

TOWN OF SAN ANSELMO  
RESOLUTION NO. 3307  
AMENDING RESOLUTION NO. 3263

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING A PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE MAP FOR PROPERTY KNOWN AS REDWOOD HILLS SUBDIVISION NEAR 390 REDWOOD ROAD TO REVISE CONDITION NO. 17 REGARDING TREE AND PLANT REMOVAL, AND CONDITION NO. 20 REGARDING DESIGN STANDARDS IN THE R-1-H ZONING DISTRICT (ASSESSOR'S PARCEL NUMBERS 7-071-03, 7-101-02, AND 7-154-04)

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WHEREAS, the Town Council adopted Resolution No. 3263 on May 31, 1994, thereby approving a Precise Development Plan and Vesting Tentative map for a seven (7) unit residential project; and

WHEREAS, the California Department of Real Estate has advised the Town of San Anselmo that the approved Design Standards for Redwood Hills Subdivision not be recorded as part of the Covenants and Restrictions, but rather be referenced in that document due to their specificity; and

WHEREAS, the Town Council held public hearings on October 25, 1994, November 15, 1994, January 24, 1995, and May 9, 1995, to consider the above referenced requests; and

WHEREAS, those sections of the Design Standards intended to mitigate potential environmental impacts will continue to be incorporated into the adopting resolution and recorded as part of the Covenants and Restrictions;

FINDINGS OF FACT

WHEREAS, the Town Council of the Town of San Anselmo has made the following findings:

1. That the California Department of Real Estate has advised the Town of San Anselmo that the Design Standards for Redwood Hills Subdivision not be recorded as part of the Covenants and Restrictions, but rather be referenced in that document due to their specificity.
2. That these revisions to the Precise Development Plan and Vesting Tentative Map are in accordance with the Town of San Anselmo Ordinance Code and Subdivision Ordinance in that no changes are proposed that affect existing policies or standards.

3. That no further environmental review is required in that the proposed changes will retain the intent and integrity of the mitigation measures adopted for this project.

THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo hereby amends Resolution No. 3263 subject to the following revisions:

**1. Revise Condition No. 17 of Resolution No. 3263 by substituting it with the following, which is to be included in the recorded Covenants and Restrictions:**

"17. Tree Removal Restrictions: For those trees and plants located outside the building envelope, the removal of trees, shrubs, and herbaceous plants shall be prohibited except for reason of disease, and the need to maintain fire and human safety. Pruning of trees for any other reason (e.g. views) outside the building envelope is permitted but should not exceed 25% of the total canopy area. For reasons other than tree health, fire or human safety, a tree permit must be obtained from the Town."

**2. Revise Condition No. 20 of Resolution No. 3263 (Basic Design Goal No. 9) by substituting it with the following, which is to be included in the recorded Covenants and Restrictions:**

"20. 2. (a) Property Boundary Fences shall be of transparent construction, or designed to integrate the use of foliage. Solid board fences shall not be used. Boundary fences shall be designed in a way that would allow wildlife to pass between properties to the open space (i.e. there should be non-connected portions)."

**3. Revise Condition No. 20 of Resolution No. 3263 (Basic Design Goal No. 9) by substituting it with the following** *(These changes replace the following "former" conditions of Resolution No. 3263 respectively: No. 2 under Procedures for Design Review Process; last two sentences of Basic Design Goal No. 9; Basic Design Goal No. 11; Height [no change in wording] and Procedures for Design Review Process.):*

The following shall be conditions of approval on the individual lots, and referenced by a word(s) describing the subject matter, in the recorded Covenants and Restrictions:

(1) Exterior Lighting Plan for Common Areas (i.e. roadways, entry): May be permitted for safety and security purposes only. It must be unobtrusive and maintain privacy through the use of hooded, low-level fixtures which cast light in a downward direction. Exterior lighting as it relates to other houses should be ground oriented, not high mounted "spot lighted." The style should be uniform when found in any common areas, for example, any driveway entrance lighting, or other common areas.

(2) Building Envelope Fencing shall integrate with the setting, may be designed to exclude wildlife, and may be of solid material. Such fencing shall be made of natural wood, stone, or other natural material, or painted to blend with the natural setting.

(3) Colors of exterior elevations, trim, windows, doors, roofs, fences, and any other structure shall blend with the natural environment and not have a negative visual impact on surrounding properties or other significant viewpoints located off-site. For doors and windows, wood with accepted painted or natural finish trim is encouraged. However, this is not meant to exclude contrasting colors between siding, trim, windows, etc. For roof areas, highly reflective colors are discouraged.

(4) Height:

(a) Measurement: Structures may be measured from either average or natural grade, whichever produces less visual impact. Prior to the Design Review process, applicants are encouraged to meet with the Planning Director to review the most appropriate alternative approach to height for the particular lot.

Average grade: Refer to "Building Height" definition in the Town's Zoning Ordinance.

Natural Grade: Allowed height is 30' as measured vertically from the existing grade to the uppermost point of the roof edge or other feature perpendicular to that grade.

(b) Lot 4: If the average grade height measurement is applied to Lot 4, the maximum height of a building(s) on Lot 4, adjacent to Oak Avenue, shall not exceed 30 feet above average grade, unless it can be demonstrated during the Design Review process that a house, not exceeding 35 feet, can be built without adverse visual impacts.

(5) Procedures for Design Review Process.

(a) All new dwellings and all additions require Design Review through the Town of San Anselmo unless exempted per the Town's existing Development Standards Table. During the Design Review process for each home, careful consideration will be given to the house design, height, building materials, color, tree retention, and proposed landscaping to ensure that the homes minimize visual building mass from nearby and distant views, removal of mature trees, and visible grading.

(b) As part of any Design Review application, the following should be included or performed:

- Story poles placed at the proposed building corners and at the highest point of the roof(s) with orange or red construction tape or netting connecting the tops of the poles. It is understood that existing tree cover may preclude installation of construction tape or netting. Such determination shall be per the Planning Director.

- A photo montage with the story poles in place showing views from a distance, from neighbors, and from public roads/trails as selected by the Planning Director.

- Existing lighting plan. Refer to No. 1 above.

- Conceptual drainage plan with any necessary mitigations.

- Grading should be minimized and any restoration or erosion control measures for graded areas shall be incorporated into any landscape plan.

**4. Revise Condition No. 16(d) by substituting it with the following:**

(d) A replacement ratio of 2:1 for oak trees or redwood trees with the same species, and 1:1 for other trees shall be required. Other (non-oak, non-redwood) trees shall be replaced with native, adaptive trees. Replacement trees are subject to a two-year maintenance plan. All trees shall be 15 gallon trees unless 5 gallon trees are deemed warranted by the project arborist, on a case-by-case basis, at the time the trees are planted.

I hereby certify that the foregoing resolution was duly passed and adopted by the Town Council of the Town of San Anselmo on May 9, 1995, by the following vote, to wit:

AYES: Breen, Chignell, Hodgens, Kroot, Yarish

NOES: (None)

ABSENT: (None)

ATTEST:

*Bek Pollard, Deputy*

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Town Clerk