

**TOWN OF SAN ANSELMO
PLANNING COMMISSION RESOLUTION NO. 9503**

**A RESOLUTION OF THE SAN ANSELMO PLANNING COMMISSION APPROVING A
NEGATIVE DECLARATION, PRECISE DEVELOPMENT PLAN, AND DESIGN
REVIEW TO CONSTRUCT A NEW SINGLE FAMILY DWELLING ON 450 REDWOOD
ROAD, A/P 7-191-03**

WHEREAS, an application was filed with the Town of San Anselmo on October 24, 1994 requesting approval for a Precise Development Plan and Design Review to construct a single family dwelling on a 1.25 acre parcel located at 450 Redwood Road, A/P 7-191-03; and

WHEREAS, the Planning Commission held a public hearing on May 1, 1995;

WHEREAS, the Planning Commission approved the Negative Declaration, Precise Development Plan and Design Review based on the Site Plan received by the Town on April 7, 1995, and the material board, elevations, and floor plans received by the Town on October 24, 1995, subject to the following conditions:

1. The applicant must adhere to all recommendations established in the Geotechnical Investigation prepared by John C. Hom & Associates, Inc., dated April 14, 1987 and updated via a letter report, dated August 18, 1994. Furthermore, the applicant shall conform to the recommended changes stated in the peer review letter prepared by Vince Howes, dated January 5, 1995, unless otherwise determined by the Public Works Director.

2. If fences are proposed, fences outside the building envelope shall be of transparent construction and may integrate the use of foliage. Such fences shall be designed to allow wildlife to travel freely between properties and to the open space areas. Solid fences shall not be used.

Fencing within the building envelope areas should integrate with the setting. It may be of solid material, except if located along a road right of way in which case the fence must be set back at least 6 feet from the road right of way. Such fencing should be made of natural wood, stone, or other natural material, or painted with dark earth tones to blend with the natural setting and should be screened with natural vegetation.

3. Hours of construction shall be limited to the time period from 8:00 a.m. to 4:30 p.m. weekdays only and no construction on the weekends and holidays. Heavy construction truck trips shall be restricted to non-peak periods (10:00 a.m. to 3:00 p.m.). The Public Works Director can authorize construction beyond these hours and days upon written request, including interior work and other work tasks he deems appropriate. All construction equipment shall be adequately muffled and maintained.

4. A lighting plan shall be submitted as part of the Building Permit application. Exterior lighting shall be designed to eliminate off-site spread of light through the use of

hooded, low level light, low wattage light fixtures which cast light in a downward direction. Such lighting should be permitted for safety and security purposes only and must be unobtrusive and maintain privacy.

5. Prior to building permit issuance, the applicant shall submit a fair share financial contribution of \$2,900.00 for roadway construction improvements on Redwood Road. Such improvements will help mitigate existing deficiencies in the traffic circulation and emergency access system identified in the Redwood Road Traffic Impact Study by DKS Associates dated March 10, 1994.

6. Prior to building permit issuance, the applicant shall prepare and file with the Public Works Director, a construction management plan, which includes a video tape of the roadway conditions on Redwood Road prior to construction. The applicant shall also post a road improvement bond or provide other assurance to the Town that damage to Redwood Road or other public street resulting from construction vehicles will be corrected. This plan shall also address means of reducing potential traffic delays for local motorists during construction.

7. Prior to building permit issuance, a tree protection plan shall be submitted in order to minimize damage to existing trees identified to be preserved during construction of the dwelling and infrastructure.

8. Outside of the building envelope, the removal and pruning of trees, shrubs, herbaceous plants is prohibited except for reasons of disease, and the need to maintain fire and human safety.

9. The exterior materials shall be as follows:

Siding:	Natural cedar shingles
Fascia, Window, and Corner Trim:	Natural redwood
Roof:	Dark brown Class A shingles

10. Prior to building permit issuance, a deed restriction listing the above condition nos. 2, 4, 5, 7, 8, and 9 shall be signed by the applicant, notarized, and recorded at the County.

NOW, THEREFORE, the Planning Commission of the Town of San Anselmo does hereby find as follows:

Section 1. Finding required for the approval of the Negative Declaration pursuant to Section 15204 of the California Environmental Quality Act is as follows:

Required Finding: *That the project will not have a significant effect on the environment.*

The project will not have a significant effect on the environment due to the mitigation measures, identified as Exhibit A to the Negative Declaration and hereby attached,

which are designed to reduce potential environmental impacts that may result from this project.

Section 2. Findings required for the approval of the Precise Development Plan pursuant to Section 10-3.706 of the San Anselmo Municipal Code are as follows:

Required Finding 1. That the Precise Development Plan protects and preserves the natural and existing land forms and vegetation of the hillside and ridges, water courses, and any unique habits located on the property.

The plan will preserve many natural features on the site. This includes limiting the removal of existing vegetation to one: 12" bay tree and other smaller oaks, bays and madrones. All other trees 12" and over in diameter shall be retained. Grading is limited to 325 yards cut and 300 yards of fill, with the excess material to be disposed of off-site.

Required Finding 2. That the precise grading plan is designed to retain the natural and existing features of the land, that cuts and fills are minimized, and that all graded areas are rounded and contoured to blend with the existing topography.

See discussion under Finding No. 1 above.

Required Finding 3. That both on-site and off-site roadways are structurally suitable and adequate to carry projected traffic, and that the proposed development will not generate traffic which cannot be adequately accommodated by the roadway network outside the project area.

The applicant will present a fair share financial contribution for construction improvements on Redwood Road.

Required Finding 4. That the intensity of development will not have the potential to make a residential street traffic dominated;

This project is limited to a single family dwelling and it should not cause the street to become traffic dominated.

Required Finding 5. That building site locations and the access to said building sites are selected to minimize visibility of the development from the remainder of the community, and are geologically stable.

The proposed location of the dwelling on this site is to be setback considerably from the roadway, the site is not visible from surrounding hillside properties, and the natural materials will cause it to blend with the environment.

Required Finding 6. That development is located so as to be screened by portions of the site where existing topography provides screening or by existing woodlands. Development within existing woodlands may be allowed if tree removal is minimal;

The site is heavily wooded with trees surrounding the proposed building envelope. See Finding No. 1 for further discussion.

Required Finding 7. That landscaping is provided to screen, maintain or improve the overall visual quality of the project as it relates to the community; that said landscaping stabilizes erodible soil; and that said landscaping camouflages the visually harsh aspects of improvements such as cuts, fills, and retaining walls. That the type and character of plant materials employed in said landscaping are reasonably related to plants in the surrounding areas. That said landscape plans demonstrate a recognizable pattern or theme for the overall development by choice and location of plant varieties;

There are no additional landscape plans for this property as it is heavily wooded and tree removal is minimal.

Required Finding 8. That pedestrian easements are provided where pedestrian facilities are not contained within streets. That continued use of established local trails and trails associated with the accepted County wide Trails Plan is Preserved;

This project will not impact the continued use of established local trails.

Required Finding 9. That where developable land exists beyond the development being considered, that road easements and dedications are provided to the appropriate bodies. That such easements are to the same standards as other public roads within the development;

Not applicable.

Required Finding 10. That where developments include dedication of public open space, or that where developments abut existing public open space, that access to said public open space is provided for the public, including public emergency, and public open space management vehicles and equipment;

Not applicable.

Required Finding 11. That construction, if any, within the ridge zone meets the following findings:

a. *That any construction within the ridge zone is permitted only when the applicant has demonstrated to the satisfaction of the Planning Director and the Planning Commission that construction outside of the ridge zone would be detrimental with respect to soil and geologic conditions, vegetation removal, drainage and such other factors as are determined to be pertinent; and*

b. *That construction allowed within the ridge zone, under this Article is kept to a low visual profile, the acceptance of which shall be determined in the Design Review process;*

Not applicable.

Required Finding 12. *That the Precise Development Plan does not adversely affect the health or safety of persons in or adjacent to the area or endanger property located in the surrounding area;*

This project will not adversely affect the health or safety of persons in or adjacent to the area or endanger property located in the surrounding area.

Required Finding 13. *That the Precise Development Plan is in conformance with the San Anselmo General Plan, with specific reference to the applicable sections of the General Plan;*

The precise development plan is in conformance with a) Policies 2.2, 9.4, 9.7, 9.8, 10.3, 10.5, 11.1, 13.2, 14.2, 15.1, 16.1 of the Land Use Element; and b) Policies 10.5, 10.6, 11.1, 11.2, 11.3 of the Circulation Element.

Required Finding 14. *That each individual phase of development, as well as the total development, can exist as an independent unit.*

Not applicable.

Section 3. Findings required for the approval of Design Review pursuant to Section 10-3.710 of the San Anselmo Municipal Code are as follows:

Required Finding 1. *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area;*

The building design and materials will be functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.

Required Finding 2. *Provides for protection against noise, odors, and other factors which may make the environment less desirable;*

This project will not make the environment less desirable; in fact, drainage will be improved.

Required Finding 3. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment or orderly development in such area;*

This project will not cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or development in the area.

Required Finding 4. *Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel;*

This project will not create unnecessary traffic hazards and the access has been approved by the Ross Valley Fire Department.

Required Finding 5. Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.

This project will not adversely affect the health or safety of persons or endanger property.

Required Finding 6. Conformance to the approved precise development plan.

The precise development plan and design review are being considered simultaneously.

Required Finding 7. Adequacy of Screening.

The dwelling will be screened by existing woodland on the south, west, and east sides. The north (front) side will not be screened. However, the dwelling is setback 100' from the roadway, it will have natural exterior materials, and should not be visible from surrounding hillside properties. No additional screening is proposed.

Required Finding 8. Selection of architectural features and colors that enable the structure to blend with its environment and which results in a low visual profile.

For persons standing directly in front of the proposed structure on Redwood Road, the dwelling will be visible due to its height and lack of screening vegetation in front. However, due to the natural exterior materials, the 100' setback from the roadway, and the heavy woodland on the rear and sides of the dwelling, it should blend with its environment. The intent of the "low visual profile" finding is meant to be "as viewed from surrounding hillsides". This dwelling will not be visible from surrounding hillsides.

PASSED AND ADOPTED by the San Anselmo Planning Commission at a regular meeting on May 1, 1995, by the following roll call vote:

AYES: Harle, Hayes, Israel, Julin, Mihaly, Ollinger, Sargeant

NOES: None

ABSENT: None



David Israel, Chair

ATTEST:



Caroline Foster, Town Clerk