



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: COMMUNITY DEVELOPMENT

Paul A. Jensen

Prepared by: Paul Jensen (RB)
Community Development Director

City Manager Approval: _____ *AS*

TOPIC: 1499 LUCAS VALLEY ROAD ENVIRONMENTAL AND DESIGN REVIEW PERMIT AND EXCEPTION

SUBJECT: RESOLUTION APPROVING ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED19-099) AND EXCEPTION (EX20-001) FOR THE CONSTRUCTION OF A 901 SQ. FT. BATHROOM/CLOSET ADDITION TO AN EXISTING 8,592 SQ. FT. SINGLE-FAMILY RESIDENCE LOCATED AT 1499 LUCAS VALLEY ROAD (APN: 165-010-89).

EXECUTIVE SUMMARY:

The proposed project is a request for an Environmental and Design Review Permit to add a 901 sq. ft. addition to an existing single-family residence located on an 8.9-acre hillside lot. The project also requires an Exception to the Planned Development Ordinance (PD1701-H) for the existing single-family residence to exceed 6,500 sq. ft. The proposal would increase the residence size by 901 sq. ft. to 9,493 sq. ft. The current Planned Development (PD1701-H) zoning for this property allows additions to the single-family home, greater than the 6,500 sq. ft limit, subject to an Exception granted by the City Council.

The project has been reviewed and recommended for approval by the Design Review Board and Planning Commission. The proposal complies with all applicable design and development standards. Staff of the Public Works Department, Building and Fire Prevention and Marin County Parks Department have reviewed the project and did not express any concern and recommended approval of the project without any special conditions or requirements. Staff is supportive of the proposed project and recommends approval given the significant size of the property, limited visibility of the addition from other private properties or public vantage points and the location of the proposed addition at the rear of the existing building.

RECOMMENDATION:

Staff recommends that the City Council adopt the attached Resolution (Attachment 1) conditionally approving the Environmental and Design Review Permit (ED19-099) and Exception (EX20-001).

FOR CITY CLERK ONLY

File No.: _____

Council Meeting:

Disposition:

BACKGROUND:

The existing development on the property was approved by the City Council in accord with a [Planned Development Ordinance \(PD1701-H\)](#) adopted for the development on August 5, 1996. Under the Hillside Resource Residential General Plan designation, the property could have been divided into four (4) separate single family lots. However, the applicant at that time proposed to maintain the site as a single-family estate. Therefore, in consideration of the size of the site and the fact that subdivision into 4 lots was not proposed, the PD was ultimately adopted to allow more development on one single family parcel than is typically allowed for hillside properties. This allowance was based on the fact that the property is large (8.9 acres), only has a 9.4% average slope, is located in a rural area where the proposed development would be either far removed from any public right of way or screened behind existing landscape and the project did not propose to subdivide the property. The PD1701-H Zoning established the following standards for development on this property:

Minimum Site Area	8.9-acre parcel
Setbacks	
Front Setback	100 ft.
Side Setback	20 ft.
Rear Setback	25 ft.
Lot Coverage	20%
Natural State	34.4%
Floor Area	
Single Family-Residence w/2-car garage	6,500 sq. ft
Detached 2-car garage with upper story 2 nd residential unit/exercise room	1,100 sq. ft.
Pool and Cabana with bathrooms, equipment room and patio	500 sq. ft.
Barn with care takers quarters	3,700 sq. ft.
Covered riding arena	7,000 sq. ft.
<u>Total</u>	<u>18,800 sq. ft.</u>

The adopted PD limited the single-family residence size to 6,500 sq. ft., however, allows its expansion with an Exception to be granted by the City Council consistent with the Hillside Design Guidelines and without amendment to the PD.

In 2012, the existing single-family residence went underwent a similar process and received approval of an Environmental and Design Review Permit and Exception to add a 268 sq. ft. crafts room, 1,214 sq. ft. theater room, 535 sq. ft. attached covered courtyard and a 622 sq. ft. detached garage. The proposal in 2012 required an Exception since it proposed the single-family home to exceed 6,500 sq. ft. (The proposal in 2012 proposed additions to the single-family home resulting in 8,592 sq. ft.) The 2012 project also included new construction accessory to the residence and two structures that were part of the original approval in 1996 but were never constructed: covering of an existing 7,000 sq. ft. arena and a 500 sq. ft. cabana with bathrooms and equipment room.

Design Review Board and Recommendation: Due to the COVID-19 Shelter-in-Place restrictions, a special subcommittee of the Design Review Board reviewed this project for a 901 sq. ft. addition on March 25, 2020 and unanimously recommended approval of the project, finding the design appropriate for the site and its surroundings, and finding that the Exception is warranted.

Planning Commission Review and Recommendation: This project was subsequently reviewed by the Planning Commission on May 12, 2020 via an online public hearing due to COVID-19 Shelter-in-Place restrictions. The [staff report](#) and [video](#) streaming from the May 12, 2020 Planning Commission hearing may be viewed here by clicking the “control” key while left clicking each link. There were no public comments on this item. Following a public hearing the Commission adopted Resolution No. 20-16 by a vote of 6-0, recommending approval of the project to the City Council as presented.

PROJECT DESCRIPTION:

Use: The applicant is proposing to add a single-story addition of 901 sq. ft. bathroom and closet space to the existing 8,592 sq. ft. single-family residence. The total floor area of the main home would be 9,493 sq. ft. Link to project plans are here: [Architectural Plan set](#) and [Grading/Drainage Plan set](#)

Site Plan: The property is accessed with a long driveway off Lucas Valley Road, through unincorporated Lucas Valley. The proposed project would not modify the existing driveway. The arena structure and barn have a front setback of 250 ft. All other accessory structures along with the existing residence are screened from public view from Lucas Valley Road.

Architecture: The proposed additions would have hip roofs and materials and colors would match the existing residence as follows:

- Concrete tile roofing
- Fascia and gutter painted to match existing
- Cement plaster siding to match existing
- Dual pane, Low E windows, prefinished aluminum clad window frames, frames to match existing

Landscaping: None proposed (although native drought tolerant plantings are indicated for retaining walls adjacent to the new addition). Three new terraced retaining walls, with a maximum height of 4-feet in the middle of the upper wall are proposed opposite the southeast corner of the new addition.

Lighting: No external lighting is proposed at this time.

Grading/Drainage: Approximately 275 cu. yds. of cut is required to prepare the building addition. Material removed for grading requirements will be placed on a low slope hill adjacent and east of the existing residence per recommendations in the geotechnical report. Increase in drainage due to new additions would be added to the existing drainage pattern.

ANALYSIS:

A complete analysis of the project’s consistency with the applicable plans, regulations and policies can be found in the [May 12, 2020 Staff Report to the Planning Commission](#).

San Rafael General Plan 2020 Consistency: The property is designated Hillside Residential under the General Plan 2020. A single-family residence is a permitted use under the Hillside Residential designation. The General Plan 2020 contains numerous design related policies. These policies are implemented through various provisions of San Rafael Municipal Code (SRMC): the Zoning Ordinance (SRMC Title 14), Ordinance No. 1701 (hereafter referred to as the Planned Development Ordinance or PD1701-H), [Hillside Design Guidelines](#) and [Hillside Development Standards](#) (SRMC §[14.12.030](#)), which are established to ensure proper hillside design of homes on lots with an average slope greater than 25%. Compliance with the Zoning standards and *Hillside Design* Guidelines would assure development that is consistent with the property’s hillside designation and related policies. The proposed project is consistent with the applicable San Rafael General Plan policies.

Zoning Ordinance Consistency:

Planned District (1701-H)

As stated in the Background section above, the PD1701-H was adopted in 1996 to allow more development on this single family lot than is typically allowed for hillside properties, due to the large size (8.9 acres) of the project site and the fact that it could have otherwise been divided into four (4) lots. A typical hillside property is allowed a maximum of 6,500 sq. ft. floor area, regardless of the size of the lot, which would result in total development of approximately 26,000 sq. ft.

The PD1701-H Zoning established the single-family residence size at 6,500 sq. ft., allowed two second dwelling units (but did not restrict the size or number of accessory structures) and set an overall development footprint at 18,000 sq. ft. Further, the PD1701-H zoning also established large setbacks and reduced lot coverage of 20%.

According to the PD1701-H subsection J. Additions/Modifications of Section II. Development Standards, an Exception would be required for the single-family home to exceed 6,500 sq. ft. (currently proposed to be 9,493 sq. ft.). Pursuant to SRMC Chapter [14.12.040](#) "*Exceptions to Property Development Standards*", approval of an Exception to the maximum 6,500 sq. ft. allowed for the single-family residence would require the following findings:

- A. *The project design alternative meets the stated objectives of the hillside design guidelines to preserve the inherent characteristics of hillside sites, display sensitivity to the natural hillside setting and compatibility with nearby hillside neighborhoods, and maintain a strong relationship to the natural setting; and*
- B. *Alternative design solutions which minimize grading, retain more of the project site in its natural state, minimize visual impacts, protect significant trees, or protect natural resources result in a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to nearby structures.*

The above findings can be made by the City Council, upon the recommendation of the Design Review Board and the Planning Commission, when the applicant has demonstrated that the proposed design carries out the objectives of this chapter.

Staff believes the proposed project carries out the objectives of hillside development in that the proposed project would provide a lot coverage of 5.6% where 20% is allowed, maintain the existing natural state of 84.8% where 34.4% is required, protect significant trees and the project would not be visible from public right of way; the project would not need any grading or tree removal; the addition would mainly infill the area around the existing residence and would minimally change the developed footprint. Furthermore, the proposed addition and maximum floor area would be significantly less floor area than would be possible with a four-lot subdivision. Finally, the Design Review Board and Planning Commission have both reviewed and unanimously recommended approval of the project.

SRMC Chapter 14.12 - Hillside Development Overlay District / Chapter 14.25 Environmental and Design Review Permits

The PD1701-H zoning district for the property establishes all other development standards of SRMC Chapter 14.12, except gross building square footage, step-back height, and Ridgeline Development. The project is consistent with design criteria of Chapter 14.25 of the Zoning Ordinance in that the project design, including its building scale, materials and colors, is consistent with the existing residence.

San Rafael Design/ Hillside Guidelines: The project is generally consistent with the San Rafael Residential Design Guidelines criteria regarding building design, building scale, building height, front

landscaping, roof shapes, windows, driveways and parking areas, and lighting. The project is also consistent with Hillside Design Guidelines Checklist prepared for this project, attached to the [Planning Commission staff report](#). The project complies with maximum building height, required natural state, step-back height, preservation of significant trees, hillside grading and drainage, driveway and parking design, reduction of building bulk, hillside architectural character and site lighting. However, as stated earlier the project does not comply with the maximum allowed 6,500 sq. ft. for a single-family residence, for which an Exception request is being processed and discussed previously.

California Environmental Quality Act (CEQA): The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301(e).1) of the CEQA Guidelines which exempts additions to existing structures less than 10,000 square feet.

COMMUNITY OUTREACH:

Notice of hearing for the project was conducted in accordance with noticing requirements contained in Chapter 14.29 of the Zoning Ordinance. A Notice of Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the subject site, and all other interested parties, 15 calendar days prior to the date of all meetings, including this hearing. Public notice was also posted on the subject site 15 calendar days prior to the date of all meetings, including this hearing.

No phone calls or written public correspondence were received regarding the proposed project.

FISCAL IMPACT:

The costs associated with processing the planning applications for this project are borne by the applicant and are subject to 100% cost recovery of staff time, and therefore approval of this item would have no direct fiscal impact on the City budget.

OPTIONS:

The City Council has the following options:

1. Approve the applications as presented (*staff recommendation*).
2. Approve the applications with certain modifications, changes or additional conditions of approval.
3. Continue the applications to allow the applicant to address any of the Council's comments or concerns
4. Deny the project and direct staff to return with a revised Resolutions.

RECOMMENDED ACTION:

Staff recommends that the City Council adopt Resolution Conditionally Approving the Environmental and Design Review Permit and Exception applications for the project (Attachment 1).

ATTACHMENTS:

1. Resolution Conditionally Approving the Design Review Permit and Exception applications
2. Public Hearing Notice

[May 12, 2020 Staff Report to the Planning Commission with Exhibits](#)
Project Plans: [Architectural Plan set](#) and [Grading/Drainage Plan set](#)

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL APPROVING AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED19-099) AND EXCEPTION (EX20-001) TO THE GROSS BUILDING SQUARE FOOTAGE STANDARDS FOR HILLSIDE PROPERTIES, TO ALLOW A 901 SQ. FT. ADDITION TO AN EXISTING 8,592 SQ. FT. SINGLE FAMILY RESIDENCE ON AN APPROXIMATELY 8.9-ACRE HILLSIDE-DESIGNATED PLANNED DEVELOPMENT LOT (PD1701-H) AT 1499 LUCAS VALLEY ROAD (APN: 165-010-89)

WHEREAS, on August 5, 1996, the City Council adopted Ordinance No. 1701 to reclassify the subject property from Planned Development – Hillside Overlay District (PD-H) to a revised PD (PD1701-H), adopted Resolution No. 9660 certifying a Mitigated Negative Declaration for the project and Resolution No. 9661 approving a Master Use Permit and an Environmental Design Review Permit. These approvals approved the development of a single-family residential estate proposed at 1499 Lucas Valley Road; and

WHEREAS, in 2011, the Community Development Department determined that the PD zoning (PD1701-H) for the property allows deviations to the gross building square footage limit for the single-family home and thus a PD Rezoning would not be required for new application. The adopted PD for this site (PD1701-H) states “The single-family residence shall be limited to a maximum 6,500 sq. ft. unless an Exception is granted by the City Council consistent with the Hillside Guidelines. New applications require an Environmental and Design Review Permit, including and an Exception to Hillside Standards, but a PD Rezoning would not be required for proposed additions; and

WHEREAS, on December 17, 2019, an application for an Environmental and Design Review Permit, including an Exception to the Hillside Standards (ED19-099), was filed with the Community Development Department, requesting approval for a 901 sq. ft. bathroom addition to the existing 8,592 sq. ft. residence; and

WHEREAS, on February 6, 2020, the project application was deemed complete for processing; and

WHEREAS, on March 25, 2020, a special subcommittee of the San Rafael Design Review Board (DRB), formed due to the COVID-19 pandemic, reviewed the proposed project. The DRB subcommittee unanimously recommended approval of the project design (by a vote of 2-0) as proposed; and

WHEREAS, upon review of the application, the project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301.e.2 which exempts additions to existing structures provided the expansion will not result in an increase of more than 10,000 sq. ft. if the project is in an area where all public services and facilities are available and the area in which the project is located is not environmentally sensitive; and

WHEREAS, on May 12, 2020, the Planning Commission held a duly noticed public hearing on the project applications for Environmental and Design Review Permit (ED19-099) and Exception (EX20-001), accepting all oral and written public testimony and the written report of the Community Development Department Planning staff and closed said hearing on that date; and

WHEREAS, on May 12, 2020, the Planning Commission adopted Resolution No. 20-16 (6-0) recommending to the City Council approval of an Environmental and Design Review Permit (ED19-099) and Exception (EX20-001) for the 1499 Lucas Valley Road project; and

WHEREAS, on July 6, 2020, the City Council held a duly noticed public hearing to review the 1499 Lucas Valley Road project and considered all oral and written public testimony and the written public testimony of the Community Development Department Planning; and

WHEREAS, the custodian of documents which constitute the record of proceedings upon which this decision is based, is the Community Development Department;

NOW, THEREFORE, BE IT RESOLVED, the City Council of San Rafael hereby approves the Environmental and Design Review Permit (ED19-099) and Exception (EX20-001) based on the following findings and conditions:

**Environmental and Design Review Permit (ED19-099)
Findings of Fact**

1. The application to allow an Environmental and Design Review Permit and Exception to the Hillside Overlay District's property development standards for a 901 sq. ft. addition to existing 8,592 sq. ft. (the maximum allowed 6,500 sq. ft. for an existing single-family residence) is in accord with the following General Plan Policies:
 - a. Land Use Policy **LU-10** (*Planned Development Zoning*) in that the subject property is already zoned Planned Development (PD1701-H);
 - b. Land Use Policy **LU-12** (*Building Heights*) in that the existing and proposed 16¾-ft. building height is well within the 30-ft. allowed maximum height;
 - c. Land Use Policy **LU-23** (*Land Use Map and Categories*) in that residential uses (among other uses) are allowed uses under the Hillside Residential designation of the property;
 - d. Community Design Policy **CD-15** (*Participation in Project Review*) in that notice for the project hearings were mailed to all property owners, residents, neighborhood groups and interested parties within 300 feet of the project site;
 - e. Safety Policy **S-26** (*Fire and Police Services*) in that the existing and proposed development complies with Fire Codes;
 - f. Safety Policy **S-31** (*New Development in Fire Hazard Areas*) in that the proposed additions would be required to comply with the applicable standards for fire protection.

2. The proposed project meets the objectives of San Rafael Municipal Code Title 14 (the Zoning Ordinance), and the purposes of Chapter 14.12 *Hillside Development Overlay District* and Chapter 14.25 *Design Review* thereof, given that the project has been reviewed by the Design Review Board special COVID-19 subcommittee and Planning Commission for compliance with the Hillside Property Development Standards and design criteria in Chapter 14.25 to ensure that the design is compatible with the neighborhood and hillside design criteria, as required by the General Plan. The proposed 901 sq. ft. addition to the maximum allowed 6,500 sq. ft. single-family residence is not consistent with the gross building square footage limitation of the Hillside Property Development Standards, however in accordance with the PD Zoning, a deviation to the gross square footage limit is allowed subject to the review and approval of an Exception by the City Council. The application includes a request for an Exception and findings to approve the Exception are provided below. The project is consistent with the remaining PD standards regarding setbacks (front 100 ft., sides 20 ft., rear 25 ft.),

20% lot coverage (5.38% proposed), 34.4% natural state (84.8% proposed) and maximum building height 30 ft. (16 ¾ ft. proposed).

3. The project design is consistent with applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located given that the proposed addition complies with Planned Development District (PD1701-H) requirements and has been reviewed by the special COVID-19 subcommittee of the City's Design Review Board and recommended for approval. Separate findings have been made below to grant Exception to the single-family residence size. The project is consistent with the remaining PD standards regarding setbacks (front 100 ft., sides 20 ft., rear 25 ft.), 20% lot coverage (5.38% proposed), 34.4% natural state (84.8% proposed) and maximum building height 30 ft. (16¾ ft. proposed).
4. The project design is not detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity, given that the project has been reviewed by the appropriate agencies. The approval of the requested Environmental and Design Review Permit will not in any way increase visibility of the house and consists of addition directly around the existing home and would not increase mass or bulk and has minimal visibility from off site vantage points and surrounding properties.

**Exception (E20-001)
Findings of Fact**

1. Approval of the requested exception to the property development standards of SRMC Chapter 14.12 has been recommended by a special COVID-19 subcommittee of the Design Review Board, and the Planning Commission, and the applicant has demonstrated that alternative design concepts carry out the objectives of that chapter and are consistent with the general plan based on the following criteria:
 - a. The project design is in keeping with the surrounding development because the adjoining properties are large undeveloped open space or sparsely developed agricultural properties. The proposed additions would not have any visual impacts on the adjoining properties, would not be visible from any public right of way and would result only in minimal addition to the footprint of the existing development. The project would minimally change the currently existing natural state of 84.8% compared with the required natural state of 34.4% due to the property being an 8.9-acre single family residential estate; and
 - b. The proposed exterior color and materials are not visible from any public right of way due to the proposed additions being very well screened by existing vegetation and located in an area that is a great distance from the public streets. The project does not require removal of any other existing native trees. The project's design meets the stated objectives of the Hillside Guidelines to preserve the inherent characteristics of the hillside site, displays sensitivity to the natural hillside setting and compatibility with nearby hillside neighborhoods, and maintains a strong relationship to the natural setting by minimizing grading and retaining existing on-site trees. The project's design minimizes grading, retains a majority of the project site in its natural state, minimizes visual impacts, protects significant trees and natural resources, and the DRB has recommended that the project is a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to, nearby structures.

**Environmental and Design Review Permit (ED19-099)
Conditions of Approval**

General and ongoing

Community Development Department, Planning Division

1. The building techniques, materials, elevations and appearance of the project, as presented for approval on plans prepared by *Yochum Architects*, dated *Received 3/9/2020*, shall be the same as required for the issuance of a building permit. Minor modifications or revisions to the project shall be subject to review and approval of the Planning Division. Modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body.
2. This Environmental and Design Review Permit (ED19-099) shall be valid for a period of **two (2) years** from the date of final approval, **or July 6, 2022**, and shall become null and void if a building permit is not issued or a time extension is not applied for prior to the expiration date
3. Contractor Contact Information Posting: Prior to the issuance of building permits, the project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street.
4. Construction Hours: Construction hours shall be limited to 7 a.m. to 5 p.m., Monday through Friday and Saturday from 9:00 a.m. to 5:00 p.m. Construction shall not be permitted on Sundays or City-observed holidays. Construction activities shall include delivery of materials, arrival of construction workers, start up of construction equipment engines, playing of radios and other noises caused by equipment and/or construction workers arriving at or on the site.
5. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
6. Archeological Features: In the event that archaeological features, such as concentrations of artifacts or culturally modified soil deposits including trash pits older than fifty years of age, are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find, the Planning Division shall be notified, and a qualified archaeologist shall be contacted immediately to make an evaluation. If warranted by the concentration of artifacts or soils deposits, an archaeologist shall monitor further work in the discovery area.

If human remains are encountered during grading and construction, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. The Coroner shall contact the Native American Heritage Commission, if the remains are deemed to be Native American and prehistoric, so the “most likely descendant” can be designated.

Prior to issuance of a Building Permit

Community Development Department, Planning Division

9. Plans submitted for a Building Permit shall include a plan sheet, which incorporates these conditions of approval.
10. All mechanical equipment (i.e., air conditioning units, meters and transformers) and appurtenances not entirely enclosed within the structure (on side of building or roof) shall be screened from public view. The method used to accomplish the screening shall be indicated on the building plans and approved by the Planning Division.

Community Development Department, Building Division

11. The design and construction of all site alterations shall comply with the 2016 California Residential Code (CRC), 2016 California Building Code (CBC), 2016 California Plumbing Code (CPC), 2016 California Electrical Code (CEC), 2016 California Mechanical Code CCMC), 2016 California Fire Code (CFC), 2016 California Energy Code, 2016 California Green Building Standards Code and City of San Rafael Ordinances and Amendments.
12. A building permit is required for the proposed work. Applications shall be accompanied by four (4) complete sets of construction drawings to include:
 - a. Architectural plans
 - b. Structural plans
 - c. Electrical plans
 - d. Plumbing plans
 - e. Mechanical plans
 - f. Site/civil plans (clearly identifying grade plane and height of the building)
 - g. Structural Calculations
 - h. Truss Calculations
 - i. Soils reports
 - j. Green Building documentation
 - k. Title-24 energy documentation
13. School fees will be required for the project. Calculations are done by the San Rafael City Schools, and those fees are paid directly to them prior to issuance of the building permit.

Fire Department

14. The design and construction of all site alterations shall comply with the 2019 California Fire Code, current NFPA Standards, and all applicable City of San Rafael Ordinances and Amendments.
15. If the project remodel and addition exceeds 50% of the existing square footage of the residence, it will be defined as a "substantial remodel" as defined in SRMC Chapter 4.08.120 Section 202. Therefore, fire sprinklers may be required throughout the building. Determination for fire sprinklers will be conducted during the Building Permit review, so indicate which room are to be altered, and/or added, this will include areas within the home where sheet rock is removed to access for electrical or structural changes. A Separate deferred application by a fire protection engineer or C-16 contractor would be required. Refer to our web site for the definition of a substantial remodel.
16. If a fire sprinkler system is required, 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 (Deferred Submittal to the Fire Prevention Bureau)

17. A Knox key switch is required for driveway or access road automatic gates.
<https://www.knoxbox.com/gate-keys-and-padlocks/>

Public Works Department

18. A grading permit shall be required from the Department of Public Works, located at 111 Morphew St.
19. An encroachment permit is required for any work within the City's public Right-of-Way, from the Department of Public Works located at 111 Morphew St. More information and a copy of the application is available at: <https://www.cityofsanrafael.org/grading-permits/>
20. A construction vehicle impact fee shall be required at the time of building permit issuance; which is calculated at 1% of the valuation, with the first \$10,000 of valuation exempt.

Marin Municipal Water District

21. The proposed 901-square-foot bathroom and closet addition will not impair the District's ability to continue service to the property. However, our records indicate that although water service is provided to the property it is outside of the District's current boundaries. The property owner shall take the appropriate steps with the Marin Local Agency Formation Commission to complete annexation into the Marin Municipal Water District.
22. Compliance with all indoor and outdoor requirements of District Code Title 13 -Water Conservation is a condition of water service. Indoor plumbing fixtures must meet specific efficiency requirements.
23. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at 415-945-1558.

Las Gallinas Valley Sanitary District

24. The proposed project is within the Sphere of Influence and District facilities boundary.
25. 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:
http://www.lgvsd.org/docs/application_allocation.pdf
26. 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.
27. If sewer lateral work is included in this project, please submit utility plan showing location of backwater prevention devices, sanitary sewer, cleanouts, manholes, and other relevant sanitary sewer details or information that may be applicable. Sewer design must comply with LGVSD standard specifications.
28. Complete and submit Application for Allocation of Capacity to LGVSD along with application fee of \$250. Application is available at <http://www.lgvsd.org/wp-content/uploads/APPL-ALLOCATION-fillable.pdf>.
29. Provide a plumbing fixture unit (PFU) table for the project showing both existing and proposed plumbing fixture unit counts per current edition of the California Plumbing Code. The table will be used for determination of the connection fee. Applicant may use the Plumbing Fixture

Count Worksheet available at <http://www.lgvsd.org/wp-content/uploads/PFU-Worksheet-R1.pdf>. PFU count shall be subjected to field verification before and after construction. The connection fee may be adjusted for actual number of additional plumbing fixture units.

30. Note: Applicant is required to obtain a sewer permit from LGVSD for any sewer lateral and/or main work. The permit application is available at <http://www.lgvsd.org/wp-content/uploads/NEW-LATERAL-PERMIT-FORM-2018-updatedFillable.pdf>. Submit the permit application to the District office and call 24 hours in advance of backfill for lateral inspections.
31. Based on District Ordinance adopted on June 20, 2019 preliminary cost estimates are:
 - a. For new buildings, structures, and developments:
 - i. \$6,224 per Equivalent Sewer Unit
 - ii. Actual fees may be adjusted according to specific conditions outlined in the Ordinance.
 - b. For existing buildings, structures, and developments:
 - i. \$311 per Plumbing Fixture Unit (PFU)
 - ii. Credit may be given to existing plumbing fixtures.
 - c. Applicant shall reimburse the District for all plan review, field verification before and after construction, and inspection fees accrued associated with this project. The estimate cost is \$7,500. Actual fees may be adjusted according to project specific conditions.
 - d. For more information about District Ordinance and permitting process, please visit <http://www.lgvsd.org/>.
 - e. District Standard Details/Specifications are available upon request.
 - f. Applicant shall submit plans electronically to LGVSD for review.

Prior to Occupancy

Community Development Department, Planning Division

32. Prior to occupancy, the applicants shall contact the Community Development Department, Planning Division, to request a final inspection. This inspection shall require a minimum of 48-hour advance notice.
33. All exterior lighting shall be shielded down. Following the issuance of a certificate of occupancy, all exterior lighting shall be subject to a 30-day lighting level review by the Police Department and Planning Division to ensure compatibility with the surrounding area.

Exception (EX20-001) Conditions of Approval

General and ongoing

Community Development Department, Planning Division

1. The building techniques, materials, elevations and appearance of the project, as presented for approval on plans prepared by *Yochum Architects*, dated *Received 3/9/2020*, shall be the same as required for the issuance of a building permit. Minor modifications or revisions to the project shall be subject to review and approval of the Planning Division. Modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body.

7. This Exception (EX20-001) shall be valid for a period of **two (2) years** from the date of final approval, **or July 6, 2022**, and shall become null and void if a building permit is not issued or a time extension is not applied for prior to the expiration date

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 6th of July 2020, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

BY: _____
LINDSAY LARA, City Clerk



NOTICE OF ONLINE PUBLIC HEARING – CITY COUNCIL

You are invited to view and participate online the City Council hearing on the following proposed project:

PROJECT: 1499 Lucas Valley Rd. – Request for an Environmental and Design Review Permit to allow the construction of a new 901 square foot bathroom/closet addition to an existing 6,500 sq. ft single-family residence on an 8.9-acre site; APN: 165-010-89; Planned Development – Hillside Overlay (PD 1701-H) District; Mike and Sharon Stone, owners; Maureen Jochum of Jochum Architects, applicant; File No.: ED19-099.

State law (California Environmental Quality Act) requires that this project be reviewed to determine if a study of potential environmental effects is required. It has been determined that this project will not have a significant effect on the environment and no environmental review will be completed. This project qualifies for a Categorical Exemption from the provisions of the California Environmental Quality Act Guidelines under 14 CRR Section 15301 [Class 1(e), Existing Development].

MEETING DATE/TIME/LOCATION: Monday, July 6, 2020, 7:00 p.m. COVID-19 ADVISORY NOTICE: Consistent with Executive Orders No.-25-20 and No. N-29-20 from the Executive Department of the State of California and the Marin County March 16, 2020 Shelter in Place Order, the San Rafael City Council hearing of July 6, 2020 WILL NOT be physically open to the public and the meeting will be streamed live to YouTube at www.youtube.com/cityofsanrafael. Instructions on how to participate online, will be available on the YouTube channel. You will also be able to comment through a conference call during the meeting (number will be provided on agenda)

FOR MORE INFORMATION: Contact **Sean Kennings**, Senior Planner at **(415) 533-2111** or sean@lakassociates.com. City offices are currently closed to public walk-in during the Shelter in Place order, but you may contact the planner for more information. You may also view the staff report after 5:00 p.m. on the Friday before the meeting at <http://www.cityofsanrafael.org/meetings>.

WHAT WILL HAPPEN: You may comment on the project on line or via conference call. The City Council will consider all public testimony and decide whether to approve the project.

IF YOU WANT TO COMMENT: You may send a letter to Lindsay Lara, City Clerk, City of San Rafael, 1400 5th Ave, San Rafael, CA 94901 or via email Lindsay.Lara@cityofsanrafael.org. You may also comment online during the meeting using a chat feature on YouTube or through a conference call (number will be provided on agenda).

At the above time and place, all written correspondence received will be noted and all interested parties will be heard. If you challenge in court the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the above referenced public hearing (Government Code Section 65009 (b) (2)).

Judicial review of an administrative decision of the City Council must be filed with the Court not later than the 90th day following the date of the Council's decision. (Code of Civil Procedure Section 1094.6)
