

**TOWN OF SAN ANSELMO  
RESOLUTION NO. 3264**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO  
APPROVING A DENSITY DETERMINATION OF TWELVE UNITS IN  
CONJUNCTION WITH A PRECISE DEVELOPMENT PLAN AND VESTING  
TENTATIVE MAP TO CREATE SEVEN (7) RESIDENTIAL LOTS AND A 19+  
ACRE PUBLIC OPEN SPACE LOT ON PROPERTY LOCATED NEAR 390  
REDWOOD ROAD IN THE R-1-H ZONING DISTRICT (ASSESSOR'S PARCEL  
NUMBERS 7-071-03, 7-101-02, AND 7-154-04)**

**WHEREAS**, the Town Council of the Town of San Anselmo has made the following findings for a density determination:

In accordance with Section 10-3.201 of the Zoning Ordinance and the General Plan statement contained in the Land Use Element under "Land Use Categories: Residential - Very Low Density Hillside and Ridge (1 Unit/Gross Acre or Less)", the finding required for approval of a Density Determination for 12 units have been made as follows:

*That the number of units to be allowed on each parcel of land within this category will be based on the environmental constraints (e.g., slopes, unstable soils, stream courses, etc.) and open space objectives associated therewith.*

The Frasers are requesting a Density Determination of 12 units with the intent of conveying development rights for five (5) units to the Town which would be retired. It should be noted that, based on an analysis in the Initial Study (refer to Section 8. Land Use), the proposed seven unit project was found to conform with the General Plan and Zoning Ordinance policies for the hillside area. Letters dated January 11, 1994 and January 18, 1994 from Peter Fraser and his engineering representative, Steve Arago, address the physical feasibility of constructing 12 units on this site (attached).

*Land Use Element*

The Town of San Anselmo General Plan designates this property as Very Low Density Residential (1 or less units/acre). The Plan states that "The number of units to be allowed on each parcel of land within this category will be based on the environmental constraints (e.g., slope, unstable soils, stream courses, etc.) and open space objectives associated therewith. The Town of San Anselmo has reviewed the development potential of each parcel in the hillside and ridge area. From this review emerged the maximum number of dwelling units to be allowed on each parcel. The maximum number of dwelling units to be allowed is designated in the official "Table of Hillside and Ridge Density Parcels" adopted by the Town Council". That table (Table 4D), which is located in the Zoning Ordinance, assigns a maximum number of

12 units to this property. It should be noted that the term "maximum" means that up to the specified number of units may be allowed, but this number is not a given.

Based on the constraints maps for slopes, geology, vegetation, and drainage, prepared by CSW/Stuber-Stroeh, it appears that five additional units could feasibly be located within the lower part of the site near Redwood Road. However, the lots would be considerably smaller than those proposed in order to avoid steeper slopes and minimize grading and tree removal.

If larger lots were preferred, it is likely that the additional five units would be located within the northwest part of the site on a secondary ridge similar to the 1982 plan for 24 residential units. That plan proposed 15 units on the lower portion near Redwood Road, 1 unit off of Oak Avenue, and 8 units in the northwest part of the site near Fairfax. Given the information contained in the current constraints maps regarding landslide areas, slopes, drainage swales, and Redwood groves, land in the northwest portion is less steep (20%-40% slopes rather than 40% and greater slopes) and contains only a few landslide areas. However, access to the site is constrained because of steep terrain. Consequently, access to the 24-unit project was proposed through Fairfax.

#### *Open Space Element*

When compared with seven units, 12 units would result in less land available for public open space. It is estimated that the five units would require about 3 to 4 additional acres (assuming 0.5 acre lots) thereby leaving 16 to 17 acres for public open space. If development occurred near Redwood Road, interference with the "Steep Trail" or other trails would not occur, however, the project could potentially affect trails in the northern part of the property (shown on the Marin Countywide Trails Plan) if development were to occur in that area. However, a 12 unit project containing land for Public Open Space and protecting a portion of the "Steep Trail" would still conform to the Open Space Element policies. From a visual impact standpoint, development in the northwest portion of the site would be more visible because it would be constructed on the flatter areas within the secondary ridge zone.

In summary, there appears to be enough area within the lower part of this 25.65 acre property to accommodate 11 units (plus one unit on Oak Avenue) on land unconstrained by landslides, unstable soils, major drainage courses, slopes, or stands of redwood trees. However, the lots would be small compared with newly created and developed hillside lots. Larger lots would require use of the northwest portion of the site which presents more difficult access, grading, and visibility constraints. Either concept could not proceed without further in depth environmental review.

It is found that a 12 unit Density Determination for this property is consistent with the policies contained in the General Plan and may be made on approval of the Vesting Tentative Map and Final Subdivision Map creating seven (7) single family parcels and one (1) public open space parcel as proposed in the Precise Development Plan. Any proposal for twelve units on this site would require further planning and environmental review.

**WHEREAS**, the General Plan of the Town of San Anselmo allows up to a maximum of 12 residential units on the subject property; and

**WHEREAS**, the Town recognizes that the Land Purchase/Trade Agreement entered into between the Town and Pamela and Peter Fraser would result in nearly 20 acres of public open space and public trails; and

**WHEREAS**, the Town recognizes that 12 residential units could conceivably be constructed on this site based on environmental constraints such as slope, unstable soils, and stream courses.

**THEREFORE**, a density determination of 12 units is hereby made solely for purposes of carrying out the Land Purchase/Trade Agreement and shall become operative only upon the close of escrow and upon recordation of the final map as provided for in that Agreement.

**PASSED AND ADOPTED** by the Town Council of the Town of San Anselmo on May 31, 1994 by the following vote:

AYES: Breen, Kroot, Zaharoff, Yarish

NOES: None

ABSENT: Chignell

  
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Paul Chignell, Mayor

ATTEST:

  
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Caroline Foster, Town Clerk