	0	0	0	Meets Criteria #2
	125-180-85	136.5 (12.2)	Redwood Hwy, North Novato	AG1/A60	20	No	0	0	249	249	Meets Criteria #2
Underutilized Sites											
Atherton Corridor	143-101-35	1.0	761 Atherton Ave, North Novato	SF3/A2-B4	20	No	0	4	0	4	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot SF detached, built 1938; Building-to-Land Value Ratio - 0.52
Atherton Corridor	143-101-37	4.0	777 Atherton Ave, North Novato	SF3/A2-B4	20	No	30	8	0	38	Meets Criteria #4, 5, 7 Existing Use - Rural residential lot, SF detached; built 1932; Building-to-Land Value Ratio: 0.21
Atherton Corridor	143-101-20	4.8	781 Atherton Ave, North Novato	SF3/A2-B4	20	No	37	13	0	50	Meets Criteria #4, 6, 7 Existing Use - Rural residential lot, SF detached; built 1926; Building-to-Land Value Ratio: 0.54

³ Sites that did not fall within the boundaries of CDPs within unincorporated communities in North Marin (Black Point – Green Point or Marinwood- Lucas Valley) but are located in North Marin.

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status	
							Lower	Moderate	Above Moderate	Total		
Religious Sites												
Olema Catholic Church	166-181-01	3.6	10189 State Route 1, Olema	C-NC/C-VCR	20	No	20	0	0	0	20	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)
Underutilized Sites												
Olema Underutilized	166-202-01	1.0	10002 State Route 1, Olema	C-NC/C-VCR	10	No	0	10	0	0	10	Meets Criteria #4, 5, 7 Existing Use -Low intensity strip commercial, built 1881; Building-to-Land Value Ratio: 0.96
Olema Underutilized	166-213-01	0.5	9870 State Route 1, Olema	C-NC/C-VCR	10	No	0	0	5	0	5	Meets Criteria #4, 5, 7 Existing Use -Low intensity strip commercial, built 1900; Building-to-Land Value Ratio: 0.80
Olema Underutilized	166-213-02	1.0	9840 State Route 1, Olema	C-NC/C-VCR	10	No	0	10	0	0	10	Meets Criteria #4, 5, 7 Existing Use -Rural residential lot SF detached, built 1915; Building-to-Land Value Ratio: 0.29
Olema Underutilized	166-202-04	1.1	9950 Sir Francis Drake Blvd, Olema	C-NC/C-VCR	10	No	0	11	0	0	11	Meets Criteria #4, 5, 7 Existing Use -Low intensity strip commercial; built 1881; Building-to-Land Value Ratio: 0.96
Central Marin												
Santa Venetia/Los Ranchitos												
Religious Sites												
St. Vincent's School for Boys	155-011-29	20.2	St. Vincent Dr, Santa Venetia	PDI/A2	20	4th & 5th	0	0	0	0	0	Meets Criteria #1, 2 Developer/Property Owner Interest Existing Use - Vacant/Agricultural
	155-011-28	74.0	St. Vincent Dr, Santa Venetia	PDI/A2	20	4th & 5th	0	0	0	0	0	
	155-011-30	221.0 (94.0)	St. Vincent Dr, Santa Venetia	PDI/A2	20	4th & 5th	440	0	240	0	680	

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Church of Jesus Christ	180-272-03	5.4 (1.2)	220 N San Pedro Rd, Santa Venetia	SF5/A2-B2	30	No	35	0	0	35	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)
Congregation Rodef Shalom Marin	180-281-34	2.9	170 N San Pedro Rd, Santa Venetia	SF5/A2-B2	20	No	0	13	0	13	Meets Criteria #2 Existing Use - Religious center (parking lot only)
School Sites											
Bernard Osher Marin Jewish Community Center	180-281-35	1.9	180 N San Pedro Rd, Santa Venetia	SF5/A2-B2	30	No	10	0	0	10	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)
	180-281-21	2.5	200 N San Pedro Rd, Santa Venetia	SF5/A2-B2	30	No	13	0	0	13	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)
	180-281-25	1.7	210 N San Pedro Rd, Santa Venetia	OC/AP	30	No	13	0	0	13	Meets Criteria #2 Existing Use - Religious center (Parking Lot only)
	180-281-34	2.9	170 N San Pedro Rd, Santa Venetia	SF5/A2-B2	30	No	0	13	0	13	Meets Criteria #2 Existing Use - Religious center (parking lot only)
	180-151-18	4.3	1565 Vendola Dr, Santa Venetia	PF-SF6/PF-RSP-4.36	30	No	0	0	33	33	Meets Criteria #1 Property Owner Interest Existing Use - Closed School
McPhail School	180-161-09	1.0	N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	0	No	0	0	0	0	Existing Use - Closed school
	180-161-10	4.3	N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	0	No	0	0	0	0	Existing Use - Closed school
	180-123-01	7.7	251 N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	30	No	50	0	0	50	Meets Criteria #2, 3 Existing Use - Closed school (with ball field to remain)
Vacant											
Vacant Santa Venetia	180-171-32	1.1	180-171-32 (N San Pedro Rd), Santa Venetia	SF5/A2-B2	2	No	0	0	2	2	Meets Criteria #2
Outnumbered2, LLC	180-261-10	27.9	Oxford Drive, Santa Venetia	SF5/A2-B2	4	No	0	0	4	4	Meets Criteria #1

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status
							Lower	Moderate	Above Moderate	Total	
Vacant Santa Venetia	179-332-19	1.0	179-332-19 (Edgehill Way), Santa Venetia	SF6/R1	3	No	0	0	3	3	Meets Criteria #2
Vacant Bayhills Drive	180-333-01	1.5	Bayhills Drive, Santa Venetia	PR/RMP-1	4	No	0	0	5	5	Meets Criteria #2
Kentfield/Greenbrae											
School Sites											
College of Marin Parking Lot	071-132-11	0.8	Sir Francis Drake Blvd, Kentfield	PF/PF	30	No	21	0	0	21	Meets Criteria #1, 2 Developer/Property Owner Interest Existing Use—Parking Lot; combined with College of Marin Commercial Frontage site below
	071-132-12	0.3					7	0	0	7	
	074-092-11	0.2					3	0	0	3	
College of Marin Parking Lot	074-181-18	2.7	139 Kent Ave, Kentfield	PF/PF	20	No	48	0	0	48	
	074-092-17	0.2					2	0	0	2	
Underutilized Sites											
College of Marin (Commercial Frontage)	074-031-56	0.2	937 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	10	0	10	Meets Criteria #4, 5, 7 Existing Use - Low intensity strip commercial, built 1943; Building-to-Land Value Ratio: 0.00
	074-031-58	0.1					0	5	0	5	
	074-031-60	0.1					0	10	0	10	
Kentfield Commercial Underutilized	074-031-54	0.1	923 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	4	0	4	Meets Criteria #4, 5 Existing Use - Low intensity strip commercial, built 1913

Board of Supervisor District, Strategy, and Site Name	APN	Acres (Developable)	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories				Criteria and Status	
							Lower	Moderate	Above Moderate	Total		
San Quentin Adjacent Vacant Property	018-152-12	55.2	E Sir Francis Drake Blvd, San Quentin	PF/A2-B2	0	No	115	115	0	230	Meets Criteria #2 Existing Use - Non-urban civic, vacant	
Vacant Sites												
Cal Park	018-086-17	0.2	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	4	4	Meets Criteria #2 GP Housing Overlay	
	018-086-18	0.7	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	17	17	Meets Criteria #2 GP Housing Overlay	
	018-075-28	0.9	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	15	15	Meets Criteria #2 GP Housing Overlay	
	018-074-16	1.9	Woodland Ave, California Park	MF2/RSP-4	30	No	25	0	0	25	Meets Criteria #2	
	018-081-04	1.3	Auburn St, California Park	MF2/RSP-4	30	No	0	0	24	24	Meets Criteria #2	
	018-083-01	0.1	Auburn St, California Park	MF2/RSP-4	30	No	0	0	1	1	Meets Criteria #2	
	018-085-23	1.0	Auburn St, California Park	MF2/RSP-4	30	No	0	0	17	17	Meets Criteria #2	
	018-083-09	0.4	Auburn St, California Park	MF2/RSP-4	30	No	0	0	2	2	Meets Criteria #2	
	018-082-13	0.5	Auburn St, California Park	MF2/RSP-4	30	No	0	0	3	3	Meets Criteria #2	
	018-084-12	01.2	Auburn St, California Park	MF2/RSP-4	30	No	0	0	2	2	Meets Criteria #2	
	164-280-35	54.2 (1.7)	1501 Lucas Valley Road, Lucas Valley Environs	AG1/A60	15	No	0	0	26	26	Meets Criteria #2	
	Karuna	177-220-10	10.8	1 Sacramento Ave, Sleepy Hollow	MF2/RMP-1.0	1	No	0	0	10	10	Meets Criteria #2
	Underutilized Sites											

HOUSING SITE SUMMARY TABLE (from City of San Rafael 2023-2031 Housing Element)

Site Category	Income Group			Above Moderate TOTAL
	Lower	Moderate	Moderate	
Development Pipeline	196	4	582	782
Proposed but not Entitled	114	134	927	1,175
Low/Medium Density Residentially Zoned	3	88	56	147
High Density Residentially Zoned	336	82	42	460
Mixed Use Sites Outside of Downtown	353	57	74	484
Downtown Mixed Use Sites	611	288	711	1,610
TOTAL	1,613	653	2,392	4,658
RHNA	1,349	521	1,350	3,220
Surplus Capacity	264	132	1,042	1,438
Buffer	20%	25%		

Figure 4-1, continued

Sheet 1: North San Rafael

Numbered shapes correspond to Housing Opportunity Sites. See Appendix B for full list.

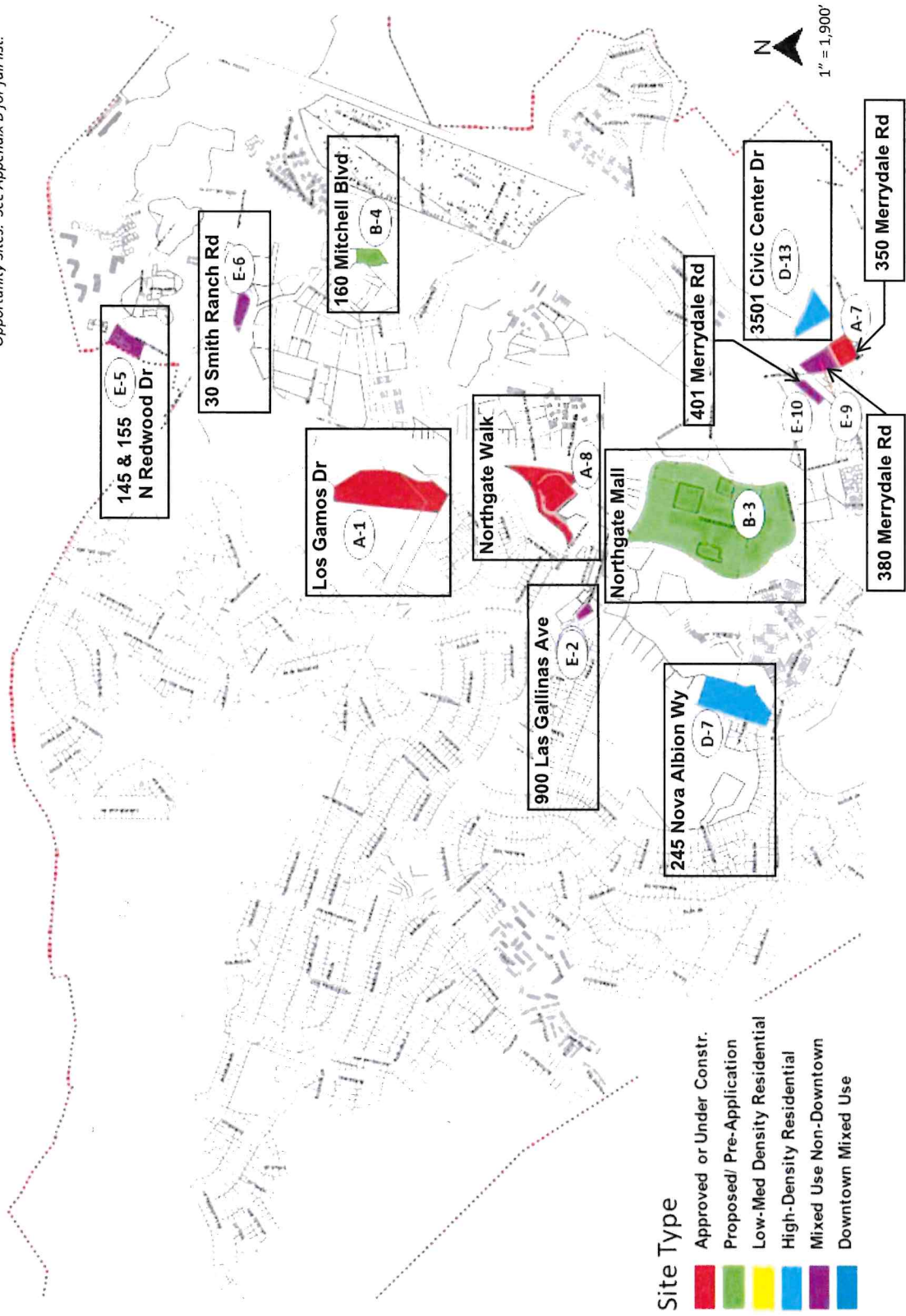


Figure 4-1, continued

Sheet 2: Mid San Rafael

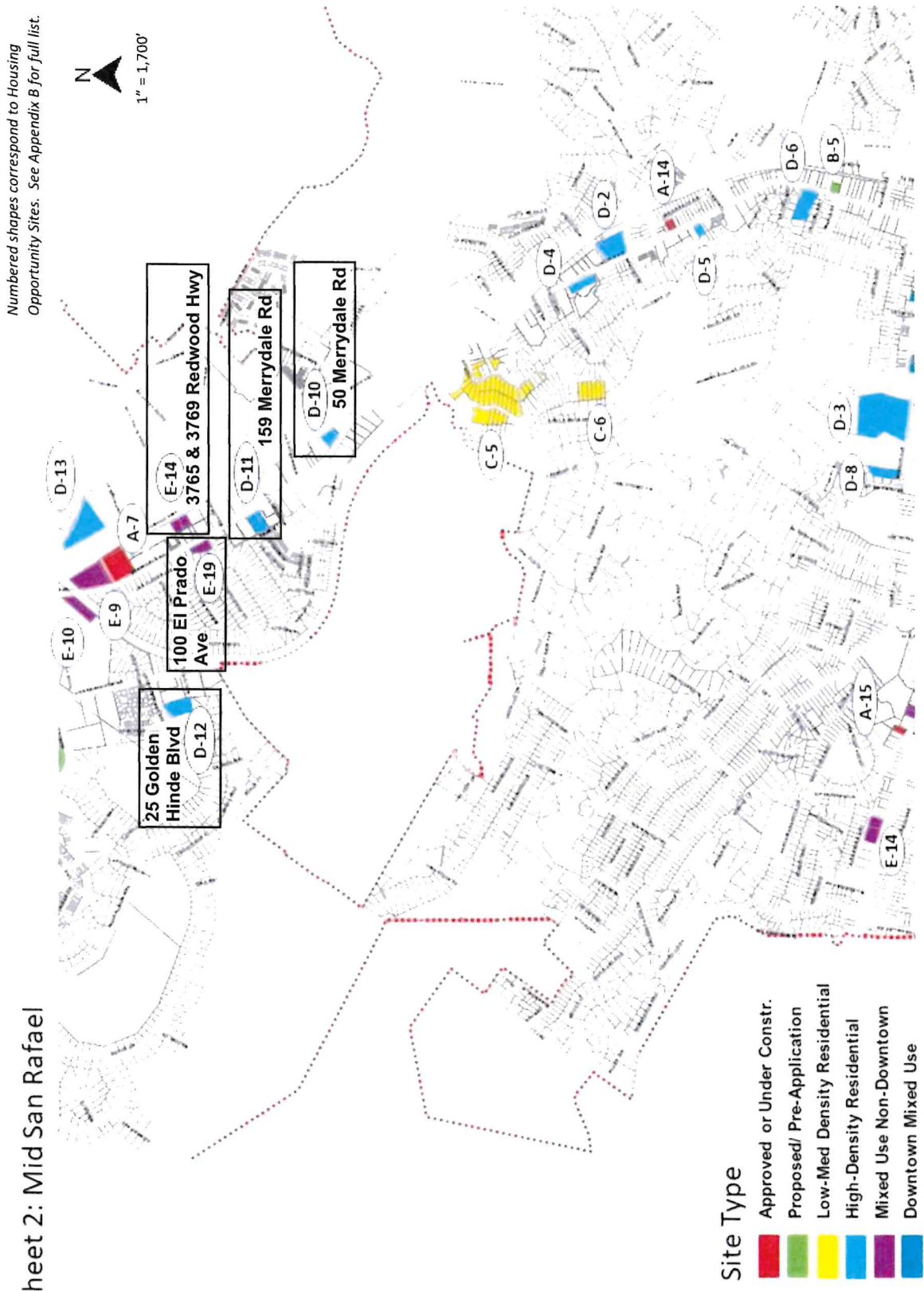


Exhibit C

Sample Calculation of Total Developer Contribution

A. SUMMARY:

1. Peak Wet Weather Flow from Development: 0.111 MGD
 - a. *(Based on Design Flow multiplied by a peaking factor outlined in*
 - b. *District Standards, to be prepared by the Developer and approved by the District.)*

2. Total Cost of I&I Reduction Project for Entire Upstream Areas: \$2,237,000
 - a. *(To be prepared by District Consultant.)*

3. Peak Wet Weather Flow for Entire Upstream Areas: 1.40 MGD
 - a. *(Basis of Total Cost of I&I Reduction Project based on flow*
 - b. *monitoring and Collection System Hydraulic Model.)*

4. Average Daily Dry Weather Flow for Entire Upstream Areas: 0.32 MGD
 - a. *(Dry weather baseline flow from flow monitoring and*
 - b. *Collection System Hydraulic Model.)*

5. Inflow and Infiltration (C minus D): 1.08 MGD

6. Developer Contribution:

$$\frac{0.111 \text{ MGD}}{1.08 \text{ MGD}} \times \$2,237,000 = 10.1\% \times \$2,237,000 = \$225,937$$

(The calculated Developer Contribution will be compared to the actual bid price. The District and Developer shall mutually agree to proceed based on a bid tolerance percentage outlined in the resolution.)

7. Other Fees Related to Calculation of Developer Contribution to be Paid by the Developer:
 - a. *Flow monitoring during the wet weather seasons before and after the I&I reduction project is constructed.*
 - b. *Flow monitoring data interpretation by a 3rd party Consultant.*
 - c. *Collection System Hydraulic Model recalibration by a 3rd party Consultant.*

B. METHODOLOGY:

(Notes: The information used in the following calculations, as well as the summary shown above, pertains to 245 Nova Albion. It is used for illustration purposes only.)

1. As shown in Figure 1 below, 245 Nova Albion (development) is located upstream of Meter 07 on a 15-inch pipeline. Meter 07 was deployed to collect flow data as part of ongoing collection system modeling by the District to calibrate the model. The flow monitoring period lasted from early March to early May 2023, during which seven wet weather events with intensity less than 1Y storm were identified.



Figure 1: 245 Nova Albion Site with Downstream Flow Meter Locations:

2. The flow data collected at Meter 07 is presented in Figure 2 below. As labeled, the blue line is the level reading on an interval of 15 minutes.
 - i. In early March 2023, Meter 07 experienced two events of surcharging up to 62 inches that led to the bypassing of flow to the Northgate Trunk Sewer under rainfalls with intensity less than a 1-year storm.
 - ii. This would indicate that the existing 15-inch pipeline, as well as the downstream system, does not have sufficient capacity to support the existing customers in the service area.

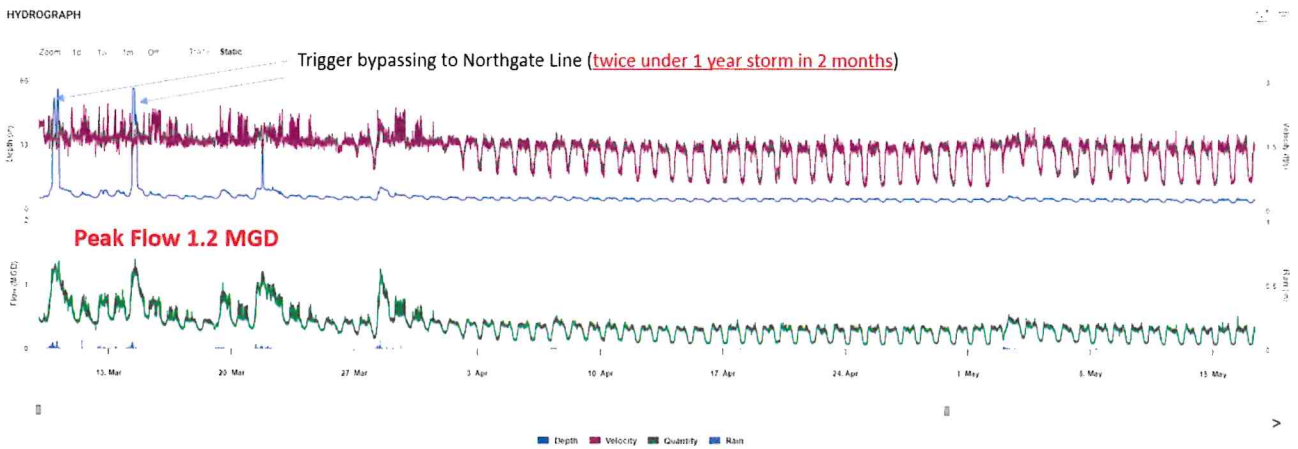


Figure 2 Hydrograph of Meter 07 Data from March to May 2023

3. The peak wet weather flow originated from the development based on the District's standard was estimated to be 0.111 MGD
4. The subbasins upstream of the development are shown in Figure 4 below.
5. The total cost of CIPP lining for the entire upstream service areas provided by Hazen and Sawyer, as illustrated in Table 1 and Table 2 below, is \$1,063,000 + \$1,174,000 = \$2,237,000.
6. Due to the inadequate capacity of the existing downstream infrastructure, if the development were to proceed as planned, the identifiable I&I at Meter 07 shall be at least reduced by the same amount as the peak wet weather flow rate of 0.111 MGD brought by this development project.
7. As such, the portion of total I/I rehabilitation cost shouldered by the developer is calculated as follows:

$$\frac{0.111 \text{ MGD}}{1.08 \text{ MGD}} \times \$2,237,000 = 10.1\% \times 2,237,000 = \$225,937$$

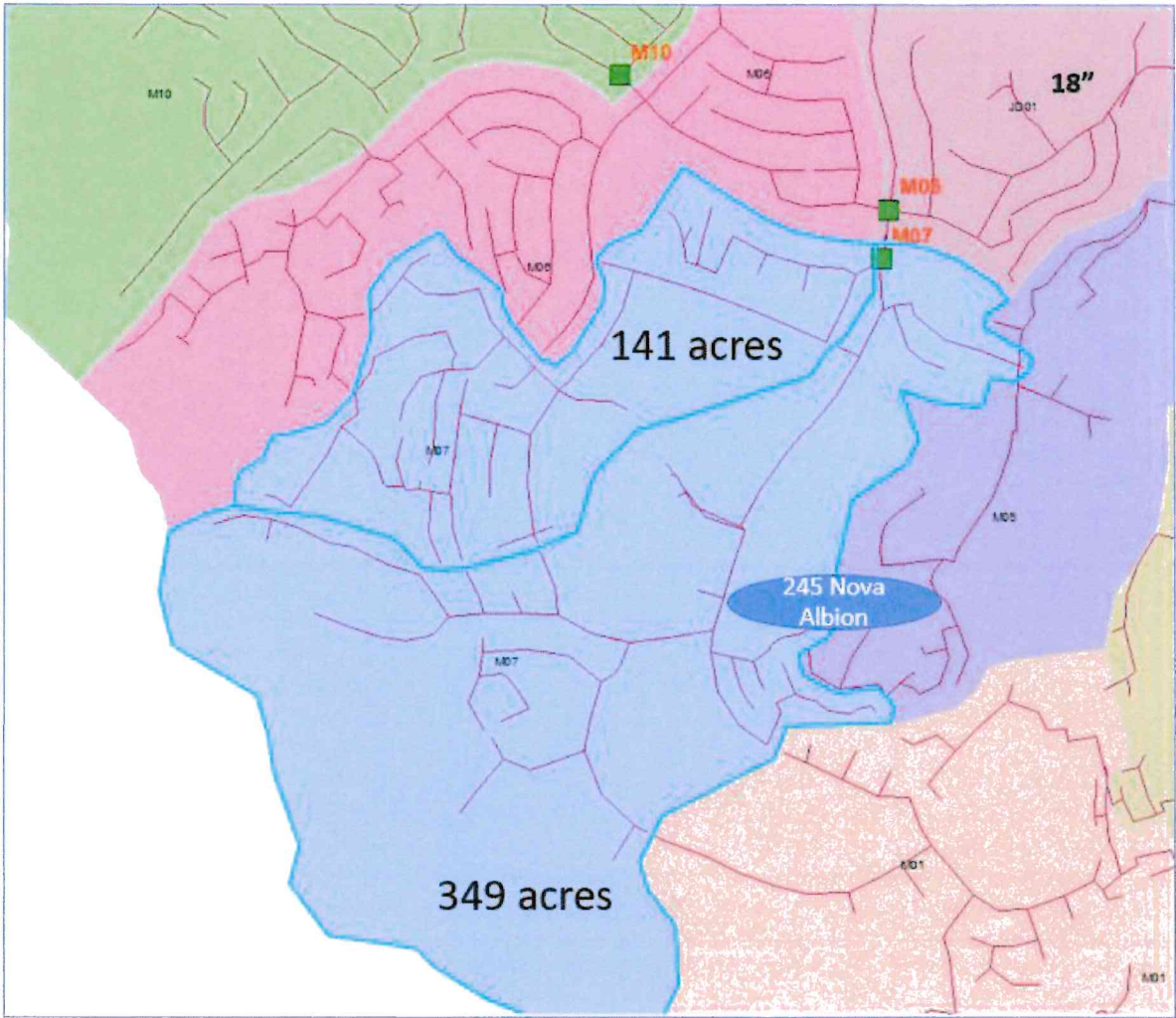


Figure 4 Wastewater Collection System upstream of Meter 07

Table 1 CIPP Lining Cost for Basin 2 (141 acres)

Diameter (in)	Sum of Cost (\$)	
6	\$264,204	
8	\$84,798	
102 MHs	\$714,000	
Total	\$1,063,000	

Table 2 CIPP Lining Cost for Basin 1 (349 acres)

Diameter (in)	Sum of Cost (\$)
6	\$280,062
8	\$84,816
10	\$28,404
12	\$17,892
15	\$7,230
108 MHs	\$756,000
Total	\$1,174,000

April 26, 2024



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Board of Directors:
Kathleen Kilkenny
President

Christopher Case
Vice President

Sivan Oyserman
Lisa Ruggeri
Bill Shea

District Manager
Eric Dreikosen

Re: Hoyt, Lee Marinwood Plaza Housing Compliance Review

Dear Michelle,

This response is regarding your memorandum dated April 24, 2024, requesting an agency response. This response specifically pertains to fire department emergency vehicle access, water supply for firefighting, and fire/life safety systems.

AGENCY RESPONSE

1. Yes, for preliminary review purposes.
2. Yes.
3. Undetermined. Road criteria will need to be validated by project designers.
4. Undetermined. Project designers will need to validate that roads meet the criteria of the California Fire Code, 2022 edition. Please see below.

The following provisions will apply to this project:

1. The design and construction of all site improvements shall comply with the 2022 California Fire Code, current NFPA Standards, and all applicable Marinwood CSD Ordinances and Amendments.
2. Deferred Submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems:
 - a. Fire Sprinkler plans.
 - b. Fire Sprinkler System Underground Fire Line plans.
 - c. Fire Alarm plans.
 - d. Vegetation Management plan.
3. The fire apparatus access roadways must conform to all provisions in CFC Section 503 and Appendix D.
4. A fire apparatus access plan shall be prepared for this project. This sheet once approved by the Fire Department will be incorporated into the final plan set approved by the County of Marin. The Fire apparatus plan shall show the locations the following:

- a. Designated fire apparatus access roads.
 - b. Red curbs and no parking fire lane signs.
 - c. Fire hydrants.
 - d. Fire Department Connection (FDC).
 - e. Double detector-check valves approved by the Water District.
 - f. Street address signs.
 - g. Recessed Knox Boxes
 - h. Fire Alarm annunciator panes.
 - i. Provide a note on the plan, as follows: ***The designated fire apparatus access roads and fire hydrants shall be installed and approved by the Fire Prevention Bureau prior to construction of the buildings.***
 - j. The contractor shall provide:
 - a. Knox key access to the project site during construction.
 - b. 24-hour emergency contact information conspicuously posted on the job site.
 - c. Ensure the site is kept clear of any combustible debris or waste; removed daily.
 - d. Mount fire extinguishers of a 2A10BC rating every 75 feet of travel distance and on each floor throughout the jobsite.
5. A Knox Box is required at the primary point of first response to the buildings. A recessed mounted Knox Box # 3200 Series is required for new buildings. The Knox Box shall be clearly visible upon approaching the main entrance from the fire lane. Note the Knox Box must be installed from 72" to 78" above finish grade; show the location on the plans. <https://www.knoxbox.com/commercial-knoxboxes/>
6. A Knox key switch is required for driveway or access road automatic gates. <https://www.knoxbox.com/gate-keys-and-padlocks/>
7. On site fire hydrants may be required. Residential model: Clow 950. Commercial Model: Clow 960. The Prevention Bureau will identify the locations.
8. When a building is fully sprinklered, all portions of the exterior building perimeter must be located within 250-feet of an approved fire apparatus access road.
- a. The minimum width of the fire apparatus access road is 20-feet.
 - b. The minimum inside turning radius for a fire apparatus access road is 28 feet.
 - c. The fire apparatus access road serving this building is more than 150-feet in length; provide an approved turn-around.

9. If the building is over 30 feet in height, an aerial fire apparatus access roadway is required parallel to one entire side of the building. Reference CA Fire Code Appendix D105.1 for definition of height of building.
 - a. The Aerial apparatus access roadway shall be located within a minimum of 15 feet and a maximum of 30 feet from the building.
 - b. The minimum unobstructed width for an aerial fire apparatus access road is 26-feet.
 - c. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway, or between the roadway and the building.
10. Fire lanes must be designated; painted red with contrasting white lettering stating, "No Parking Fire Lane" A sign shall be posted in accordance with the CFC Section 503.3 and to the satisfaction and approval of the Marin County Sheriff Parking Services Division.
11. Provide address numbers plainly visible from the street or road fronting the property. Numbers painted on the curb do not qualify as meeting this requirement. Numbers shall contrast with the background and shall be Arabic numbers or letters. Numbers shall be internally or externally illuminated in all new construction or substantial remodels. Number sizes are as follows: For residential – 4" tall with ½" stroke. Larger sizes might be required by the fire code official or in multiple locations for buildings served by two or more roads. Additionally, address directories located in conspicuous locations may be required.

These preliminary comments could change as the project progresses through the review processes.

Sincerely,



Robert Sinnott, Deputy Fire Chief
San Rafael and Marinwood Fire Departments
415-485-5067 – office
Robert.Sinnott@cityofsanrafael.org

c: Eric Dreikosen, District Manager
Abraham Roman, Fire Chief