

**TOWN OF SAN ANSELMO
PLANNING COMMISSION RESOLUTION NO. 0201**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF SAN ANSELMO APPROVING THE PRECISE DEVELOPMENT PLAN AND DESIGN REVIEW OF A SINGLE FAMILY DWELLING ON A PORTION OF OLD A/P NOS. 7-241-73, 7-241-74 and 7-241-76 (ACROSS FROM 80 SOUTH OAK AVENUE), TO BE KNOWN AS 51 SOUTH OAK AVENUE.

WHEREAS, an application was filed with the Town of San Anselmo on June 14, 2000, requesting precise development plan and design review; and

WHEREAS, the Planning Commission held public hearings on April 1, 2002, and April 15, 2002, and considered the precise development plan and design review. Comments were received from staff and the audience; and

WHEREAS, the Planning Commission approved the precise development plan and design review on April 15, 2002, on the grounds that the required findings of approval could be made, and approved this Resolution of Approval.

Conditions of Approval:

Plans:

1. Approval is based on the precise development plan, site plan, west and east elevations, floor plans, and landscape plans date stamped received on March 13, 2002; the north and south elevations date stamped received on April 10, 2002; and the height decrease of 1.8' as shown in the "Analysis" prepared by the applicant dated April 10, 2002.
2. Prior to building permit issuance, the applicant shall record the lot line adjustment approved in 2001.

Soils and Drainage:

3. The applicant must adhere to all recommendations established in the Geotechnical Report prepared by Salem Howes, peer reviewed by Herzog Geotechnical on October 19, 2001, and accepted by the Town Engineer.
4. The applicant must adhere to all recommendations established in a Drainage Report prepared by a civil engineer, which will be subject to the Town Engineer's approval prior to building permit issuance.

Road:

5. Prior to building permit issuance, the applicant shall prepare and file with the Public Works Director, a construction management plan, which includes a videotape of the roadway conditions on South Oak Avenue prior to construction. The applicant shall also post a road improvement bond or provide other assurance to the Town that damage to South Oak Avenue or other public street resulting from construction vehicles

will be corrected. The plan should include: 1) constructing the driveway and garage first in order to provide parking for construction vehicles; 2) all construction equipment shall be adequately muffled and maintained; 3) hours of construction; and 4) construction debris fence, etc.

Trees:

6. Prior to building and grading permit issuance, those trees identified to be removed on the landscape plan shall be marked accordingly, i.e., bright color tape with wording indicating the extent of pruning or removal. All pruning shall be in accordance with the Pruning Standards of the International Society of Arboriculture. Pruning should be conducted during the winter when trees are dormant for deciduous species and between July and August for evergreens.

7. Prior to building permit issuance: a) A tree protection plan shall be prepared and submitted by the applicant and subject to approval by the Town Arborist. This plan will include such items as fencing impacts, changing/adding oil to machinery, etc.; and b) those trees identified to be preserved shall be protected according to the Town Arborist's recommendations in order to minimize damage to these existing trees during construction of the dwelling and infrastructure. This includes protecting trees during installation of the utility lines. All protection shall remain in place until construction is completed.

8. With the exception of those trees so noted on the landscape plan, the removal and pruning of trees, shrubs, and herbaceous plants is prohibited except for reasons of disease, and the need to maintain fire and human safety. Such removal and pruning shall first be subject to Planning staff approval.

9. The replacement ratio for oak and redwood trees is 2:1 with the same species, and 1:1 for other trees with a 6" or greater diameter. Other (non-Oak and non-Redwood) trees should be replaced with native, adaptive trees. All should be at least 15-gallon unless otherwise determined by the Town Arborist and approved by the Planning Director. No eucalyptus trees are to be planted. All replacement trees are subject to a tree maintenance agreement whereby the owner agrees to maintain the trees in a healthy condition for not less than five years and replace any unhealthy trees.

10. Upon completion of the house framing, staff and the Town Arborist will visit the site again with the Town Arborist and determine the tree species, sizes, number, and locations, which would be expected to thrive on the property with the intent being to provide reasonable screening for nearby and distant views. Staff will notify the property owners of Nos. 47, 49, and 60 South Oak Avenue in order to provide them an opportunity to comment on the landscaping. Such plantings shall have automatic drip irrigation and be maintained indefinitely.

11. Trees located in this Sanitary easement between Oak and South Oak Avenue include several Oaks and Bays ranging between 6 and 24" in diameter. Hand-trenching of the water line installation will be required.

12. The required trees to be planted in the tree easement in conjunction with the completion of 80 South Oak Avenue shall be completed prior to Certificate of Occupancy of 51 South Oak Avenue.

Lighting:

13. Exterior lighting shall be designed to eliminate off-site spread of light through the use of hooded, low level, 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.

Fences:

14. Fences, which follow along property lines, 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. Fencing within the building envelope area should integrate with the setting. All fences shall be designed to be 70% open.

Fences within 20' of the front property line shall be subject to a Public Works permit. No fence shall exceed 6' in height above grade at any point.

Exterior Colors and Materials:

15. The exterior color of the building and trim shall be determined by staff at the time the building is constructed following the placement of 4' x 8' panels on site which reflect the building siding and trim colors. The panels shall be visible from distant views. Using "low visual profile" as a theme, the applicant shall consider using tones that will blend with the natural environment. The Bald Hill Plan states that structures should be darker earth tones and non-high gloss materials, which blend with the natural environment and do not have a significant visual impact on surrounding properties or other significant viewpoints located off-site.

Roof: Asphalt shingle: Timerline: Burnt Sienna (Dark Brown)
Siding: Western Red Cedar – see above paragraph
Trim: Western Red Cedar – see above paragraph
Fascia
Gutters: Juniper Green: BD LN-09
Windows: Wood painted Juniper Green: BD LN-09

General:

16. Should construction not begin within one year from the date of this approval, the approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director prior to the expiration date.

17. Prior to building permit issuance, a deed restriction listing the above conditions nos. 8, 9, 10, 11, 12, 13, and 14 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. Precise Development Plan Findings for Approval

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 habitats located on the property.*

The precise development plan preserves the natural and existing landforms and vegetation in that minimal grading and tree removal are proposed.

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 area are rounded and contoured to blend with the existing topography.*

See No. 1

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 driveway has been engineered and the road will be widened 6' down to 1' between the north end of the driveway and 68' to the south. This will make possible a fire turnout at the bottom of the driveway of 80 South Oak Avenue. Traffic will be that typically generated by a single-family dwelling.

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

See No. 3 above.

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 soils engineer and Fire Department prefers this site on the property for development of a home. The dwelling is located within the trees, but it appears perimeter trees can be protected. Staff will recommend planting additional trees for screening purposes.

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.*

See No. 5 above.

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.*

Staff recommends that the landscaping determination be kept "open", just as we are recommending for the exterior colors, until the house is framed. At that point the trees to remain would be known. Staff would visit the site again with the Town Arborist and determine the tree species, sizes, number, and locations, which would be expected to thrive on the property with the intent being to provide reasonable screening for nearby and distant views.

8. *That pedestrian easements are provided where pedestrian facilities are not contained within streets. That continued use of established local trails associated with the accepted Countywide Trails Plan is preserved.*

Not applicable.

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.*

One additional house is proposed beyond this project and before this project, both accessed off South Oak Avenue. Both properties have rights to use this road for access.

10. *That construction, if any, within the ridge zone meets the required findings.*

This property is not in the ridge zone.

11. *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.*

The property is somewhat visible from nearby, mid-range and distant views. The current design has been placed near the road and will retain as many trees as possible, which is supported by both the soils engineer and Fire Department. Additional landscaping will be determined at the time of framing. The project should not adversely affect the health or safety of persons or endanger property in the area.

12. *That the Precise Development Plan amendment is in conformance with the San Anselmo General Plan, with specific reference to the applicable sections of the General Plan.*

The project is consistent with the General Plan, specifically:

"Policy 2.1: All land use decisions within the Town and the planning area will take into consideration the protection and preservation of the area's surrounding hillsides, ridges, water courses, and any unique natural habitats."

The dwelling conforms to the height, setback and FAR requirements (1,500 square feet below the maximum). The dwelling will be just 32' deep, which will help to maintain some of the existing tree screening. Additional tree landscaping will be determined at the framing stage.

"Policy 2.2: New development will be required to preserve some of the natural and cultural characteristics of their respective development sites."

The vast majority of the lot is not proposed for development and will be preserved in its natural state.

"Policy 3.1: Very low density (hillside and ridge) and single family conservation residential development should be located in areas of (1) relatively high visibility; (2) environmental hazards; (3) sensitive environmental resources; or (4) areas which are established as high priority open space lands."

- and -

"Policy 9.1: The density on ridge and hillside properties shall be no greater than the number of dwelling units specified in the "Table of Hillside and Ridge Density Parcels."

This 3.72 acre parcel is zoned R-1 H and only permitted one single family dwelling.

"Policy 9.2: No development including structures, roads, and public facilities shall be allowed on visible ridges and hillsides unless it has been demonstrated that the development outside of these areas is not feasible for geologic, soils, or hydrologic reasons, or development would impact a unique natural habitat."

The soils engineer has advised that development should take place above the flat portion of the lot, which is the current design.

"Policy 9.3: Should there be no other option but to allow development on a visible hillside or ridge, the Town may limit the size of development (i.e., square footage allowed within any structure), if such limitation would reduce the visual impact of a development."

The dwelling is 1,500 square feet under the maximum permitted, which is in keeping with the policy to limit the size of development on a visible hillside.

"Policy 9.4: Development on hillside and ridge parcels shall be located as to be screened by existing woodland or by portions of the site where existing topography provides screening. Development within existing woodland may be allowed if tree removal is minimal."

The Bald Hill tree replacement policy is 2:1 for oak and redwood trees, and 1:1 for other trees with a 6" or greater diameter. All replacement trees are to be 15-gallon, unless otherwise determined by a certified arborist and approved by the Planning Director. All

replacement trees would be subject to a maintenance agreement for a minimum of three years.

Proposed to be Removed	Required Replacement
1: 24" Oak	2:15-gal Oak
1: 18" Oak	2:15-gal Oak
3: 18" Bay	2:15-gal native, adaptive species
1: 12" Bay	1:15-gal native, adaptive species
1: 8" Bay	1:15-gal native, adaptive species
7: TOTAL definitely to be removed	8: TOTAL definite replacements
May Need to be Removed or Pruned	Required Replacement
1: 18" Bay	1:15-gal native, adaptive species
1: 15" Bay	1:15-gal native, adaptive species
3: 10" Bay	3:15-gal native, adaptive species
2: 8" Bay	3:15-gal native, adaptive species
7: additional may be removed, or significantly pruned	7: additional may be replacements

The Landscape Plan shows 3 California Live Oaks along the north wall of the dwelling, 3 Blue Oaks and 1 California Live Oak beyond the building envelope, and 2 Redbuds just east of on the south end of the rear wall. Shrubs with a height potential of 20' are proposed along the rear wall of the dwelling. 3 California Live Oaks are proposed in front on the Tree Protection Easement. As previously mentioned, the specific tree landscaping will be reviewed by staff at the time of framing.

"Policy 9.7: Development on hillside and ridge parcels shall be so designed as to minimize grading and disruption of natural contours."

Placing the dwelling near the road and stepping it down the hill has minimized grading. 10 cubic yards are proposed to be cut and the 10 cubic yards are proposed to be used as backfill for the road widening; with a balance of zero.

"Policy 10.3: Residential units shall be designed and located so as to minimize their visual mass. The Town will require exterior materials and colors which soften the appearance of the building and allow it to blend with the natural landscape."

The exterior colors and tree landscaping will be determined by staff at the time of framing with the goal to soften the appearance of the building and allow it to blend with the natural landscape. The wood windows and proposed to be painted dark green, which will blend with the natural landscape.

"Policy 11.1: New development . . . shall be of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood."

The project is of a scale, intensity and design that integrates with the existing character of the surrounding neighborhood. The visual bulk will be similar to other homes in the area.

Section 2. Design Review Findings For Approval

1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the area.

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

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

The project will not make the environment less desirable. There will be a period of time when the new trees will not provide the optimum screening as they are growing, but staff and the Town Arborist will carefully review and determine the tree species, sizes, number, and locations, which would be expected to thrive on the property with the intent being to provide reasonable screening for nearby and distant views.

3. Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or development in the area.

The project will not cause the surrounding area to depreciate as this is one single family home that meets the intent of the General Plan and there will be improvements to the road width and surface.

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.

The project will not create unnecessary traffic hazards and both the Public Works and Fire Departments have approved the access. In addition, the road is to be widened in front of this property with a fire pullout at the bottom of the 80 South Oak driveway. Having the 80 South Oak driveway directly across from the proposed driveway will also provide for additional backout room if necessary.

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.

6. Adequacy of screening.

There will be a period of time when the new trees will not provide the optimum screening as they are growing, but staff and the Town Arborist will carefully review and determine the tree species, sizes, number, and locations, which would be expected to thrive on the property with the intent being to provide reasonable screening for nearby and distant views.

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

The materials and design are aesthetically compatible with the neighborhood and with appropriate colors selected after construction, the dwelling will result in the lowest visual profile possible on a visible lot.

APPROVED by the Planning Commission of the Town of San Anselmo at a regularly scheduled meeting on April 15, 2002, by the following roll call vote:

AYES: House, Jochum, Sisich, Wittenkeller

NOES: Zwick

ABSENT: Fernandez



David Jochum, Chair

ATTEST:

Debra Stutsman
Debra Stutsman, Town Clerk