

TOWN OF SAN ANSELMO

Ordinance No. 850

AN ORDINANCE ADDING NEW ARTICLE 12 to CHAPTER 3 OF TITLE 10 OF THE SAN ANSELMO MUNICIPAL CODE, ESTABLISHING HILLSIDE ZONING DISTRICTS AND PROVIDING DENSITY ALLOWANCES FOR UNDEVELOPED AND PARTIALLY DEVELOPED HILLSIDE AND RIDGE PARCELS WITHIN SAID DISTRICTS.

Section 1.

New Article 12 is hereby added to Chapter 3 of Title 10, Planning and Zoning, to read as follows:

Article 12. Hillside Density Districts (R1-H)

Section 10-3.1201. Purpose.

The purpose of this article is to establish the maximum number of single family detached dwellings on all hillside and ridge parcels.

Section 10-3.1202. Scope.

The specific regulations set forth in this article and the general rules set forth in Article 19 of this chapter shall apply in the R1-H District; provided, however, when conflicts occur between this Article and Article 19, the provisions of this article shall govern. The R1-H District classification is intended to be applied where the unique and sensitive character of hillside and ridge parcels require lower densities than permitted in other R Districts.

Section 10-3.1203. Parcels Covered.

The parcels included in the R1-H District shall be those listed in the official "Table of Hillside and Ridge Density Parcels" as adopted and as may be amended from time to time, as shown on the Zoning Map referred to under Article 3 of this chapter. The Planning Director shall maintain said Table together with the Zoning Map, and shall keep said Table current when Assessor's parcel numbers are changed.

Section 10-3.1204. Amendments.

Amendments to the original "Table of Hillside and Ridge Density Parcels" shall be made only under procedures for rezoning in accordance with this Code and State Law.

Section 10-3.1205. Uses Permitted in R1-H Districts.

Those uses as permitted in the R-1 District shall be permitted in R1-H Districts, except that uses requiring use permits in the R-1 District shall also require use permits in the R1-H District.

Section 10-3.1206. Use Limitations.

~~(a)~~ The use of lands in this District shall be detached single family residential units.

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The use of lands in this District shall be detached single family residential units. Cluster development is encouraged.

Section 10-3.1207. Development Criteria.

The criteria listed below shall be used in evaluating any plans or other documents required by this Article.

- (a) Building site locations shall be selected to offer minimum visibility, the best combination of access, and geologic stability.
- (b) Grading shall be held to a minimum to retain the natural features of the land. Cuts and fills shall be rounded and contoured to blend with existing topography.
- (c) Landscaping shall be provided to screen, maintain or improve the overall visual quality of the community; to stabilize erodable soil; and to camouflage the visually harsh aspects of improvements such as cuts, fills, and retaining walls. The type and character of plant materials shall be reasonably related to plants in the surrounding areas. Landscape plans shall demonstrate a recognizable pattern or theme for the overall development by the choice and location of plant varieties.
- (d) Pedestrian easements are required where pedestrian facilities are not contained within streets. Consideration shall be given to continued use of established local trails and trails in the accepted Countywide Trails Plan.
- (e) Where developable land exists beyond the development being considered, road easements and dedications shall be provided. Such easements shall be to the same standards as other public roads within the development.
- (f) Where developments include proposed open space or where developments abut existing open space, access to that open space shall be provided for the public, emergency, and management vehicles and equipment.

Section 10-3.1208. Residential Design Review.

Construction in the Conservation Zone as defined in the Town General Plan shall be subject to residential design review in accordance with Chapter 4 of this Title.

- (a) Design review shall consist of the following stages:
  - (1) Preliminary Plan - This is to accompany or precede the tentative map or parcel map and be reviewed and approved by the Planning Commission.

- (2) Tentative Map - As required by the California Subdivision Map Act, as implemented by the Town Subdivision Ordinance, and any requirements contained herein.
  - (3) Improvement Plan - The Town Engineer shall review the improvement plan for conformance with the preliminary plan.
  - (4) Architectural Plans - Shall be submitted and approved by Planning Commission prior to issuing a residential building permit.
- (b) Preliminary Plan: This plan, when and as approved by the Planning Commission, shall serve as the reference standard and guidelines for design review during subsequent stages.
- (c) The initial preliminary plan shall show the following information:
- (1) Scale and contours in accordance with tentative map requirements;
  - (2) Street and access plan showing proposed lot lines;
  - (3) The building envelope on each lot;
  - (4) Where structures are to be located in grasslands or where existing trees are inadequate to screen improvements, envelopes of proposed screening vegetation (trees and shrubs) shall be shown;
  - (5) Proposed retaining walls, in plan and to scale, with preliminary maximum and minimum heights;
  - (6) The boundaries of all ridge zones as defined in this Article.
  - (7) Proposed open space and public access.
- (d) The following supplements to the Preliminary Plan are to be submitted with the tentative map:
- (1) Improved portions of road easements with spot centerline elevations at least every 100 horizontal feet.
  - (2) Specifications for types and densities of plants to be used to revegetate cut and fill slopes; types, can sizes and planting densities for screening vegetation; and outline plans for care and maintenance until vegetation is established.
  - (3) Based on a preliminary soils investigation, all areas suspected of unstable soil conditions shall be outlined and identified.
  - (4) The preliminary soils report required by Section 10-2.313 shall be submitted with the tentative map and preliminary plan. The preparer of the preliminary soils report shall certify in the report that, based on a preliminary investigation, the building sites, roads and other improvements indicated on the preliminary plan can be reasonably and safely developed as shown; and that unstable areas are indicated on the preliminary plan. Subsequent to review and

approval by the Town Engineer, the Commission shall be advised that the required certification has been made.

- (5) All development which involves undivided interests in common land shall establish provisions for their ongoing maintenance and management. Such provisions shall be summarized and presented to the Planning Commission for approval.
  - (6) Details shall be provided indicating the type of construction for all retaining walls;
  - (7) Supplemental notes shall detail any variances from established R-1 zoning requirements for which the applicant is requesting approval.
- (e) The following additional requirements are to be shown on the tentative map or parcel map:
- (1) Lands to be offered for dedication as public open space;
  - (2) Open space lands that are to remain in private ownership but restricted from further improvement;
  - (3) Public access and trail easements across private property;
  - (4) All lands to be held in any sort of undivided ownership;
  - (5) Emergency and through access easements.
- (f) To approve the Preliminary Plan the Planning Commission shall make the following findings:
- (1) The plan conforms to requirements of the General Plan;
  - (2) The plan conforms to the requirements of this Article.
  - (3) The plan will not adversely affect the health or safety of persons in or adjacent to the area or endanger property located in the surrounding area.
- (g) If the above findings cannot be made the Planning Commission shall take one of the following actions:
- (1) Request additional information from the applicant;
  - (2) Require as a condition of approval, such changes as are determined to be necessary to enable the findings to be made; or
  - (3) Reject the plan, specifying the criteria where the plan fails to satisfy subsection (f).
- (h) Nothing contained in this Section shall preclude the Planning Commission, in its' discretion, from waiving any or all of the requirements set forth in this Section with the exception of those findings required by subsection (f). Said waiver may be considered upon Planning Commission motion or upon request of applicant.

Section 10-3.1209. Improvement Plan.

- (a) The improvement plan required by Section 10-2.303 shall be reviewed by the Planning Director for conformance to the approved preliminary plan. If the improvement plan is not in conformance with the approved preliminary plan it shall be referred back to the applicant for revisions to bring it into conformance with the approved preliminary plan.
- (b) When there are conflicts between the improvement plan and the approved preliminary plan that cannot be resolved with the applicant, or there are significant changes that warrant consideration, the Planning Director shall refer the improvement plan to the Planning Commission for review and approval.

Section 10-3.1210. Architectural Plans.

- (a) Architectural plans for each residential unit, or cluster of units, are to be submitted to the Planning Commission for determination unless waived under Subsection 10-3.1208(h). Such plans shall be processed in accordance with the requirements of Chapter 4 of this Title.
- (b) In addition to the requirements of Chapter 4, review of the architectural plans shall evaluate the following:
  - (1) Conformance to the approved preliminary plan;
  - (2) Adequacy of screening;
  - (3) Selection of architectural features that enable the structure to blend with its environment.
- (c) The Planning Commission shall:
  - (1) Approve the architectural plan where it finds the above items satisfactory or;
  - (2) Approve the plan with stipulated additions or changes to bring it into conformance with the intent of the approved preliminary plan.

Section 10-3.1211. Protection of Ridges.

- (a) Definitions
  - (1) Ridgetops: Ridgetops are those identified in the San Anselmo General Plan.
  - (2) Ridgeline: The ridgeline is defined as the uppermost line in elevation along a ridge.
  - (3) Ridge Zone: The ridge zone is defined as that part of a ridge on both sides of the ridge line which lies within either 50 feet vertically in elevation of the nearest point on the ridge line, or a 150 foot horizontal distance measured perpendicular from the ridgeline, whichever is less.

(b) Construction Within Ridge Zone

- (1) Construction within the ridge zone shall be permitted only when the applicant has demonstrated to the satisfaction of the Town Engineer 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.
- (2) Construction allowed within the ridge zone, under this Ordinance, shall be kept to a low visual profile, the acceptance of which shall be determined in the Design Review process. Existing height limits set forth elsewhere in this Code shall not govern construction under this section.

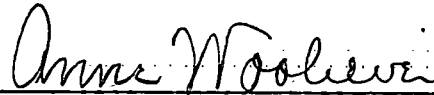
Section 2.

The foregoing Ordinance was read and introduced at a regular meeting of the San Anselmo Town Council held on the 13th day of March, 1984, and was thereafter at a regular meeting of the Town Council held on the 27th day of March, 1984, duly passed and adopted by the following vote:

AYES: Councilmembers Toal, Capurro, Ollinger, Wooliever

NOES: Councilmember Buckle

ABSENT: None



ANNE WOOLIEVER, Mayor

ATTEST:



CAROLINE FOSTER, Town Clerk