

**Notice of Preparation**

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Notice of Preparation

To: Affected Agencies and Interested Parties

From: Town of Fairfax Department of Planning and Building Services

(Address)

142 Bolinas Road

(Address)

Fairfax, CA

**Subject: Notice of Preparation of a Draft Environmental Impact Report**

The Town of Fairfax Planning and Building Services Department will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is **NOT** attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Ben Berto, Director of Planning and Building Services at the address shown above. We will need the name for a contact person in your agency.


Project Title: Marinda Heights Subdivision Project

Project Applicant, if any: Timberstone, LLC.

Date

August 8, 2019

Signature



Title Director of Planning and Building Services

Telephone 415-453-1584

## **NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

**Date:** August 8, 2019

**To:** Agencies and Interested Parties

**From:** Town of Fairfax Department of Planning and Building Services

**Subject:** Notice of Preparation of a Draft Environmental Impact Report for the Proposed Marinda Heights Subdivision Project

**Review Period:** August 13 to September 11, 2019

The Town of Fairfax (Town) is preparing an Environmental Impact Report (EIR) for the Marinda Heights Subdivision Project ("Proposed Project"). The Town is requesting comments on the scope and content of the EIR. A description of the Proposed Project and its location, together with a summary of the probable environmental effects that will be addressed in the EIR are included herein. Pursuant to California Environmental Quality Act Guidelines §15063(a), the Town has not prepared an Initial Study.

The EIR for the Proposed Project is being prepared in compliance with the California Environmental Quality Act (CEQA) (California Public Resources Code §§21000 et. seq.) and the State CEQA Guidelines (Guidelines) (California Code of Regulations, Title 14, Division 6, Chapter 3, §§15000 et. seq.).

### **PURPOSE OF THIS NOTICE OF PREPARATION**

In accordance with the California Code of Regulations (CCR) Section 15082, the Town has prepared this notice of preparation (NOP) to inform agencies and interested parties that an EIR will be prepared for the above-referenced project. The purpose of an NOP is to provide sufficient information about the project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed (CCR Section 15082[b]).

### **PROJECT LOCATION AND SURROUNDING USES**

The Proposed Project site consists of approximately 100-acres located in the northeastern portion Town of Fairfax, within Marin County, California. Figure 1 depicts the regional vicinity and Proposed Project location. It is accessible via a private road located at the end of Marinda Drive and another at the end of Ridgway Avenue. It consists of one legal parcel, comprised of four Assessor's Parcels, numbered: 001-150-12, 001-160-09, 001-171-51, and 001-251-31. The three largest Assessor's Parcels (001-150-12, 001-160-09, and 001-251-31) are zoned UR-10 (Upland Residential, 10 acres per unit). The smallest Assessor's Parcel (001-171-51) is zoned RS 7.5 (Single Family Residential, 7,500 square foot per unit). The Proposed Project site is bounded by ridgeline residential development to the east, open space to the northeast, residential development to the northwest, a combination of residential development and two schools to the west, and residential development to the south.

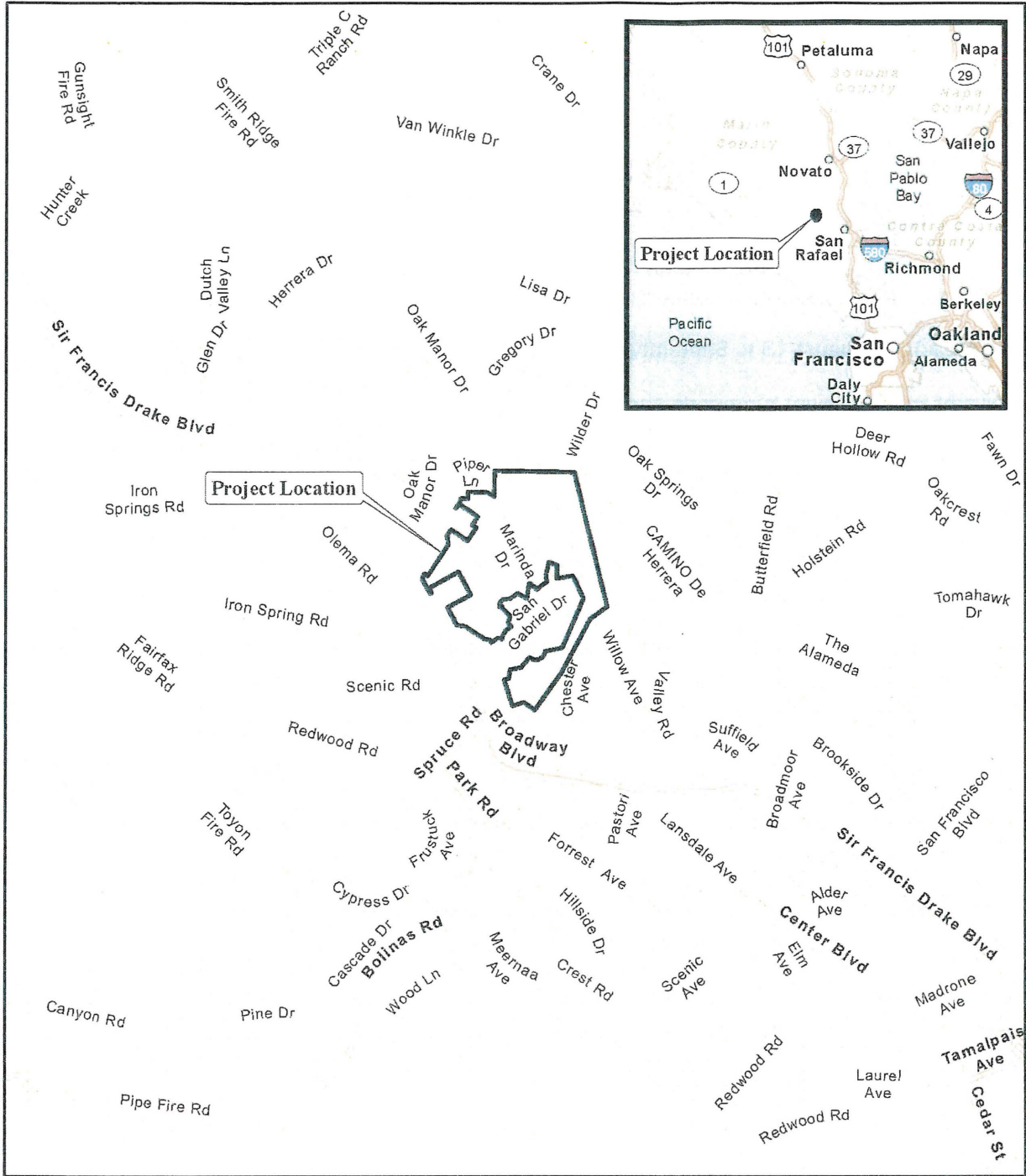
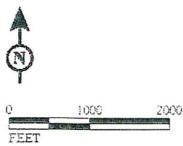


FIGURE 1



SOURCE: LSA Associates, Inc. July 2019

Marinda Heights  
 Marin County, California  
 Regional Project Location Map

## EXISTING CONDITIONS

The irregularly shaped, steeply sloped Proposed Project site is primarily undeveloped and characterized by annual grassland, disturbed annual grassland, Eucalyptus groves, chamise chaparral, California bay forest, and coast live oak woodland. The developed areas on the Proposed Project site include a network of cleared trails and a few dirt roads (including a fire road), which are encompassed in the disturbed annual grassland.

## PROJECT DESCRIPTION

The Proposed Project applicant, Timberstone LLC, proposes to subdivide the approximately 100-acre Proposed Project site, also known as the Wall property, into the Marinda Heights subdivision of ten 10+-acre parcels and construct a single-family residence on each of the new parcels (for a total of ten residences). In addition, modifications to an existing fire road are proposed above the uppermost residence on Marinda Drive, to reduce its maximum grade. The applicant is also proposing three new public trail easements: one on the side of the existing spur ridge fire road running from the end of Marinda Drive to the ridgeline at the Sleepy Hollow divide; a new cross-slope trail running from the southeasterly property line adjacent to the trail on the Ridgeway Avenue right-of-way, along the westerly property line to the Marinda fire road/access easement next to the water tank; and a new trail running from the new cross-trail, roughly parallel to the Marinda Drive extension, ending at the existing end of the pavement on Marinda Drive.

The proposed residences are further described as follows:

### Lot 1 – [address to be updated] Marinda Drive

Proposal for a 4,383 square-foot, 2-story, 37-foot tall, single-family residence with an attached 615 square-foot (115 net square feet) garage, for a total of 4,498 net structural square feet. A pool is proposed on the southwest side of the residence. The residence would be located on the southerly end of a proposed 437,730 square-foot (10-acre) parcel, approximately 1560 lineal feet up the proposed private extension of Marinda Drive, then approximately 220 feet down a new joint driveway extension running west off the new private Marinda Drive extension, at approximately the 424-foot elevation. Approximately 67 trees are proposed for removal to accommodate the residence, of which 51 are classified as protected, 4 of which are classified as heritage, and 12 of which are exempt from permit requirements.

### Lot 2 – 351 Marinda Drive

Proposal for a 4,741 square-foot, 2-story, 38.5-foot tall, single-family residence with a detached 678 square-foot (178 net square feet), 29-foot tall garage, for a total of 4,919 net structural square feet. A 33,500-gallon pool is proposed on the lower level of the south side of the building. The residence would be located on the southerly end of a proposed 437,730 square-foot (10-acre) parcel and located approximately 307 square lineal feet up and approximately 41 feet south of a proposed private roadway extension of Marinda Drive, at approximately the 331-foot elevation. Approximately 3 trees are proposed for removal to accommodate the residence, 2 of which are classified as protected, and 1 of which is classified as heritage.

### Lot 3 – 400 Marinda Drive

Proposal for a 4,718 square-foot, 2-story, 38.6-foot tall, single-family residence with a detached 772 square-foot (272 net square feet), approximately 30-foot tall garage, for a total of 4,990 net structural square feet. A 46,117-gallon pool and jacuzzi is proposed on the southeast side of the residence. The residence would be located on the far west side of a proposed 441,219 square-foot (10.2-acre) parcel, and located approximately 865 lineal feet up, and 28 feet east of a proposed private roadway extension of Marinda Drive, at approximately the 357-foot elevation. Approximately 7 trees are proposed for removal to accommodate the residence, 6 of which are classified as protected and 1 of which is classified as heritage.

**Lot 4 – 501 Marinda Drive**

Proposal for a 4,093 square-foot, 2-story, 39-foot, 9-inch tall single-family residence with an attached 712 square-foot (212 net square feet) garage, for a total of 4,305 net structural square feet. A 33,500-gallon pool is proposed on the lower level of the south side of the building. The residence would be located on the far eastern side of a proposed 438,693 square-foot (10.1 acre) parcel, and located approximately 1,275 lineal feet up, and 23 feet west of the edge of a proposed private roadway extension of Marinda Drive at approximately the 424-foot elevation. Approximately 34 trees are proposed for removal to accommodate the residence, 19 of which are classified as protected and 15 of which are classified as heritage.

**Lot 5 – 551 Marinda Drive**

Proposal for a 4,618 square-foot, 2-story, 30.5-foot tall, single-family residence with a detached 732 square-foot (232 net square feet), 2-story, 30-foot tall garage, for a total of 4,850 net structural square feet. A 14,365-gallon pool is proposed on the north side of the upper floor. The residence would be located on the far eastern end of a proposed 439,259 square-foot (10.08 acre) parcel and located approximately 1,545 lineal feet up and 18 feet west of the edge of a private roadway extension of Marinda Drive at approximately the 444-foot elevation. Approximately 24 trees are proposed for removal to accommodate the residence, 9 of which are classified as protected and 15 of which are classified as heritage.

**Lot 6 – 611 Marinda Drive**

Proposal for a 4,701 square-foot, 3-story, 34-foot tall, single-family residence with an attached 757 square-foot (257 net square feet) garage, for a total of 4,958 net structural square feet. A 43,000-gallon pool is proposed on the east side of the lower floor. The residence would be located on the far south end of a proposed 435,992 square-foot (10 acre) parcel, 1,727 lineal feet up a private road extension of Marinda Drive, then down at the end of an approximately 850 foot-long private driveway, at an elevation of approximately 347 feet. Approximately 4 trees are proposed for removal to accommodate the residence, all 4 of which are classified as protected.

**Lot 7 – 630 Marinda Drive**

Proposal for a 3,996 square-foot, 2-story, 26-foot tall, single-family residence with a detached 747 square-foot (247 net square feet) garage, for a total of 4,243 net structural square feet. A 29,174 gallon pool is proposed to be located on the east side of the residence. The residence would be located on the far west side of a proposed 437,212 square-foot (10-acre) parcel and located approximately 1,800 linear feet up and 12 feet east of the edge of a new private road extension of Marinda Drive, at an approximate elevation of 475 feet. Approximately 34 trees are proposed for removal to accommodate the residence, 25 of which are classified as protected and 9 of which are classified as heritage.

**Lot 8 – 650 Marinda Drive**

Proposal for a 4,338 square-foot, 2-story, 24-foot 7-inch tall, single-family residence with an attached 528 square-foot (28 net square feet) garage, for a total of 4,366 net structural square feet. A 26,825-gallon pool is proposed to be located within a central courtyard on the east side of the residence. The residence would be located on the far west side of a proposed 438,475 square-foot (10.1-acre) parcel, and located approximately 1,927 lineal feet up, and 11 feet east, of the edge of a new private road extension of Marinda Drive, at an elevation of approximately 495 feet. Approximately 72 trees are proposed for removal to accommodate the residence, 45 of which are classified as protected and 26 of which are classified as heritage.

**Lot 9 – 680 Marinda Drive**

Proposal for a 4,502 square-foot, 2-story, 28 foot-tall single-family residence, detached 745 square-foot (245 net square feet) 15 foot-tall garage, for a total of 4,747 net structural square footage. A 42,465 gallon pool with built-in jacuzzi is proposed to be located on the southwest side of the residence. The residence would be located on the far west end of a proposed 437,778 square-foot (10.1-acre) lot, and located approximately 1,950 lineal feet up, and 25 feet from the beginning of a new private road extension of Marinda Drive, at an elevation of approximately 511 feet. Approximately 12 trees are proposed for removal to accommodate the residence, 8 of which are classified as protected and 4 of which are classified as heritage.

**Lot 10 – [no current address] Ridgeway Residence**

Proposal for a 4,809 square-foot, 3-level, 33-foot-tall single-family residence with an attached 506 square-foot garage (6 net square feet), for a total net floor area of 4,815 square feet. A 44,065-gallon pool located on the east side of the building, located on a proposed 437,778 square-foot (10.1-acre) lot. The third building level would consist of a stairway landing, and a combination of “living” roof and roof decks. Approximately 53 trees are proposed for removal to accommodate the residence, 45 of which are classified as protected and 13 of which are classified as heritage.

Proposed utilities include water service from Marin Municipal Water District, sanitary service from Ross Valley Sanitary District, and gas and electric service from PG&E.

**POTENTIAL APPROVALS AND PERMITS REQUIRED**

Several agencies will be involved in the consideration of Proposed Project elements. As the lead agency under CEQA, The Town of Fairfax is responsible for considering the adequacy of the EIR and determining if the overall Proposed Project should be approved.

**Town of Fairfax**

Approvals required from the Town of Fairfax for the Proposed Project include but are not limited to:

- Vesting Tentative Subdivision Map
- Design Review
- Hill Area Residential Development Permit
- Ridgeline Development Permit
- Excavation Permit
- Height Variance
- Various ministerial approvals, including but not limited to building permits
- Certification of the EIR

Permits and approvals may be required from the following agencies:

**State**

- Bay Area Air Quality Management District: Authority to construct (for devices that emit air pollutants); permit to operate.
- California Department of Fish and Wildlife, Region 3: Compliance with the California Endangered Species Act (ESA); potential permits under Section 2081 of the Fish and Game Code if take of listed species is likely to occur.
- California Regional Water Quality Control Board, Region 2: Permits for wastewater disposal.

## POTENTIAL ENVIRONMENTAL EFFECTS AND PROPOSED SCOPE OF THE EIR

The EIR will analyze and disclose the direct and indirect potentially significant impacts that would result from construction and operation of the Proposed Project under Existing Plus Project and Cumulative conditions (Guidelines §§15126.2, 15130), in addition to other analysis scenarios that may be appropriate for the EIR. Where significant impacts are identified, the EIR will describe potentially feasible mitigation measures that could minimize significant adverse impacts (Guidelines §15126.4). It is anticipated that the Proposed Project may have environmental impacts on aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, land use, noise and vibration, population and housing, public services, public utilities, transportation and circulation, hydrology and water quality, and growth inducement. It is anticipated that the Proposed Project would have no hazards impacts or less-than-significant hazards impacts. The EIR will evaluate the full range of environmental issues contemplated for consideration under CEQA and the State CEQA Guidelines, including but not limited to the following:

- Aesthetics, Shadow and Wind (including Light, and Glare)
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural and Historic Resources (including Tribal Cultural Resources)
- Geology and Soils (including Geological and Seismic Hazards)
- Greenhouse Gas Emissions /Global Climate Change
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise and Vibration
- Population and Housing (including Growth Inducement)
- Public Services (including Police Services, Fire Protection Services, Parks and Schools);
- Recreation
- Transportation and Circulation
- Public Utilities and Service Systems (including Energy Demand and Conservation)

The Draft EIR will evaluate cumulative impacts of the Proposed Project, including the effects of other past, present, and reasonably foreseeable projects in the vicinity (Guidelines §15130).

In accordance with the State CEQA Guidelines (14 CCR Section 15126.6), the EIR will describe a range of reasonable alternatives to the Proposed Project that are capable of meeting most of the Proposed Projects' objectives and that would avoid or substantially lessen any of the significant effects of the Proposed Project. The EIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons why. The EIR will provide an analysis of the No Project Alternative and will also identify the environmentally superior alternative.

## PROVIDING COMMENTS

Agencies and interested parties may provide the Town with written comments on topics to be addressed in the EIR for the project. Because of time limits mandated by State law, comments should be provided no later than 5:00 p.m. on September 11, 2019. Please send all comments to:

Town of Fairfax, Department of Planning and Building Services: Ben Berto  
142 Bolinas Road  
Fairfax, CA 94930  
Telephone: 415- 453-1584  
Fax: 415-453-1618  
Email: [bberto@townoffairfax.org](mailto:bberto@townoffairfax.org)

Agencies that will need to use the EIR when considering permits or other approvals for the Proposed Project should provide the name, phone number, and email address of the appropriate contact person at the agency. Comments provided by email should include "Marinda Heights Project NOP Scoping Comment" in the subject line, and the name and physical address of the commenter in the body of the email.

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft EIR, which is anticipated to be available for public review in early-2020.

## **PUBLIC SCOPING MEETING**

The CEQA process encourages environmentally related comments and questions from the public throughout the planning process. Consistent with Section 21083.9 of the CEQA statute, a Public Scoping Meeting will be held to solicit environmentally related public comments on the scope and content of the EIR.