

The Advisory Design Review (ADR) Group considers applications and matters affecting the design of buildings, structures, landscaping, and other site improvements in the Town of Ross. The ADR Group makes non-binding advisory recommendations regarding consistency of projects with the Design Review criteria and standards to the Town Planner and Town Council.

# Agenda Item No. 4b

# Staff Report

**Date**: July 11, 2022

To: Advisory Design Review (ADR) Group

From: Nishant Seoni, Planner

Subject: 11 Locust Avenue

### Recommendation

That the Advisory Design Review Group provide a formal recommendation to the Town Council regarding the merits of the project consistent with the Design Review criteria and standards of Ross Municipal Code Section 18.41.100 (see **Attachment 1**).

Property Address:	11 Locust Avenue
A.P.N.:	073-101-49
Applicant:	Eric Blasen
Property Owner:	Jeanice Skvaril and Jason Fuchs
Zoning:	R-1:B-10
General Plan:	ML (Medium Low Density)
Flood Zone:	AE (High Risk)

**Project Summary:** The applicant requests approval of Design Review and a Variance for renovation and resurfacing of the existing pool, repaving of the existing patio and auto court, and construction of a new arbor, metal gate, and concrete wall within setbacks.

## Project Data

	Code Standard	Existing	Proposed
Lot Area	Minimum 5,000 SF	43,560 SF	No change
Front Setback	25′	25'	O' for gate, 20' for arbor
Left Side Setback	15', 25' from top of bank	20' from property line, 10.8' from top of bank	No change
Right Side Setback15', 25' from top of bank		30' from property line, 0' from top of bank	No change
Rear Setback	40'	120'	No change
Impervious SurfaceMinimize and/orCoveragemitigate for anyincrease.		9,883 SF	10,128 SFT

# Background

The project site is a developed 43,560 square foot lot on the south end of Locust Avenue, which terminates at the property. The lot has an average slope of 8.9%. The lot is not a Hillside Lot as it has an average slope of less than 30%. The property contains an existing 5,867 square foot single-family residence with an existing pool, patio, and entry gate. Access is provided via Locust Avenue. The parcel is bordered to the west by Corte Madera Creek and to the east by San Anselmo Creek. Therefore, development is subject to 25 foot setbacks from the top of each creek. Lagunitas Road, and outdoor parking is provided on an existing driveway. The existing home and pool are within side yard setbacks and creek setbacks, however the are no changes to the home and pool that would exacerbate the encroachments into the setbacks.



# **Project Description**

The project proposes to resurface the existing pool on the north side of the property and construct new steps, spa, and benches within the pool; replace an existing gate with a 6-foot-tall automatic gate adjacent to Locust Avenue; construct a new arbor with garden gate and walls; repave the existing patio and auto court, and place an emergency standby generator within 25 feet of Corte Madera Creek. The existing pool, patio, and auto court area will not increase in surface area. The total impervious surface of the site will increase by approximately 250 square feet.

Project application materials are included as follows: Project Plans as **Attachment 2**; Project Application as **Attachment 3**.

### Discussion

The proposed project is subject to the following permit approvals pursuant to the Ross Municipal Code:

## Design Review

The overall purpose of Design Review is to guide new development to preserve and enhance the special qualities of Ross and to sustain the beauty of the town's environment. Other specific purposes include: provide excellence of design consistent with the scale and quality of existing development; preserve and enhance the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhance important community entryways, local travel corridors and the area in which the project is located; promote and implement the design goals, policies and criteria of the Ross general plan; discourage the development of individual buildings which dominate the townscape or attract attention through color, mass or inappropriate architectural expression; preserve buildings and areas with historic or aesthetic value; upgrade the appearance, quality and condition of existing improvements in conjunction with new development or remodeling of a site; and preserve natural hydrology and drainage patterns and reduce stormwater runoff associated with development. The Design Review criteria and standards per Section 18.41.100 are included as **Attachment 1**.

Pursuant to Town Council Resolution No. 1990, Advisory Design Review is required for all applicants seeking discretionary land use permits.

Pursuant to Section 18.41.20 (a), the proposed project requires a Design Review Permit for construction of a gate over 48 inches adjacent to a street and construction within 25 feet of a creek.

If Council intends to approve Design Review, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

- The project is consistent with the purpose of Design Review as outlined in Section 18.41.010. (Section 18.41.070 (b) (1))
- The project is in substantial compliance with the design criteria of Section 18.41.100. (Section 18.41.070 (b) (2))
- The project is consistent with the Ross General Plan and zoning ordinance. (Section 18.41.070 (b) (3))

# Variances

Where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of the zoning code may result from the strict application of certain provisions thereof, variances, exceptions and adjustments may be granted, by the Town Council in appropriate cases. Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. A variance shall not be granted for a lot of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the lot or property.

In granting any variance, exception or adjustment under the provisions of Chapter 18.39, the Town Council shall designate such conditions in connection therewith as will in its opinion, secure substantially the objectives of the regulation or provision to which the variance, exception or adjustment is granted, as to light, air, and the public health, safety, comfort, convenience and general welfare. In order to grant any variance, exception or adjustment, the findings of the Town Council shall be that the qualifications under Section 18.48.020 apply to the land, building, or use for which variance, exception or adjustment is sought, and that the variance shall be in harmony with the general purpose of this title.

If Council intends to approve the Variance, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

- That there are special circumstances or conditions applicable to the land, building or use referred to in the application. (Section 18.48.020 (1))
- That the granting of the application is necessary for the preservation and enjoyment of substantial property rights. (Section 18.48.020 (2))
- That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to

# property or improvements in the neighborhood. (Section 18.48.020 (3))

## **Public Notice**

Public Notices were mailed to property owners within 300 feet of the project site 10 days prior to the meeting date pursuant to the Ross Municipal Code.

## **Public Comment**

At the time of writing the staff report, no comments were received from the public regarding the project.

# Attachments

- 1. Ross Municipal Code Section 18.41.100, Design Review Criteria and Standards
- 2. Project Plans
- 3. Project Application

# ATTACHMENT 1

# Chapter 18.41

### **DESIGN REVIEW**

### Sections:

18.41.010	Purpose.
18.41.020	Improvements subject to design review.
18.41.030	Chapter application.
18.41.040	Submittal requirements.
18.41.050	Review authority.
18.41.060	Town Council review.
18.41.070	ApprovalSpecial conditions and findings.
18.41.080	Denial of incomplete or inactive applications.
18.41.090	Administrative review.
18.41.100	Design review criteria and standards.
18.41.110	Noncompliance.
18.41.120	Emergency situations.

<u>18.41.010</u> Purpose. (a) The "small town" feel and the serene, quiet character of its neighborhoods are special qualities to the town. The existing scale and quality of architecture, the low density of development, the open and tree-covered hills, winding creeks and graciously landscaped streets and yards contribute to this ambience and to the beauty of a community in which the man-made and natural environment co-exist in harmony.

(b) This chapter is intended to guide new development to preserve and enhance these special qualities of Ross and to sustain the beauty of the town's environment. Other specific purposes include the following:

(1) Provide excellence of design for all new development which harmonizes style, intensity and type of construction with the natural environment and respects the unique needs and features of each site and area. Promote high-quality design that enhances the community, is consistent with the scale and quality of existing development and is harmoniously integrated with the natural environment;

(2) Preserve and enhance the historical "small town," low-density character and identity that is unique to the Town of Ross, and maintain the serene, quiet character of the town's neighborhoods through maintaining historic design character and scale, preserving natural features, minimizing overbuilding of existing lots and retaining densities consistent with existing development in Ross and in the surrounding area;

(3) Preserve lands which are unique environmental resources including scenic resources (ridgelines, hillsides and trees), vegetation and wildlife habitat, creeks, threatened and endangered species habitat, open space and areas necessary to protect community health and safety. Ensure that site design and intensity recognize site constraints and resources, preserve natural landforms and existing vegetation, and prevent excessive and unsightly hillside grading;

(4) Enhance important community entryways, local travel corridors and the area in which the project is located;

(5) Promote and implement the design goals, policies and criteria of the Ross general plan;

(6) Discourage the development of individual buildings which dominate the townscape or attract attention through color, mass or inappropriate architectural expression;

(7) Preserve buildings and areas with historic or aesthetic value and maintain the historic character and scale. Ensure that new construction respects and is compatible with historic character and architecture both within the site and neighborhood;

(8) Upgrade the appearance, quality and condition of existing improvements in conjunction with new development or remodeling of a site.

(9) Preserve natural hydrology and drainage patterns and reduce stormwater runoff associated with development to reduce flooding, streambank erosion, sediment in stormwater drainage systems and creeks, and minimize damage to public and private facilities. Ensure that existing site features that naturally aid in stormwater management are protected and enhanced. Recognize that every site is in a watershed and stormwater management is important on both small and large sites to improve stormwater quality and reduce overall runoff.

(c) This chapter establishes procedures and criteria for the review of buildings, structures and improvements necessary to meet this purpose. (Ord. 619 (part), 2010; Ord. 514 \$1(part), 1993).

18.41.020 Improvements subject to design review.

(a) Design review is required for the following projects:

(1) All new buildings and for all exterior remodeling resulting in additions, extensions or enlargements to existing buildings exceeding two hundred square feet of new floor area, including enclosing existing open areas.

- (2) All building relocations.
- (3) Any increase to the existing roof height.

(4) All fences, gates or walls, or a combination of these, greater than fortyeight inches in height in any yard adjacent to the street or right-of-way.

(5) The construction of any retaining wall greater than forty-eight inches in height as measured from bottom of footing to top of wall or any terraced retaining walls totaling more than forty-eight inches in height.

(6) New retaining walls with a cumulative total of more than one hundred linear feet.

(7) Any sports court fences over 6 feet in height and for gate columns and other decorative fence elements that exceed the permitted fence height limits.

(8) Any project resulting in the removal or alteration of more than twenty-five percent of the exterior walls or wall coverings of a residence, as determined by the Planner.

(9) Any activity or project resulting in more than fifty cubic yards of grading or filling, whether or not a building permit is required.

(10) Any construction, improvements, grading/filling or other site work within twenty-five feet of a creek, waterway or drainageway, whether or not a building permit is required with the exception of creek projects in accordance with Section 18.41.020(b)(4) of this Code.

(11) Any project resulting in over 1,000 square feet of new impervious landscape surface, whether or not a building permit is required.

(12) Redevelopment, Rehabilitation, and/or renovation of existing landscaping over 2,500 square feet, including new hardscape, retaining walls, vegetation modifications, modification to topography, additional impervious surfaces, alterations of drainage patterns, and other site modifications that could affect the visual and/or physical character of the site and neighborhood, whether or not a building permit is required.

(b) Design Review is not required for the following:

(1) Repainting existing structures involving no exterior remodeling resulting in additions, extensions or alterations.

(2) Accessory Dwelling Units in Accordance with Chapter 18.42 of this Code.

(3) Attic improvement permitted under Chapter 18.46 unless the project involves exterior work within twenty-five feet of a creek, waterway or drainageway, or if the attic project is associated with a larger project that requires design review.

(4) Creek stabilization and/or stream bank repair and alteration permits subject to issuance of a building permit and local, state, and federal permitting approval.

(5) Improvement of an existing basement in accordance with Chapter 18.45 of this Code.

(6) Outdoor advertising for the Local Service Commercial (C-L) Zoning District in accordance with Section 18.41.090(d) of this Chapter. (Ord. 704 (part), 2020; Ord. 696 (part), 2019; Ord. 624 (part), 2011; Ord. 619 (part), 2010; Ord. 604 (part), 2008; Ord. 578 §7, 2003; Ord. 575 (part), 2003; Ord. 558 (part), 2001; Ord. 557 (part), 2001; Ord. 544 (part), 1999; Ord. 534 (part), 1996; Ord. 514 §1(part), 1993).

<u>18.41.030</u> Chapter application. No work shall be started or authorized on any matter which is subject to design review on any lot located within the town until a design review application is approved, unless written approval for the work is first given by the town planner. (Ord. 514 §1(part), 1993).

18.41.040 Submittal requirements. Every design review application shall include drawings, plans, specifications and graphic or written material as required by the town planner or town council to clearly and accurately describe the proposed work, its effect on the environment and its relationship to existing improvements. The applicant shall pay a fee as set by the town council. All drawings and plans shall show both existing and proposed elevations and clearly identify all new construction and label all materials as new or existing. A structural engineer's report on the condition of the existing structure and its ability to meet building code requirements without additional modifications shall be prepared as required by the town planner or town council. An extensive termite, dry rot damage report shall be prepared, as required by the town planner or town council, which shall not only identify areas of damage but shall explore to determine the full extent of the damage, both exposed and concealed. Complete photos and a videotape of the structure's exterior shall be provided as required by the town planner or town council. A project manager, hired by the town at the applicant's expense, shall monitor demolition/construction activity as deemed necessary by the town building official. The applicant shall submit a proposed erosion control and sediment control plan, stormwater control plan, and/or stormwater facilities operation and maintenance plan if required by chapter 12.28 of the town code. Standard submittal requirements will be prepared by the town planner. Additional material may be required by the town planner. (Ord. 657 (part), 2014; Ord. 604 (part), 2008: Ord. 534 (part), 1996: Ord. 514 §1(part), 1993).

<u>18.41.050</u> Review authority. The town council will conduct the design review provided for by this chapter, except as otherwise provided in this chapter. (Ord. 641 (part), 2013; Ord. 514 §1(part), 1993).

<u>18.41.060</u> Town Council Review. Except as otherwise provided in this chapter, the town council will decide design review applications at a public meeting. The town council will review the application at its next available meeting following a determination by the town planner that the application is complete. The town clerk will mail written notice at least ten calendar days prior to the hearing to the applicant and to all owners of property within three

hundred feet from the exterior boundaries of the project site. (Ord. 641 (part), 2013; Ord. 514 §1(part), 1993).

18.41.070 Approval--Special conditions and findings.

(a) The town council may approve, conditionally approve or deny an application for design review. The town council shall include conditions necessary to meet the purpose of this chapter and for substantial compliance with the criteria set forth in this chapter. The council may adopt by resolution standard conditions for all projects to meet.

(b) The town council shall make the following findings in approving any project:

(1) The project is consistent with the purpose of this chapter as outlined in Section 18.41.010.

(2) The project is in substantial compliance with the design criteria of Section 18.41.100.

(3) The project is consistent with the Ross general plan and zoning ordinance.

(c) The town council shall deny any project for which it cannot make the above findings required in this section. (Ord. 514 §1(part), 1993).

<u>18.41.080</u> Denial of incomplete or inactive applications. Consistent with state law, the town planner may administratively deny without prejudice any application which remains incomplete or inactive for a period of greater than ninety days or is continued at the applicant's request for more than sixty days. (Ord. 514 §1(part), 1993).

<u>18.41.090</u> Administrative review. The town planner may administratively approve, conditionally approve or deny the following without notice or a public hearing: (a) An amendment to town council approved plans that the town planner determines to be in substantial conformity with the approved plans or minor or incidental in nature and consistent with the intent and criteria of this chapter and with zoning ordinance regulations. Such administrative review may include, but is not limited to, the addition of skylights, greenhouse windows and other minor changes from approved design review plans. (b) Design review of fences pursuant to the provisions of Section 18.41.070 and Section 18.41.080. (c) An application that involves alteration of more than twenty-five percent of the exterior walls, but less than twenty-five percent of the exterior wall coverings of a residence pursuant to the provisions of Section 18.41.080. (d) Outdoor advertising for the Local Service Commercial (C-L) Zoning District in consultation with the Town's Advisory Design Review Group. (Ord. 704 (part), 2020; Ord. 641 (part), 2013; Ord. 514 §1(part), 1993).

<u>18.41.100</u> Design review criteria and standards. This section provides guidelines for development. Compliance is not mandatory but is strongly recommended. The Town Council may deny an application where there are substantial inconsistencies with one or more guidelines in a manner that is counter to any purpose of this ordinance.

(a) Preservation of Natural Areas and Existing Site Conditions.

(1) The existing landscape should be preserved in its natural state by keeping the removal of trees, vegetation, rocks and soil to a minimum. Development should minimize the amount of native vegetation clearing, grading, cutting and filling and maximize the retention and preservation of natural elevations, ridgelands and natural features, including lands too steep for development, geologically unstable areas, wooded canyons, areas containing significant native flora and fauna, rock outcroppings, view sites, watersheds and watercourses, considering zones of defensible space appropriate to prevent the spread of fire.

(2) Sites should be kept in harmony with the general appearance of neighboring landscape. All disturbed areas should be finished to a natural-appearing configuration and planted or seeded to prevent erosion.

(3) Lot coverage and building footprints should be minimized where feasible, and development clustered, to minimize site disturbance area and preserve large areas of undisturbed space. Environmentally sensitive areas, such as areas along streams, forested areas, and steep slopes shall be a priority for preservation and open space.

(b) Relationship Between Structure and Site.

There should be a balanced and harmonious relationship among structures on the site, between structures and the site itself, and between structures on the site and on neighboring properties. All new buildings or additions constructed on sloping land should be designed to relate to the natural land forms and step with the slope in order to minimize building mass, bulk and height and to integrate the structure with the site.

(c) Minimizing Bulk and Mass.

(1) New structures and additions should avoid monumental or excessively large size out of character with their setting or with other dwellings in the neighborhood. Buildings should be compatible with others in the neighborhood and not attract attention to themselves. When nonconforming floor area is proposed to be retained with site redevelopment, the Council may consider the volume and mass of the replacement floor area and limit the volume and mass where necessary to meet the intent of these standards.

(2) To avoid monotony or an impression of bulk, large expanses of any one material on a single plane should be avoided, and large single plane retaining walls should be avoided. Vertical and horizontal elements should be used to add architectural variety and to break up building plans. The development of dwellings or dwelling groups should not create excessive mass, bulk or repetition of design features.

(d) Materials and Colors.

(1) Buildings should use materials and colors that minimize visual impacts, blend with the existing landforms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Colors and materials should be compatible with those in the surrounding area. High-quality building materials should be used.

(2) Natural materials such as wood and stone are preferred, and manufactured materials such as concrete, stucco or metal should be used in moderation to avoid visual conflicts with the natural setting of the structure.

(3) Soft and muted colors in the earthtone and woodtone range are preferred and generally should predominate.

(e) Drives, Parking and Circulation.

(1) Good access, circulation and off-street parking should be provided consistent with the natural features of the site. Walkways, driveways, curb cuts and off-street parking should allow smooth traffic flow and provide for safe ingress and egress to a site.

(2) Access ways and parking areas should be in scale with the design of buildings and structures on the site. They should be sited to minimize physical impacts on adjacent properties related to noise, light and emissions and be visually compatible with development on the site and on neighboring properties. Off-street parking should be screened from view. The area devoted to driveways, parking pads and parking facilities should be minimized through careful site planning.

(3) Incorporate natural drainage ways and vegetated channels, rather than the standard concrete curb and gutter configuration to decrease flow velocity and allow for stormwater infiltration, percolation and absorption.

(f) Exterior Lighting.

Exterior lighting should not create glare, hazard or annoyance to adjacent property owners or passersby. Lighting should be shielded and directed downward, with the location of lights coordinated with the approved landscape plan. Lamps should be low wattage and should be incandescent.

(g) Fences and Screening.

Fences and walls should be designed and located to be architecturally compatible with the design of the building. They should be aesthetically attractive and not create a "walledin" feeling or a harsh, solid expanse when viewed from adjacent vantage points. Front yard fences and walls should be set back sufficient distance from the property line to allow for installation of a landscape buffer to soften the visual appearance. Transparent front yard fences and gates over four feet tall may be permitted if the design and landscaping is compatible and consistent with the design, height and character of fences and landscaping in the neighborhood. Front yard vehicular gates should be transparent to let light and lines of sight through the gate. Solid walls and fences over four feet in height are generally discouraged on property lines adjacent to a right-of-way but may be permitted for properties adjacent to Poplar Avenue and Sir Francis Drake Boulevard based on the quality of the design, materials, and landscaping proposed. Driveway gates should be automatic to encourage use of onsite parking. Pedestrian gates are encouraged for safety, egress, and to encourage multi-modal transportation and pedestrian-friendly neighborhood character.

(h) Views.

Views of the hills and ridgelines from public streets and parks should be preserved where possible through appropriate siting of improvements and through selection of an appropriate building design including height, architectural style, roof pitch and number of stories.

(i) Natural Environment.

(1) The high-quality and fragile natural environment should be preserved and maintained through protecting scenic resources (ridgelands, hillsides, trees and tree groves), vegetation and wildlife habitat, creeks, drainageways threatened and endangered species habitat, open space and areas necessary to protect community health and safety.

(2) Development in upland areas shall maintain a setback from creeks or drainageways. The setback shall be maximized to protect the natural resource value of riparian areas and to protect residents from geologic and other hazards.

(3) Development in low-lying areas shall maintain a setback from creeks or drainageways consistent with the existing development pattern and intensity in the area and on the site, the riparian value along the site, geologic stability, and the development alternatives available on the site. The setback should be maximized to protect the natural resource value of the riparian area and to protect residents from geologic and flood hazards.

(4) The filling and development of land areas within the one-hundred-year flood plain is discouraged. Modification of natural channels of creeks is discouraged. Any modification shall retain and protect creekside vegetation in its natural state as much as possible. Reseeding or replanting with native plants of the habitat and removal of broom and other aggressive exotic plants should occur as soon as possible if vegetation removal or soil disturbance occurs.

(5) Safe and adequate drainage capacity should be provided for all watercourses.

(j) Landscaping.

(1) Attractive, fire-resistant, native species are preferred. Landscaping should be integrated into the architectural scheme to accent and enhance the appearance of the development. Trees on the site, along public or private streets and within twenty feet of common property lines, should be protected and preserved in site planning. Replacement trees should be provided for trees removed or affected by development. Native trees should be replaced with the

same or similar species. Landscaping should include planting of additional street trees as necessary.

(2) Landscaping should include appropriate plantings to soften or screen the appearance of structures as seen from off-site locations and to screen architectural and mechanical elements such as foundations, retaining walls, condensers and transformers.

(3) Landscape plans should include appropriate plantings to repair, reseed and/or replant disturbed areas to prevent erosion.

(4) Landscape plans should create and maintain defensible spaces around buildings and structures as appropriate to prevent the spread of wildfire.

(5) Wherever possible, residential development should be designed to preserve, protect and restore native site vegetation and habitat. In addition, where possible and appropriate, invasive vegetation should be removed.

(k) Health and Safety.

Project design should minimize the potential for loss of life, injury or damage to property due to natural and other hazards. New construction must, at a minimum, adhere to the fire safety standards in the Building and Fire Code and use measures such as fire-preventive site design, landscaping and building materials, and fire-suppression techniques and resources. Development on hillside areas should adhere to the wildland urban interface building standards in Chapter 7A of the California Building Code. New development in areas of geologic hazard must not be endangered by nor contribute to hazardous conditions on the site or on adjoining properties.

(l) Visual Focus.

(1) Where visibility exists from roadways and public vantage points, the primary residence should be the most prominent structure on a site. Accessory structures, including but not limited to garages, pool cabanas, accessory dwellings, parking pads, pools and tennis courts, should be sited to minimize their observed presence on the site, taking into consideration runoff impacts from driveways and impervious surfaces. Front yards and street side yards on corner lots should remain free of structures unless they can be sited where they will not visually detract from the public view of the residence.

(2) Accessory structures should generally be single-story units unless a clearly superior design results from a multilevel structure. Accessory structures should generally be small in floor area. The number of accessory structures should be minimized to avoid a feeling of overbuilding a site. Both the number and size of accessory structures may be regulated in order to minimize the overbuilding of existing lots and attain compliance with these criteria.

(m) Privacy.

Building placement and window size and placement should be selected with consideration given to protecting the privacy of surrounding properties. Decks, balconies and other outdoor areas should be sited to minimize noise to protect the privacy and quietude of surrounding properties. Landscaping should be provided to protect privacy between properties. Where nonconformities are proposed to be retained, the proposed structures and landscaping should not impair the primary views or privacy of adjacent properties to a greater extent than the impairment created by the existing nonconforming structures.

(n) Consideration of Existing Nonconforming Situations.

Proposed work should be evaluated in relationship to existing nonconforming situations, and where determined to be feasible and reasonable, consideration should be given to eliminating nonconforming situations.

(o) Relationship of Project to Entire Site.

(1) Development review should be a broad, overall site review, rather than with a narrow focus oriented only at the portion of the project specifically triggering design review. All information on site development submitted in support of an application constitutes the approved

design review project and, once approved, may not be changed by current or future property owners without town approval.

(2) Proposed work should be viewed in relationship to existing on-site conditions Pre-existing site conditions should be brought into further compliance with the purpose and design criteria of this chapter as a condition of project approval whenever reasonable and feasible.

(p) Relationship to Development Standards in Zoning District.

The town council may impose more restrictive development standards than the standards contained in the zoning district in which the project is located in order to meet these criteria. Where two or more contiguous parcels are merged into one legal parcel, the Town Council may consider the total floor area of the existing conforming and legal nonconforming structures and may reduce the permitted floor area to meet the purposes of these standards.

(q) Project Reducing Housing Stock.

Projects reducing the number of housing units in the town, whether involving the demolition of a single unit with no replacement unit or the demolition of multiple units with fewer replacement units, are discouraged; nonetheless, such projects may be approved if the council makes findings that the project is consistent with the neighborhood and town character and that the project is consistent with the Ross general plan.

(r) Maximum Floor Area.

Regardless of a residentially zoned parcel's lot area, a guideline maximum of ten thousand square feet of total floor area is recommended. Development above guideline floor area levels may be permitted if the town council finds that such development intensity is appropriate and consistent with this section, the Ross municipal Code and the Ross general plan. Factors which would support such a finding include, but are not limited to: excellence of design, site planning which minimizes environmental impacts and compatibility with the character of the surrounding area.

(s) Setbacks.

All development shall maintain a setback from creeks, waterways and drainageways. The setback shall be maximized to protect the natural resource value of riparian areas and to protect residents from geologic and other hazards. A minimum fifty-foot setback from the top of bank is recommended for all new buildings. At least twenty-five feet from the top of bank should be provided for all improvements, when feasible. The area along the top of bank of a creek or waterway should be maintained in a natural state or restored to a natural condition, when feasible.

(t) Low Impact Development for Stormwater Management.

Development plans should strive to replicate natural, predevelopment hydrology. To the maximum extent possible, the post-development stormwater runoff rates from the site should be no greater than pre-project rates. Development should include plans to manage stormwater runoff to maintain the natural drainage patterns and infiltrate runoff to the maximum extent practical given the site's soil characteristics, slope, and other relevant factors. An applicant may be required to provide a full justification and demonstrate why the use of Low Impact Development (LID) design approaches is not possible before proposing to use conventional structural stormwater management measures which channel stormwater away from the development site.

(1) Maximize Permeability and Reduce Impervious Surfaces. Use permeable materials for driveways, parking areas, patios and paths. Reduce building footprints by using more than one floor level. Pre-existing impervious surfaces should be reduced. The width and length of streets, turnaround areas, and driveways should be limited as much as possible, while conforming with traffic and safety concerns and requirements. Common driveways are

encouraged. Projects should include appropriate subsurface conditions and plan for future maintenance to maintain the infiltration performance.

(2) Disperse Runoff On Site. Use drainage as a design element and design the landscaping to function as part of the stormwater management system. Discharge runoff from downspouts to landscaped areas. Include vegetative and landscaping controls, such as vegetated depressions, bioretention areas, or rain gardens, to decrease the velocity of runoff and allow for stormwater infiltration on-site. Avoid connecting impervious areas directly to the storm drain system.

(3) Include Small-Scale Stormwater Controls and Storage Facilities. As appropriate based on the scale of the development, projects should incorporate small-scale controls to store stormwater runoff for reuse or slow release, including vegetated swales, rooftop gardens or "green roofs", catch-basins retro-fitted with below-grade storage culverts, rain barrels, cisterns and dry wells. Such facilities may be necessary to meet minimum stormwater peak flow management standards, such as the no net increase standard. Facilities should be designed to minimize mosquito production. (Ord. 696 (part), 2019; Ord. 653 (part), 2014; Ord. 641 (part), 2013; Ord. 619 (part), 2010; Ord. 611 (part), 2008; Ord. 575 (part), 2003; Ord. 555, 2000; Ord. 543-1 (part), 1998; Ord. 514 §1 (part), 1993).

<u>18.41.110</u> Noncompliance. Failure to comply in any respect with the conditions or approved plans constitutes grounds for the town to immediately stop work related to the noncompliance until the matter is resolved. Such violation will be subject to the enforcement penalties procedures of Chapter 18.64 of this code. (Ord. 514 §1(part), 1993).

<u>18.41.120</u> Emergency situations. If a condition exists which requires immediate action to protect public health, safety and welfare, the town building official may, after consultation with the town planner, grant emergency approval to temporarily correct or ameliorate such condition without submitting the matter to the Town Council for design review approval or posting written notice. Permanent corrective measures shall require design review approval in accordance with the provisions of this chapter. The building official and town planner may impose conditions on an emergency permit as necessary to ensure compliance with this chapter. (Ord. 514 §1(part), 1993).

# ATTACHMENT 2



# **PROJECT DESCRIPTION:**

Landscape remodel of existing single family residence to include auto gate replacement, new gate cloumns, auto court replacement, trellis replacement, pool w/ new spa, and pool patio paving replacement.

# List of Scope of work:

- New 6' tall auto entry metal sliding gate and person access metal gate, replacement of existing auto double swing gate, within setback. Replace existing double swing gates to sliding gate to allow more auto court turnaround space for vehicular.
- New 6" tall board form concrete walls to support new sliding gate and
- screen gate motor and gate extension behind, within setback.
  Repave existing asphalt auto court w/colored concrete, replacement of
- existing, no change in auto court footprint, partially within setback.New 8'8.5" Tall garden arbor w/4' tall garden gates, replacement of
- existing, within setback.5. Resurface of existing pool, replacement of existing in kind, within
- setback.
  New pool steps, spa and benches in existing pool, not change on pool size and depth, pool cover to be replaced to meet ASTM F1346, within setback.
- Repave existing stone pool patio, replacement of existing, partially
   within setback.
   8. New emergency standby generator on elevated concrete pad, within top of bank setback.

# **11 Locust** Landscape Drawings 11 Locust Ave, Ross, CA APN: 073-101-49

# March 2nd, 2022: PLANNING REVIEW SET

# LIST OF DRAWINGS

Sheet No	Title	10.25.2021 Planning Review	12.16.2021 Planning Review Response	12.20.2021 Planning Review Response	03.02.2021 Planning Review Update
T-1.0	Title Page	*	*	*	*
SU-1.0	Survey	*	*	*	*
LP-1.0	Site Photo	*	*	*	*
L-0.1	Existing & Porposed Plans		*	*	*
L-1.0	Site Plan	*	*	*	*
L-1.1	Site Enlargment Plan	*	*	*	*
L-2.0	Material Board & Lighting Cutsheets		*	*	*
L-3.0	Generator & Boring Layout			*	*
L-4.0	Landscape Section/ Elevation	*	*	*	*
L-5.2	Landscape Details	*	*	*	*
L-5.3	Landscape Details	*	*	*	*

# PROJECT TEAM

Lea & Braze Engineering, INC Surveyor 2495 Industrial Parkway West, Hayward, CA City, CA 99999 T(510): 887-4086

Eric Blasen Blasen Landscape Architecture 500 Red Hill Ave San Anselmo, CA 94960 T: 415.485.3885 F: 415.485.3877

Daniel Sernei Electrical Contractor CBS Electric 4171 Montgomery Dr, Santa Rosa, CA 95405 T: 415.854.4811



Blasen Landscape Architecture Inc. 500 Red Hill Ave. San Anselmo, CA 94960 t: 415.485.3885 f: 415.485.3877 www.blasengardens.com RLA #3774



FLOOD ZONE: AE

PER FEMA FLOOD INSURANCE RATE MAP (FIRM)

36.7' (NAVD88 DATUM) PER FLOOD INSURANCE STUDY

PER FLOOD INSURANCE STUDY FEMA FLOOD INSURANCE STUDY FOR MARIN COUNTY, CA

IN FEET AND DECIMALS OF A FOOT.

AT GROUND LEVEL.

AT DOOR THRESHOLD (EXTERIOR)









2. Auto Gate









8.Pool Patio









PLANNING REVIEW



LEGEND:

Existing Impervious Paving to be Removed and Replace

New Impervious Paving/ Walls

DESCRIPTIONEXISTINGPROPOSEDIMPERVIOUSE<br/>SURFACE9,882.67 SQFT10,128.27SQFT

NOTE: Contractor to verify locations of new and existing utilities prior to any excavation, root removals, and/or all plant placement.



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# **11 Locust** landscape

11 Locust Ave Ross, CA APN: 073-101-49

# Existing & Propsoed Plan

# Revisions:

21.12.06 Planning	Review Response
21.12.20 Planning	Review Response
Drawn:	Checked:
MJ	EB
Issue Date:	Scale:
21-Oct-25	1"=30'-0"
Sheet:	
	<b>0</b>
	<b>V.</b> I

PLANNING REVIEW







L-1.1 PLANNING REVIEW

LIGHTIN	IG SCHEDU	IL <u>E</u>		
Туре	Group	Description	Manufacturer Model #	Quantity
А	1	Address light	Q-Tran ZALA-SW	Verify Length
В	2	Pool light	Jandy WaterColors Nichless LED light with Half Moon Len Cover	3















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**11 Locust** landscape

11 Locust Ave Ross, CA APN: 073-101-49

# Material Board & Ligting Spec

Revisions: \_\_\_\_\_21.12.06 Planning Review Response

21.12.20 Planning Review Response		
Drawn:	Checked:	
MJ	EB	
Issue Date:	Scale:	
21-Oct-25	NTS	
Sheet:		



# Gaseous Product Line

# GM60-02 60 kWe

# Ratings

# Temp Rise

- Engine
- Starter & Alternator Oil Pump & Filter
- Oil Drain Extension w/Valve
- Air Cleaner (Dry Single Stage) Flexible Fuel Connector EPA Certifie

# Listing Certifications

- ▶ UL 2200 Listed cUL Listed
- CSA Certifie
- NFPA 110 Compliant

# GM60-02

60 kWe

# Standard Features

- Digital Metering Engine Parameters
- Engine Protection
- Windows-Based Software
- Multilingual Capability
- 15 Contact Outputs
- Event Recording
- NFPA 110 Level 1 Compatible

# OPU Level 1 Level 2 Level 3

# OPU Level 1 Level 2 Level 3

GM60-02



208-600 Volt

60 Hz / 1800 RPM

Standby

latingo					
	240V	208V	240V	480V	600V
Phase	1	3	3	3	3
PF	1.0	0.8	0.8	0.8	0.8
Hz	60	60	60	60	60
Generator Model	362CSL1604	361CSL1602	361CSL1602	361CSL1601	361PSL1633
Connection	12 LEAD ZIG-ZAG	12 LEAD WYE	12 LEAD DELTA	12 LEAD WYE	4 LEAD WYE
kWe Nat (LP)	60 (60)	60 (60)	60 (60)	60 (60)	60 (60)
AMPS Nat (LP)	250 (250)	208 (208)	181 (181)	90 (90)	72 (72)
Temp Rise	130°C / 27°C	130°C / 27°C	130°C / 27°C	130°C / 27°C	130°C / 27°C

# Standard Equipment

- ► Radiator Cooled Unit Mounted (50°C) Blower Fan & Fan Drive Governor - Electronic Isochronous 12V Battery System & Cables
- ▶ Seismic Certified to IBC 202

- Generator
- Brushless Single Bearing
- Automatic Voltage Regulator ▶ ± 1% Voltage Regulation
- 4 Pole, Rotating Field
- ▶ 130°C Standby Temperature Rise ▶ 100% of Rated Load - One Step
- ▶ 5% Maximum Harmonic Content
- ► NEMA MG 1, IEEE and ANSI Standards Compliance for Temperature Rise
- Additional
- Single Source Supplier
- Microprocessor Based Digital Control Interface Connection Box
- ► Control Panel Mounted in NEMA 12 Enclosure
- Base Formed Steel
- Main Line Circuit Breaker Mounted & Wired
- Critical Grade Silencer Mounted Battery Charger 12V 6 Amp
- ► Jacket Water Heater -20°F 1500W 120V
- w/Isolation Valves Vibration Isolation Mounts
- Radiator Duct Flange (OPU Only)
- 2YR / 2000HR Standby Warranty
- Standard Colors White / Gray

1 of 4

Gaseous Product Line





# Weights / Dimensions / Sound Data



Drawings based on standard open power 480 volt standby generator. Lengths may vary with other voltages. Subject to change without notice. Sound data as measured at 23 feet (7 meters) in accordance with ISO 8528-10 at standby rating.

3 of 4



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11 Locust Ave Ross, CA APN: 073-101-49

# **Generator & Boring** Layout

# Revisions.

21.12.20 Planning Re	eview Response
22.03.02. Generator	update
Drawn:	Checked:
MJ	EB
Issue Date:	Scale:
21-Dec-20	AS NOTED
Sheet:	
L-:	3_0
PLANNIN	J KEVIEVV













**Blasen Landscape Architecture Inc.** 500 Red Hill Ave. San Anselmo, CA 94960 t: 415.485.3885 f: 415.485.3877 www.blasengardens.com RLA #3774

# 11 Locust

landscape

11 Locust Ave Ross, CA APN: 073-101-49

# Arbor Detail

Revisions:			
21.10.21 Planning	21.10.21 Planning Review		
21.12.06 Planning	Review Response		
21.12.20 Planning	Review Response		
Drawn:	Checked:		
MJ	EB		
Issue Date:	Scale:		
21-Sep-21 AS NOTED			
Sheet:			
L-5.2			
PLANNI	PLANNING REVIEW		



# ATTACHMENT 3



# Town of Ross

**Planning Department** 

Post Office Box 320, Ross, CA 94957 Telephone (415) 453-1453, Ext. 121 Fax (415) 453-1950 www.townofross.org

### PLANNING APPLICATION FORM

## Type of Application (check all that apply):



### To Be Completed by Applicant:

Assessor's Parcel No	O(S): 073-101-49			
Project Address:	11 Locust Ave			
Property Owner:	Jeanice Skvaril & Ja	ason Fuchs		
Owner Mailing Add	ress (PO Box in Ro	ss): <u>11 L</u>	ocust Ave	
City/State/Zip:	Ross, CA, 94957		Owner's Phone:	415-515-4634
Owner's Email:	jason@fuchsfamily.com			
Applicant:	Eric Blasen			
Applicant Mailing A	ddress:	500 Red Hill Ave		
City/State/Zip:	San Anselmo, CA, 94960		Applicant's Phone:	415-485-3885
Applicant's Email:	eric@blasengarde	ens.com		
Primary point of Contact Email: Owner Buyer Agent Architect				
To Be Completed by Town	Staff:			
Date Received:			Planni	ng 5300
Application No.:			Tree Perm	hit 5305
2011IIB.			Fee Program Administration 5	5315-05
			Record Retention 5	5112-05
			Technology Surcharge	5313-05
		Date paid:	TOTA	AL FEES:
Make checks payable to To	own of Ross. Fees may no	ot be refunded if th	ne application is withdrawn.	

Version 4/6/16

2

### SUBDIVISION INFORMATION ONLY

Number of Lots:

### LOT LINE ADJUSTMENT ONLY

Describe the Proposed Lot Line Adjustment:

Existing Parcel Size(s)Parcel 1:Parcel 2:Adjusted Parcel Size(s)Parcel 1:Parcel 2:

PARCEL ONE	PARCEL 2	
Owner's Signature:		
Date:	Date:	
Owner's Name (Please Print):	Owner's Name (Please Print):	
Assessor's Parcel Number:	Assessor's Parcel Number:	

\* If there are more than two affected property owners, please attach separate letters of authorization.

### **REZONING OR TEXT AMENDMENT ONLY**

The applicant wishes to amend Section \_\_\_\_\_\_\_ of the Ross Municipal Code Title 18.

The applicant wishes to Rezone parcel \_\_\_\_\_\_ from the \_\_\_\_\_\_ Zoning District to \_\_\_\_\_\_.

### GENERAL OR SPECIFIC PLAN AMENDMENT ONLY

Please describe the proposed amendment:

### **CERTIFICATION AND SIGNATURES**

I, the property owner, do hereby authorize the applicant designated herein to act as my representative during the review process by City staff and agencies.//

	/	) (	1	^	1	10 21	2021
<b>Owner's Signature:</b>	()	las	Im		Date: /	0-26-	-2021
	1		V				

I, the applicant, do hereby declare under penalty of perjury that the facts and information contained in this application, including any supplemental forms and materials, are true and accurate to the best of my knowledge

10.26.2021 **Owner's Signature:** Date:

### SIGNATURE:

I hereby authorize employees, agents, and/or consultants of the Town of Ross to enter upon the subject property upon reasonable notice, as necessary, to inspect the premises and process this application.

I hereby authorize Town staff to reproduce plans and exhibits as necessary for the processing of this application. I understand that this may include circulating copies of the reduced plans for public inspection. Multiple signatures are required when plans are prepared by multiple professionals.

I further certify that I understand the processing procedures, fees, and application submittal requirements.

I hereby certify that I have read this application form and that to the best of my knowledge, the information in this application form and all the exhibits are complete and accurate. I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper to the Town of Ross. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this application was signed at

, California on

Signature of Property Owner(s) and Applicant(s)Signature of Plan Preparer

### Notice of Ordinance/Plan Modifications

Pursuant to Government Code Section 65945(a), please indicate, by checking this box, if you would like to receive a notice from the Town of any proposal to adopt or amend the General Plan, a specific plan, zoning ordinance, or an ordinance affecting building permits or grading permits, if the Town determines that the proposal is reasonably related to your request for a development permit.

### Alternate Format Information

The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105.

Consultant Information								
The following information is required for all project consultants.								
Landscape Architect								
Firm Blasen Landscape Architecture								
Project Landscape Architect Eric Blasen								
Mailing Address 500 Red Hill Ave								
City San Anselmo	State_CA	ZIP 94960						
Phone 4154853885	Fax							
Email_eric@blasengardens.com								
Town of Ross Business License No. 00301	Expiration Date	12-31-2						
Civil/ Geotechnical Engineer								
Firm								
Project Engineer								
Mailing Address								
City	State	ZIP						
Phone	Fax							
Email								
Town of Ross Business License No	_	Expiration Date _						
Arborist								
Firm								
Project Arborist								
Mailing Address								
City	State	ZIP						
Phone	Fax							
Email								
Town of Ross Business License No		Expiration Date						
Other								
Consultant								
Mailing Address								
City	State	ZIP						
Phone	Fax							
Email								
Town of Ross Business License No		Expiration Date						
Other								
Consultant								
Mailing Address								
City	State	ZIP						
Phone	Fax							
Email								
Town of Ross Business License No		Expiration Date						

### Written Project Description – may be attached.

A complete description of the proposed project, <u>including all requested variances</u>, is required. The description may be reviewed by those who have not had the benefit of meeting with the applicant, therefore, be thorough in the description. For design review applications, please provide a summary of how the project relates to the design review criteria in the Town zoning ordinance (RMC §18.41.100).

# Please see attached project summary.

### Mandatory Findings for Variance Applications

*In order for a variance to be granted, the following mandatory findings must be made:* 

### Special Circumstances

That because of special circumstances applicable to the property, including size, shape, topography, location, and surroundings, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. **Describe the special circumstances that prevent conformance to pertinent zoning regulations.** 

### Substantial Property Rights

That the variance is necessary for the preservation and enjoyment of substantial property rights. **Describe why the project is needed to enjoy substantial property rights.** 

### Public Welfare

That the granting of a variance will not be detrimental to the public welfare or injurious to other property in the neighborhood in which said property is situated. **Describe why the variance will not be harmful to or incompatible with other nearby properties.** 



500 Red Hill Avenue San Anselmo, CA 94960 t: 415.485.3885 f: 415.485.3877 www.blasengardens.com

## Planning Review Application Project Summary

Tuesday, October 26, 2021

### 11 Locust

11 Locust Ave Ross, CA

### Project Items Description:

- 1. New 6' tall auto entry metal gate and person access metal gate, replacement of existing in kind, within setback. Replace existing double swing gates to sliding gate to allow more auto court turnaround space for vehicular.
- 2. New 6" tall board form concrete walls to support new sliding gate and screen gate motor and gate extension behind, within setback.
- 3. Repave existing asphalt auto court w/colored concrete, replacement of existing in kind, partially within setback.
- 4. New trash enclosure, 4'2" Tall, within setback.
- 5. New 8'8.5" Tall garden arbor w/4' tall garden gates, replacement of existing in kind, within setback.
- 6. Resurface of existing pool, replacement of existing in kind, within setback
- 7. New pool steps, spa and benches in existing pool, not change on pool size and depth, within setback.
- 8. Repave and enlarged existing stone pool patio, replacement of existing in kind, partially within setback.