

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3336**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
AMENDING THE GENERAL PLAN TO INCORPORATE THE BALD HILL AREA PLAN**

WHEREAS, existing conditions within the Bald Hill Area consist of densely wooded, steep hillsides served by narrow, winding roads and where new development on existing lots of record poses issues of fire safety; and

WHEREAS, the Town Council established the Bald Hill Working Group comprised of a representative cross section of property owners and residents of Bald Hill, and Town officials. Their charge was to prepare a plan for this area which addressed issues of fire safety, aesthetics, trails, open space, and infrastructure (e.g., roads, water, sewer); and

WHEREAS, the Bald Hill Working Group met during the period between late 1993 and early 1995, and held a Community meeting in January 1995 to discuss the draft Plan; and

WHEREAS, the Planning Commission met on June 5, 1995, June 29, 1995, and July 10, 1995, to discuss this plan and recommended its approval to the Town Council on July 10, 1995; and

WHEREAS, the Town Council met on September 26, 1995, October 10, 1995, November 28, 1995, December 12, 1995, and January 23, 1996, and took into consideration comments from the public and staff; and

WHEREAS, State law authorizes the preparation of an "Area plan" which addresses a particular region or community within the overall planning area and is adopted in the same manner as a general plan amendment; and

WHEREAS, an Initial Study was prepared on the Bald Hill Area Plan and a Negative Declaration published on May 30, 1995.

FINDINGS OF FACT

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

- a) That the Bald Hill Area Plan is internally consistent with the policies and objectives of the General Plan of which this document will become a part; and
- b) That this amendment is consistent with the procedures of the Town of San Anselmo regarding a General Plan amendment.

THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo hereby amends the General Plan by adopting the attached Bald Hill Area Plan dated September 1995, with policy revisions as shown in Exhibit A (attached).

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo on January 23, 1996, by the following vote:

AYES: Breen, Chigell, Kroot, and Yarish

NOES: None

ABSENT: Hodgins

A handwritten signature in black ink that reads "Peter Breen". The signature is written in a cursive style with a long horizontal stroke at the end.

Peter Breen, Mayor

ATTEST:


Debbie Stutsman, Town Clerk

Exhibit A

Revise Policy 2.10 New dwellings, including rebuilt dwellings, locating in the hillsides are required to provide three (3) on-site parking spaces by Code. Additional parking is encouraged when such spaces do not require large imposing structures and do not require significant grading and/or tree removal. ~~In addition, for the Bald Hill area, two additional guest spaces are encouraged, for a total of five (5) spaces, unless such spaces are infeasible due to topography, grading and/or tree removal.~~ Guest spaces, as well as one of the three required spaces, may be in tandem.

Revise Policy 2.11 The Town ~~shall~~ should consider expanding parking enforcement abilities (e.g., issuing citations and towing) to enable the Police Department to enforce state and local laws relating to parking enforcement for the unmaintained roadways on Bald Hill.

Revise Policy 5.7.2

If conditions are violated (e.g., unauthorized removal of trees or exterior color changes), ~~the issue may be referred to the Town Attorney and a new public hearing may be required~~ where at exactions may be imposed (e.g., replacement with specimen tree, repaint).

Revise Policy 5.7.3 Violators may also be subject to ~~an infraction or misdemeanor payment of a fine.~~ It is intended that procedures be instituted for the imposition of such fines.

Revise Policy 5.5.1.

Pre-Development: A permit is required to remove or significantly prune any heritage tree, any tree on undeveloped land, and any street side tree.

Revise Policy 5.5.2.

Inside the Building Envelope: The building envelope means the area within which a house, accessory structures, and private yard may be located. The initial building envelope boundary will be determined at the planned development permit or tentative map stage.

At the design review stage: 1) the building envelope will be fixed without requiring an amendment to a previous permit or map; 2) the precise location of the house and any other improvements will be determined; and 3) a landscape plan must be submitted showing existing trees to remain and any proposed new landscaping (refer to Section 5.6.4. Landscape Plan). Trees inside the building envelope which are critical for screening shall not be removed unless the landscape plan is formally amended.

Outside the Building Envelope: Removal or pruning of non-heritage trees, or trees and plants required for screening, shrubs, and herbaceous plants may occur outside the building envelope only for reasons of disease, and the need to maintain fire or human safety. Native plants should be retained unless inconsistent with fire safety. Pruning must be done in such a way as to not endanger or shorten the life of any tree. (Note: Removal of a heritage tree requires a permit). Pruning of trees for any other reason (e.g., views) outside the building envelope is permitted but should not exceed 25% of the total tree canopy area. For reasons other than tree health, fire or human safety, a tree permit should be obtained from the Town.

Revise Policy 5.6.1. Story poles shall be erected for new homes prior to design review approval at proposed building corners and at the highest point of the roof. For house additions, story poles may be required if deemed necessary by the Planning Director. Top of poles shall be connected...

Revise Policy 6.5. Other Trails: Minimum right-of-way width of 20'; actual trail to be single-track with a minimum width of 2'-4'.

Revise section on Bond Guarantee (Construction Management Standards)

- d) "The applicant should post a road improvement financial bond guarantee (bond, cash, certificate of deposit, etc.) in a form and in an amount determined by the Public Works Director, or provide other assurances to the Town, as determined by the Public Works Director, that damage to such roads resulting from construction vehicle access will be repaired upon completion of construction."

Cary Property (Introduction section)

It is recognized that Parcel 7-071-01, at the western edge of the Bald Hill Area, is part of a horse ranch facility located primarily in the Town of Fairfax. This property does not gain access from San Anselmo's Oak Avenue or Redwood Road, but instead can only reasonably be accessed from Fairfax. Thus, policies in the Plan should apply only where applicable to new development on that parcel.

4. (e) Hours of construction should 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, and heavy construction truck trips shall be restricted to non-peak period (10:00 a.m. to 3:00 p.m.). Heavy construction truck trips include, but are not limited to, concrete trucks, dump trucks (10 yard or greater), backhoes, graders, pile drivers, and flatbed delivery trucks. 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. Exceptions granted by the Public Works Director include any single activity that will necessitate the use of a heavy construction vehicle beyond the 10:00 a.m. to 3:00 p.m. time period. Any exceptions granted by the Public Works Director regarding heavy construction truck trips will require notification of residents at least 24 hours in advance. Such notification shall be the responsibility of the applicants. Furthermore, all construction equipment shall be adequately muffled and maintained.