



Staff Report

Date: September 3, 2014
To: Mayor Elizabeth Brekhus and Council Members
From: Elise Semonian, Senior Planner
Subject: Gardenia L.P., 179 Lagunitas Road, Design Review, File No. 1920

Recommendation

Town Council approve the project subject to the findings and conditions attached.

Project Summary

Owner: Gardenia L.P.
Design Professional: Barbara Chambers, Chambers & Chambers
Location: 179 Lagunitas Road
A.P. Number: 73-231-17
Zoning: R-1:B-A (Single Family Residence, 1 acre min lot size)
General Plan: Very Low Density (.1-1 units per acre)
Flood Zone: Zone X (outside 1-percent annual chance floodplain)

Application to revise plans approved in October and November 2013 for the following: 1.) remodel of each level of existing residence and modifications to roofline and each exterior elevation; 2.) new, detached, 750 square foot three-car garage; and 3.) landscape improvements including a reconfigured driveway and new 16 foot wide and 6 foot tall auto gate. A nonconformity permit is requested for the modifications proposed to the residence, which is nonconforming in number of stories and height. The amendments include revisions to the design of each elevation of the residence, modifications to the garage, and the project no longer includes a second unit or detached pool house structure. A tree permit is requested to remove all cypress trees along the east and west property lines within 100 feet of the residence, which is required by fire code. A revised landscape plan is proposed.

Lot Area	45,886 square feet	(1.05 acres)
Existing Floor Area Ratio	6,979 sq. ft.	15.2%
Approved Floor Area Ratio	7,480 sq. ft.	16.3%

Proposed Floor Area Ratio	6,510 sq. ft.	14.2% (15% permitted)
Existing Lot Coverage	3,706 sq. ft.	8.1%
Approved Lot Coverage	4,000 sq. ft.	8.7%
Proposed Lot Coverage	3,891 sq. ft.	8.5% (15% permitted)
Existing Impervious Surfaces	7,810 sq. ft.	17.0%
Approved Impervious Surfaces	7,955 sq. ft.	17.3%
Proposed Impervious Surfaces	7,636 sq. ft.	16.6%

Existing residence is nonconforming in setbacks, number of stories, height and covered parking.

Background and project description

The Town Council approved a project for this site in 2013. The applicant has a pending building permit for that project. The applicant would like to modify the design to reduce the scale of the project and has submitted revised plans. Since the project changes every approved elevation, staff has required Council review.

The project materials have not changed and the design is similar in character to what was approved. The applicant has eliminated the detached pool house and the second unit. The project complies with the floor area permitted for the site.

Since the location and mass of the structure have not significantly changed (the proposed building is smaller) staff did not require story poles.

Staff reviewed the project briefly and informally with several ADR members and both staff and the ADR members agree the approved design is superior to what is currently proposed. However, the proposed design is also attractive, in keeping with the character of the site and neighborhood, and will be an improvement over existing conditions. The front elevation of the residence more closely matches the existing residence than the prior design.

The fire code requires removal of the flammable vegetation within 100 feet of the structure, which requires removal of approximately 10 cypress trees along the east property line and 11 along the west property line. The neighbor to the east, DeLong, has previously expressed concern with the trees, which grow over his house and drop debris. There is a row of mature English Laurel adjacent to the cypress along the east property line that will grow to replace the screening in this area. Removal of the cypress along the west property line will reduce the screening along the adjacent driveway, which is at a higher elevation than the project site. The existing screening in this area consists of tall wood and wire fencing and ivy growing on the trunks and fencing. The proposed landscape plan indicates that 8 24" box English Laurel will replace the trees. Staff does not believe this will be adequate screening and recommends replacement evergreen hedge screening in this area at a ratio of 3 evergreen shrubs for every cypress tree removed along the west property line, one of which must be a 24" box size (or ball and burlap).

The existing residence has a 210 sq. ft. second floor deck at the rear of the residence. The approved plans include two small balconies off the master bedroom at the rear of the structure. With the reduction in floor area at the upper level, the balconies have increased in size to 90 sq. ft. decks. Staff does not anticipate that the deck areas and proposed stairs to the rear yard will create privacy impacts for neighbors over existing conditions. However, the Council should consider any public comment received regarding the project.

Staff believes that the Town Council can make findings to approve the project.

Fiscal, resource and timeline impacts

If approved, the project would be subject to one-time fees for a building permit, and associated impact fees, which are based in part on the valuation of the work proposed. The improved project site may be reassessed at a higher value by the Marin County Assessor, leading to an increase in the Town's property tax revenues. The Town currently serves the site and there would be no operating or funding impacts associated with the project.

Alternative actions

1. Continue the project for modifications; or
2. Make findings to deny the application. The applicant could proceed with the prior approved project.

Environmental review (if applicable)

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Sections 15303 (one single-family residence) and Section 15301 (existing facilities, as an addition to an existing single-family residence in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive). No exception set forth in Section 15300.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources.

Attachments

1. Findings and Conditions of Approval
2. Town Council Minute history
3. Approved project plans

Attachment 1

Recommended Town Council Action, Findings and Conditions

Staff recommends that the Town Council, after carefully reviewing the facts and the arguments presented after a public hearing, site visits, review of story poles installed at the site for the prior project design in 2013, staff reports, correspondence, and other information contained in the project file, approve the project as proposed with the following Findings and subject to the following Conditions of Approval:

A. Findings

A. Findings:

1. **CEQA** The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Sections 15303 (one single-family residence) and Section 15301 (existing facilities, as an addition to an existing single-family residence in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive). No exception set forth in Section 15300.2 of the CEQA Guidelines (including but not limited to Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources, applies to the project.

2. Demolition Permit

a) *The demolition will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.*

b) *The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town.*

c) *The project is consistent with the Ross general plan and zoning ordinance.*

d) *The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.*

The Town does not have a historic resource inventory and considers discretionary projects on a case by case basis against federal and state historic listing standards. The proposed demolition will alter the appearance of the last remaining portion of the original residence, which was built prior to the 1930s. It is unlikely that the original residence would qualify for listing in any state or federal register since and the residence has been altered and does not retain historic integrity. The site is not associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United

States. Based on a review of the Town files, the site is not associated with the lives of persons important to local, California or national history. Since the structure is altered, the site and residence does not embody the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values. The site and residence has not yielded, and does not have the potential to yield, information important to the prehistory or history of the local area, California or the nation

The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town because the proposed residence primarily maintains the mass and design of the existing development and uses traditional materials and colors that are in keeping with the site setting and the neighborhood.

3. Findings for Nonconformity Permit to allow property owner to retain nonconforming floor area, height and number of stories

The existing residence was built prior to zoning regulations and the structure would have to be demolished in order to bring the site into conformance with the current regulations. Granting the variance 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 because the variances allow an existing structure that contributes to the character of the community to be retained and improved in appearance.

- a. The nonconforming structure was in existence at the time the ordinance that now prohibits the structure was passed. The structure must have been lawful when constructed. The property owner has the burden to prove by substantial evidence the nonconforming and legal status of the structure. It is readily apparent the nonconforming portions of the structure are old and predate zoning regulations.
- b. The town council can make the findings required to approve any required demolition permit for the structure: The demolition will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community. See discussion above.
- c. The project substantially conforms to relevant design review criteria and standards in Section 18.41.100, even if design review is not required. See discussion below.
- d. Total floor area does not exceed the greater of: a) the total floor area of the existing conforming and/or legal nonconforming structure(s); or b) the maximum floor area permitted for the lot under current zoning. The project is within the maximum permitted floor area for the site.

regulations. The town shall apply the definition of floor area in effect at the time of the application for a nonconformity permit.

- e. Granting the permit will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. Permitting the nonconformities to retain preserve the character of the site and neighborhood and will not be detrimental to the public.
- f. The project will comply with the Flood Damage Prevention regulations in Chapter 15.36. The site is not in a flood hazard area.
- g. The fire chief has confirmed that the site has adequate access and water supply for firefighting purposes, or that the project includes alternate measures approved by the fire chief. The project will comply with the fire code and fire sprinklers will be required.
- h. The applicant has agreed in writing to the indemnification provision in Section 18.40.180. The conditions of approval require the property owner to agree in writing to the indemnification provision.
- i. The site has adequate parking. For purposes of this section, adequate parking shall mean that the site complies with at least the minimum number of parking spaces required for the zoning district (covered or not covered). If the site does not comply with the covered parking requirement, the Town Council may require covered parking to be provided. The Town Council may consider the size of the residence and number of bedrooms and may require additional parking up to the following: The site has more than four off street parking spaces and there will be adequate parking on site.

<i>Total site floor area (excluding covered parking)</i>	<i>Required off street parking</i>
1,300 square feet to 3,300 square feet	3 spaces
Over 3,300 square feet	4 spaces

5. Design Review

- a) *The project is consistent with the purposes of the Design Review chapter as*

outlined in Ross Municipal Code Section 18.41.010:

(1) To preserve and enhance 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 and to sustain the beauty of the town's environment.

(2) 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;

(3) 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;

(4) 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;

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

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

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

(8) 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;

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

(10) 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.

The project maintains the scale and character of the existing development. As approved, the proposed garage structure is compatible with the scale of the existing development and will be well screened from public view. The proposed materials and colors, which include gray shingle siding and dark wood trim, doors and windows, will integrate the residence with its setting and the neighborhood. The project would maintain the existing drainage pattern and impervious surfaces. A drainage plan in compliance with the Town Stormwater Management Ordinance will be required prior to building permit issuance.

b) The project is in substantial compliance with the design criteria of Ross Municipal Code Section 18.41.100.

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

(a) 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, ridgelines 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.

The entire site has been previously disturbed with development.

(b) 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.

The general appearance of the existing landscaping will be maintained.

(c) 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.

Lot coverage and building footprints are largely maintained as existing and well under the 15% permitted for the site.

(2) 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.

The existing residence has a large mass that is typical of large estates built prior to the 1930s in Ross and the proposed project does not significantly change that mass. The proposed garage structure is compatible with the mass of the existing building and neighboring structures.

(3) Minimizing Bulk and Mass.

(a) *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.*

(b) *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.*

As approved, the proposed structures are not monumental or excessively large in size and out of character with their setting or other dwellings in the neighborhood.

(4) *Materials and Colors.*

(a) *Buildings should use materials and colors that minimize visual impacts, blend with the existing land forms 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.*

(b) *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.*

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

High quality materials are proposed including shingle siding in a gray color and painted wood windows, doors and trim.

(5) *Drives, Parking and Circulation.*

(a) *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.*

(b) *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.*

(c) *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.*

The project would improve the access to the site.

(6) *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.

Limited landscape lighting is proposed.

(7) *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 "walled-in" 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.

A new transparent auto gate is proposed and deer fencing is proposed.

(8) *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.

The project will not impact views from public streets and parks.

(9) *Natural Environment.*

(a) *The high-quality and fragile natural environment should be preserved and maintained through protecting scenic resources (ridgelines, 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.*

(b) *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.*

(c) *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.*

(d) *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.*

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

The project is not near a watercourse and is not in a flood zone.

(10) *Landscaping.*

(a) *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.*

(b) *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.*

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

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

(e) *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.*

The existing site is well landscaped. The project includes new landscaping to replace landscaping removed in the southwest corner of the site. The fire code requires removal of several mature cypress trees that will reduce screening along the west property line. Fire code limits the spacing of new trees and the trees cannot be replaced at a 1 to 1 ratio. Conditions of approval require hedge screening and a new wire fence to replace the screening that will be removed along the west property line.

(11) *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.*

The project must comply with the current Fire and Building Codes.

(12) *Visual Focus.*

(a) *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.

(b) 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.

The residence will remain the primary structure on the site.

(13) 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.

As approved the project protects privacy of surrounding properties.

(14) 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 as a condition of project approval.

The site is largely conforming to development regulations. The project involves demolition of a nonconforming structure at the rear of the site and construction of a conforming structure.

(15) Relationship of Project to Entire Site.

(a) 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.

(b) 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.

The development of the site is appropriate, when viewed as a whole.

(16) 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.

Based on the scale of the residence and proposed accessory structures there is no need to impose more restrictive development standards to meet the design criteria. The proposed floor area is in keeping with the size of other development in the neighborhood.

(17) 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.

The project does not reduce housing stock.

(18) 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.

The proposed floor area is less than 10,000 square feet.

(19) 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.

No creek is near the development.

(20) 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.

(a) 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.

(b) 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.

(c) 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.

The project proposes to maintain the existing site runoff and to disperse runoff on site. The project will be required to comply with the Town Stormwater Management Ordinance. Conditions of approval limit impervious surfaces to existing conditions.

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

(1) Ross General Plan Policy (RGP) 1.1 Protection of Environmental Resources. Protect environmental resources, such as hillsides, ridgelines, creeks, drainage ways, trees and tree groves, threatened and endangered species habitat, riparian vegetation, cultural places, and other resources. These resources are unique in the planning area because of their scarcity, scientific value, aesthetic quality and cultural significance.

The site is previously disturbed.

(2) RGP 1.2 Tree Canopy Preservation. Protect and expand the tree canopy of Ross to enhance the beauty of the natural landscape. Recognize that the tree canopy is critical to provide shade, reduce ambient temperatures, improve the uptake of carbon dioxide, prevent erosion and excess stormwater runoff, provide habitat for wildlife and birds, and protect the ecosystem of the under-story vegetation.

Nonnative trees must be removed for fire safety and will be replaced by screening shrubs.

(3) RGP 1.3 Tree Maintenance and Replacement. Assure proper tree maintenance and replacement.

See (2) above.

(4) RGP 1.4 Natural Areas Retention. Maximize the amount of land retained in its natural state. 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.

The site does not have land in its natural state.

(5) RGP 2.1 Sustainable Practices. Support measures to reduce resource consumption and improve energy efficiency through all elements of the Ross General Plan and Town regulations and practices, including:

(a) *Require large houses to limit the energy usage to that of a more moderately sized house as established in design guidelines.*

(b) *Choose the most sustainable portion of a site for development and leaving more of a site in its natural condition to reduce land impacts on the natural environment.*

(c) *Use green materials and resources.*

(d) *Conserve water, especially in landscaping.*

(e) *Increase the use of renewable energy sources, including solar energy.*

(f) *Recycle building materials.*

Town regulations require the construction materials to be recycled. The house will be more energy efficient than existing development with the replacement of windows with new windows and compliance with Title 24. The landscaping is required to comply with Marin Municipal Water District (MMWD) water conserving landscape requirements.

(6) *RGP 2.2 Incorporation of Resource Conservation Measures. To the extent consistent with other design considerations, public and private projects should be designed to be efficient and innovative in their use of materials, site construction, and water irrigation standards for new landscaping to minimize resource consumption, including energy and water.*

See (5) above.

(7) *RGP 2.3 Reduction in the Use of Chemicals and Non-Natural Substances. Support efforts to use chemical-free and toxic-free building materials, reduce waste and recycle building waste and residential garbage. Encourage landscape designs that minimize pesticide and herbicide use.*

It is unknown if materials are chemical-free or toxic free. Construction and demolition debris must be recycled under existing Town regulations. Proposed landscaping may not minimize pesticide and herbicide use.

(8) *RGP 2.4 Footprints of Buildings. Utilize smaller footprints to minimize the built area of a site and to allow the maximum amount of landscaped and/or permeable surfaces.*

As proposed, the project only slightly expands the footprint of structures and largely maintains the landscaped areas of the site.

(9) *RGP 3.1 Building and Site Design. Design all structures and improvements to respect existing natural topographic contours. Open areas and buildings shall be located to protect land forms and natural site features, including cultural places and resources, wherever possible. Where feasible, site development must avoid intact or previously disturbed cultural resources during excavation and grading.*

The project largely maintains existing topographic contours and discovery of cultural resources is unlikely.

(10) *RGP 3.2 Landscape Design. Where appropriate, encourage landscape designs that incorporate existing native vegetation, enhance the cohesiveness of the Town's lush, organic landscape and integrate new planting with existing site features. Plans shall recognize the importance of open space on a lot and shall address the look and feel of the space between structures so as to avoid overbuilding.*

The proposed plan includes addition of new trees and landscaping to add to the Town's lush landscape and to integrate with mature trees on the site.

(11) *RGP 3.3 Buildings on Sloping Land. New buildings and additions to existing residential buildings constructed on sloping land should be designed to relate to the current landforms with the goal of integrating the building with the site (e.g., step with the slope). Low retaining walls are encouraged where their use would minimize uphill cutting, and large single-plane retaining walls should be avoided. Cut and fill areas and on/off-hauling should be minimized, especially in locations of limited or difficult access. Special care should be taken to final grade all disturbed areas to a natural appearing configuration and to direct stormwater runoff to areas where water can naturally infiltrate the soil.*

The existing site is fairly level and cut and fill is minimized.

(12) *RGP 3.4 Bulk, Mass and Scale. Minimize the perception of building bulk and mass so that homes are not out of scale, visually or structurally, with neighboring residences and their setting. Consider building bulk and mass during the design review process, and when applying requirements and guidelines addressing Floor Area Ratio (FAR), maximum home floor area and other development standards. Building heights should stay in scale with surrounding vegetation and buildings.*

As approved, the proposed residence and garage will be in keeping with the existing residence and the size of neighboring structures.

(13) *RGP 3.5 View Protection. Preserve views and access to views of hillsides, ridgelines, Mt. Tamalpais and Bald Hill from the public right-of-way and public property. Ensure that the design look and feel along major thoroughfares maintains the "greenness" of the Town.*

The project is not along major thoroughfare and does not impair views of hillsides and ridgelines.

(14) *RGP 3.6 Windows, Roofs, and Skylights. Window and skylight size, placement and design should be selected to maximize the privacy between adjacent properties. To the extent consistent with other design considerations, the placement and size of windows and skylights should minimize light pollution and/or glare.*

The site is far from adjacent residences, well screened by mature trees, and privacy is not a concern.

(15) *RGP 3.7 Materials and Colors. Buildings should be designed using high-quality materials and colors appropriate to their neighborhood and natural setting.*

See 5(b)(4) above.

(16) RGP 3.8 Driveways and Parking Areas. Driveways and parking areas should be designed to minimize visibility from the street and to provide safe access, minimal grading and/or retaining walls, and to protect water quality. Permeable materials should be used to increase water infiltration. Driveways and parking areas should be graded to minimize stormwater runoff.

No major modification to the existing driveway is proposed.

(17) RGP 4.1 Historic Heritage. Maintain the historic feel of Ross by preserving and maintaining historic buildings, resources and areas with recognized historic or aesthetic value that serve as significant reminders of the past.

The building is not historic but has historic character that will be retained.

(18) RGP 4.2 Design Compatibility with Historic Resources. Require new construction to harmonize with existing historic buildings and resources, and ensure a compatibility of landscaping with Ross' historic character.

The building design and scale is compatible with the design of historic residences on Lagunitas Avenue.

(19) RGP 4.4 Preservation of Existing Housing Supply. Discourage the demolition or combining of existing residential units that will reduce the supply of housing in Ross.

The project will not eliminate any housing units.

(20) RGP 4.5 Archaeological Resources. Implement measures to preserve and protect archaeological resources. Whenever possible, identify archaeological resources and potential impacts on such resources. Provide information and direction to property owners in order to make them aware of these resources. Require archaeological surveys, conducted by an archaeologist who appears on the Northwest Information Center's list of archaeologists qualified to do historic preservation fieldwork in Marin County, in areas of documented archaeological sensitivity. Develop design review standards for projects that may potentially impact cultural resources.

The discovery of cultural resources is unlikely due to the location of the site and known archaeological areas.

(21) RGP 5.2 Geologic Review Procedures. At the time a development is proposed, Ross geologic and slope stability maps should be reviewed to assess potential geologic hazards. In addition, suitability for development must be based on site-specific geotechnical investigations.

The proposed construction is not within areas that have been identified as instable.

(22) RGP 5.3 Fire Resistant Design. Buildings should be designed to be fire defensive. Designs should minimize risk of fire by a combination of factors including, but not limited to, the use of fire-resistant building materials, fire sprinklers, noncombustible roofing and defensible landscaping space.

The structures are required to have sprinklers. Defensible landscaping is required.

(23) *RGP 5.4 Maintenance and Landscaping for Fire Safety. Ensure that appropriate fire safety and landscaping practices are used to minimize fire danger, especially in steeper areas. Due to the high fire hazard in the steeper areas of Town, special planting and maintenance programs will be required to reduce fire hazards in the hills and wildland areas, including removal of invasive non-native vegetation such as broom, acacia and eucalyptus.*

An effective firebreak around the structure is required.

(24) *RGP 5.5 Fire Safety in New Development. New construction will adhere to all safety standards contained in the Building and Fire Code. Hazards to life and property shall be minimized by such measures as fire preventive site design, fire resistant landscaping and building materials, and the use of fire suppression techniques and resources.*

See (22) above.

(25) *RGP 5.12 Access for Emergency Vehicles. New construction shall be denied unless designed to provide adequate access for emergency vehicles, particularly fire fighting equipment.*

The project will include widening the entry gates to improve emergency vehicle access. Existing conditions will be improved from a fire safety perspective.

(26) *RGP 6.4 Runoff and Drainage. Stormwater runoff should be maintained in its natural path. Water should not be concentrated and flow onto adjacent property. Instead, runoff should be directed toward storm drains or, preferably to other areas where it can be retained, detained, and/or absorbed into the ground.*

An engineered drainage plan is required.

(27) *RGP 6.5 Permeable Surfaces. To the greatest extent possible, development should use permeable surfaces and other techniques to minimize runoff into underground drain systems and to allow water to percolate into the ground. Landscaped areas should be designed to provide potential runoff absorption and infiltration.*

An engineered drainage plan is required.

(28) *RGP 6.6 Creek and Drainageway Setbacks, Maintenance and Restoration. Keep development away from creeks and drainageways. Setbacks from creeks shall be maximized to protect riparian areas and to protect residents from flooding and other hazards. Encourage restoration of runoff areas, to include but not be limited to such actions as sloping banks, providing native Creek access vegetation, protecting habitat, etc., and work with property owners to identify means of keeping debris from blocking drainageways.*

Work is not proposed near riparian areas.

B. Conditions of Approval, 179 Lagunitas Road

The following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit. The property owner shall certify on the building permit plans that they have read and agree to the following conditions.

1. Except as otherwise provided in these conditions, the project shall comply with the plans for the residence approved by the Town Council on September 11, 2014. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.

2. It is expected that most, if not all, of the structure south of the original residence (the 3 story portion of the house) will be demolished. Wall demolition in the front portion of the house is limited to replacing the exterior siding, interior wall finishes, and as necessary to frame new door and window openings. Floor framing demolition is limited to what is necessary to reconfigure stairs and as required by the structural engineer. It is expected that new wall framing may be necessary for structural requirements. However, the existing structure is not approved for complete demolition and planning department shall be contact if additional demolition is expected to exceed what is shown on the approved Council plans and this condition of approval. Additional Town Council review may be necessary to exceed the proposed demolition. The project architect shall certify the demolition shown on the architectural drawings are consistent with the structural plans prior to permit issuance.

3. The property owner shall maintain the existing level of hedge/tree screening between 177 and 179 Lagunitas Road to screen the garage structure. Additional landscaping shall be required to maintain a continuous screen between the sites and replace screening recently removed in one area (where the temporary box trees are currently located).

4. The Town will require removal of all of the cypress trees within 100 feet of the residence. All of the cypress trees along the west property line shall be replaced by evergreen shrubs such as English Laurel or Pittosporum (plants of a fire resistant species) at a 3 to 1 ratio with at least one 24" to 36" box or ball and burlap shrub for each tree removed. The applicant shall make best efforts to maintain and support the existing ivy covered fencing. Where this is not possible, any dilapidated fencing shall be replaced by new wire fencing as proposed on the southwest corner of the site. Acknowledging that landscaping is likely to be damaged during construction in this area, the replacement landscaping shall be installed as soon as reasonably feasible and prior to project final.

5. Any landscaping damaged during the cypress tree removal shall be replaced prior to project final.

6. Landscaping proposed for the southwest corner of the site shall be installed within 30 days and shall be irrigated until established.

7. No gates are permitted to provide access to the adjacent private driveway to the west unless the applicant has legal access to use the driveway.

8. Impervious surfaces shall be limited to existing conditions. Pervious surfaces shall not be converted to impervious surfaces, even after project final, without prior

Town Council approval.

9. Landscaping shall be installed in substantial conformance with the approved landscape plan prior to project final. The Town staff reserves the right to require modifications to the landscape to protect mature trees and to comply with MMWD water conserving landscape requirements or fire code clearance requirements. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.

10. A tree protection plan for all protected trees on or near the project site is required with the building permit application. The plan shall comply with the requirements of Ross Municipal Code Section 12.24.100. The applicants'/project arborist shall review the final construction-level drawings and landscape plans, including civil, structural, grading, drainage, irrigation and utility plans (arborist should note the dates of the plans reviewed). The arborist shall review the construction management plan including all paths that will be used for equipment, grading and off haul. All tree protection conditions recommended by the project arborist shall be included on all relevant sheets of the building permit plans to ensure compliance with the arborist recommendations. The plan shall include a schedule of when the consulting arborist should inspect the site or be present for activities such as trenching in the tree protection area. The applicant shall submit a deposit to cover the cost of town arborist review of the Tree Protection Plan and periodic site inspections.

11. Tree protection fencing and other tree protections, such as mulch, steel plates or other protection against compaction around un-fenced trees, shall be installed prior to building permit issuance as recommended by the project arborist on the tree protection plan. Tree protection fencing shall be constructed of sturdy material and identified with signs that include the words, "tree protection fence" and "do not remove without permission from the Town of Ross." The project arborist shall inspect the site prior to issuance of a building permit to determine if tree protection fencing has been properly installed and shall submit written confirmation to the town planner that the tree protection is in place prior to building permit issuance.

12. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.

13. Any exterior lighting shall be included on plans submitted for the building permit and is subject to the review and approval of the town planner. Lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum

“cut-off” appropriate for the light source so as to strictly control the direction and pattern of light and eliminate spill light to neighboring properties or a glowing night time character.

14. Applicants shall comply with all requirements of PG&E prior to project final. Letter or email confirming compliance shall be submitted to the building department prior to project final.

15. The applicant shall comply with all requirements of the Marin Municipal Water District (MMWD) for water service prior to project final including compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 - Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1559. For questions contact Joseph Eischens, Engineering Technician, at (415) 945-1531. Letter or email confirming compliance shall be submitted to the building department prior to project final.

16. Applicants shall comply with the following requirements of the Ross Valley Sanitary District No. 1 prior to project final: since this project involves an extensive demolition and rebuild, the Ross Valley Sanitary District (415) 259-2949 will require a connection permit from the District. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirement of the fixture count, the applicant has the option of installing a new lateral or the old sewer lateral needs to be tested in the presence of a District Inspector and found to meet all current District requirements. Sanitary District No. 1 will place a hold on the property once the building permit is issued. This hold prevents the new building from being released for occupancy until the District's permit and sewer requirements are fulfilled. It is the owner's responsibility to obtain a sewer connection permit from this office and meet all District requirements pertaining to the private side sewer/lateral prior to project final. Letter or email confirming compliance shall be submitted to the building department prior to project final.

17. The project shall comply with the Fire Code and comments of the Ross Valley Fire Department (RVFD) in the memo dated August 30, 2013.

18. Based on the scope of the project, the Town shall require sprinklers to be installed in the structures.

19. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:

a. Applicants may be required to return for additional Town Council review, which requires payment of additional application fees, for any roof projections that are not identified on the plans submitted for Town Council review. Where a roof area is visible from off site, roof projections shall be located to minimize their appearance. Exposed galvanized material is discouraged. All vents and flue pipes shall utilize a finish to blend into adjacent surfaces. If

possible, vents may be concealed from view in forms compatible with the structure. Vents for cooking appliances should be located or directed to avoid noise and odor impacts to adjacent sites and shall be located out of required setback areas.

b. The plans submitted for the building permit shall detail the gutter and downspout design and location for review and approval by the Town. Applicants may be required to return for additional Town Council review, which requires payment of additional application fees, for any gutters or downspouts that are not identified on the plans submitted for Town Council review. A specification sheet shall be provided and the proposed color and finish material shall be specified. Downspouts should be located to minimize their appearance from off site locations. Gutters and downspouts should have a finish to blend into adjacent surfaces or underlying trim. Exposed galvanized material is not permitted.

c. Exterior plumbing shall be removed and replaced with plumbing within the walls of the structure.

d. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.

e. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.

f. Property lines and location of foundation relative to property line shall be physically identified (string line or equal) and must be certified by a licensed land surveyor to be in compliance with the approved plans at the time of the first foundation-related inspection. The building inspector shall not provide foundation-related inspections until the information is provided.

g. Floor elevation shall be physically surveyed and certified by a licensed land surveyor to be in compliance with the approved plans after the floor(s) are completed.

h. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.

i. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.

j. Prior to any demolition or issuance of a building permit for the new structure, which was constructed prior to 1985, an asbestos and lead-based paint survey shall be provided to the Town building department for review by the Building Official. If asbestos-containing materials are determined to be present, the materials should be abated by a certified asbestos

abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. If lead-based paint is identified, then federal and state construction worker health and safety regulations should be followed during renovation or demolition activities. If loose or peeling lead-based paint is identified, it should be removed by a qualified lead abatement contractor and disposed of in accordance with existing hazardous waste regulations.

k. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director, who may consult with the town hydrologist at the applicants' expense (a deposit may be required). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to pre-project conditions. Applicants are encouraged to submit a drainage plan designed to produce peak runoff from the site that is the same or less than estimated natural, predevelopment conditions which existed at the site prior to installation of impermeable surfaces and other landscape changes (natural predevelopment rate standard). Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.

l. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.

m. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas.

n. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).

o. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the project and the construction management plan.

p. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.

q. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.

r. Inspections shall not be provided unless the Town-approved building permit plans are available on site.

s. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).

t. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved. (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.

u. A single geotechnical engineering report, containing all recommended geotechnical design criteria for the project, shall be submitted with the building permit plans for review by the building official. All geotechnical aspects of the proposed project and preliminary development of plans shall continue to be evaluated by the project geotechnical consultant. A letter from the project geotechnical consultant shall be prepared that approves all geotechnical aspects of the proposed site development layout, verifies project geotechnical feasibility, and verifies conformance with the geotechnical consultant's design recommendations.

v. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.

w. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.

x. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.

y. Carbon monoxide alarms shall be provided outside of each dwelling unit sleeping area in the immediate vicinity of the bedroom(s) and on every level of a dwelling unit.

z. Address numbers at least 4" tall shall be in place adjacent to the front door. If not clearly visible from the street, additional numbers are required. The address numbers shall be internally illuminated or illuminated by an adjacent light controlled by a photocell and switched only by a breaker so the numbers will remain illuminated all night.

aa. The applicant shall work with the Public Works Department to repair any road damage caused by the construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment will be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.

bb. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance (copies available at www.townofross.org). If construction is not completed by the construction completion date provided for in that ordinance, the owner will be subject to automatic penalties with no further notice. As provided in the Town of Ross Municipal Code Section 15.50.040, construction shall be complete upon the final performance of all construction work, including: exterior repairs and remodeling; total compliance with all conditions of application approval, including required landscaping; and the clearing and cleaning of all construction-related materials and debris from the site. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

cc. A Grading Permit is required from Department of Public Works for site grading. The applicant shall comply with the requirements of Chapter 15.24 of the Ross Municipal Code

dd. The Public Works Department may require a grading security to be submitted in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.

ee. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The plan shall include a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls.)

ff. The Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.

gg. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc, are implemented

hh. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.

ii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.

20. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

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final. Damage assessment will be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.

f. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance (copies available at www.townofross.org). If construction is not completed by the construction completion date provided for in that ordinance, the owner will be subject to automatic penalties with no further notice. As provided in the Town of Ross Municipal Code Section 15.50.040, construction shall be complete upon the final performance of all construction work, including: exterior repairs and remodeling; total compliance with all conditions of application approval, including required landscaping; and the clearing and cleaning of all construction-related materials and debris from the site. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

g. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The plan shall include a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediments controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls.).

h. The construction management plan shall be submitted in time to be incorporated into the job set of plans. The construction management plan shall become a binding document, and failure to adhere to the plan may result in stoppage of the project.

i. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.

17. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

Council Member Hoertkorn recused herself from the next agenda item in order to avoid the appearance of a conflict.

20. 179 Lagunitas Road, Extension of Time for Landscape Plan No. 1920

Gardenia L.P., 179 Lagunitas Road, A.P. No. 73-231-17, R-1:B-A (Single Family Residence, 1 acre min lot size), Very Low Density (.1-1 units per acre). At the March 2014 Town Council meeting, the Town Council established penalties for the property owner's removal and alteration of protected and significant trees without prior approval of a tree permit, in violation of Ross Municipal Code Chapter 12.24. The penalties included triple permit fees, reimbursement of Town costs, preparation of a full site landscape

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plan, and installation of three 24" box trees and other landscaping at the southwest corner of the site within 60 days.

The Town Council will consider a staff recommendation to provide the applicant with additional time to submit a full landscape plan for the site and receive approval of the plan from the Ross Valley Fire Department and Marin Municipal Water District, and to install landscaping required for the southwest corner of the site.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council give staff two months additional time to circulate the plan to Ross Valley Fire Department (RVFD) and Marin Municipal Water District (MMWD) and to permit the applicant to respond to any required revisions and comments.

Council Member Small clarified that the landscape plan is for the entire property. Senior Planner Semonian noted that a plan was done for the back area and what was required is a plan for the entire site. Council Member Small asked staff if there should be a timetable to replace the plants that were removed such as three weeks. Senior Planner Semonian agreed to add such requirement.

Mayor Kuhl opened the public hearing on this item.

Katie Hoertkorn, Lagunitas Road resident, thanked Senior Planner Semonian for all her efforts. She added that it would have been very helpful if the applicant hired a landscape architect to begin with. She further noted that two weeks ago a landscape architect was finally hired.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Kuhl asked for a motion.

Mayor Pro Tempore Brekhus moved and Council Member Russell seconded, to approve two months additional time for 179 Lagunitas Road to circulate the landscape plan to RVFD and MMWD and respond to comments, with the additional condition that when plans are approved the applicant has three weeks to install the replacement landscaping at the southwest corner, if staff believes additional time is required due to unforeseen circumstances, staff may at staff's discretion extend that time for a reasonable period. Motion carried 4-1. Hoertkorn recused.

Council Member Hoertkorn resumed her seat on the Town Council.

End of Public Hearings on Planning Applications – Part II.

21. No Action Items:

a. Council correspondence

- Letter regarding passing an ordinance outlawing the use of E-cigarettes
- Emails regarding the Fourth of July celebration.

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process for the Town Council to permit nonconforming conditions to remain in Single Family Residential Areas.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council, sitting as Planning Commission, discuss proposed Ordinance No. 653 and recommend that the Town Council introduce the ordinance at the April meeting.

Mayor Kuhl discussed page 1 under Subsection C in regard to minimizing bulk and mass and suggested stating, “*shall*” rather than “*should*,” so that it is a policy. Senior Planner Semonian expressed concern for the word “*shall*” because if a project does not meet the guideline then a variance is required and it would be difficult for staff to determine if a project complies, since it is subjective. Mayor Kuhl discussed page 4 in regard to the term “*lawful*” and recommended stating, “*structure must have been lawful when constructed.*” Senior Planner Semonian agreed to modify the language.

Mayor Kuhl opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council, sitting as Planning Commission, for action.

Mayor Kuhl asked for a motion.

Council Member Russell moved and Mayor Pro Tempore Brekhus seconded, the Planning Commission recommend the Council adopt Resolution No. 653, an Ordinance of the Town of Ross amending Title 18 “Zoning” Chapters 18.12 Definitions, 18.41 Design Review, and 18.52 Nonconforming Structures, to establish a process for the Town Council to permit nonconforming conditions to remain in Single Family Residential Areas, with the amendment to page 4 stating, “*structure must have been lawful when constructed.*” Motion carried unanimously.

Public Hearings on Planning Applications – Part II.

Council Member Hoertkorn recused herself from the next agenda item in order to avoid the appearance of a conflict.

- 16. 179 Lagunitas Road, Violation of Tree Ordinance and consideration of penalties.**
Gardenia L.P., 170 Lagunitas Road, A.P. No. 73-231-17, R-1:B-A (Single Family Residence, 1 acre min lot size), Very Low Density (.1-1 units per acre). The Town Council will hold a public hearing regarding removal of a 30” bay tree and topping more than 6 redwood trees without prior Town approval of a tree removal permit. The Council will determine if the property owner altered and removed protected or significant trees in violation of Ross Municipal Code Chapter 12.24 and, if so, will establish the amount of any civil penalty, up to the \$100,000 maximum (exclusive of administrative costs, attorney’s fees and arborist fees).

Senior Planner Elise Semonian summarized the staff report and recommendation.

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Mayor Kuhl expressed concern for the contractor removing the second tree after knowing that a permit was required for the first tree. Senior Planner Semonian explained that the trees were removed at different times, so they could have been two different contractors.

Council Member Small noted that most reputable tree companies would not cut down a tree without a permit and she suggested that Ms. Weiner go back to them in regard to the fees.

Mayor Kuhl opened the public hearing on this item.

Janet Weiner, trustee, apologized to the Town and neighbors and noted that the remediation has started. She is trying to renovate the house and make it a better place. She suggested that the Town provide all new residents with the rules, otherwise mistakes can occur without knowing and again apologized. She believed it would be great for everyone that bought a home in Ross knew what the appropriate steps are because it was never her intention to upset her neighbors. She understands that there has been a recommendation to resolve this situation. Again, she did not feel she did anything terrible to be vilified. She is a animal lover as well as a humanitarian, and to be labeled as a tree killer is horrible and not true.

Rich Hoertkorn, Lagunitas Road resident, stated Ms. Weiner wrote a letter to the Planning Department on Monday, and it stated, *"that privacy screening has already been addressed and laurels have been planted and that it looks quite nice."* In the 26 ft. only one laurel has been planted, trees are in boxes that are currently a fire hazard and it does not look quite nice in his opinion. There has been complete disregard for the rules. He desired a qualified landscape professional to provide a landscape plan for the subject area.

Katie Hoertkorn, Lagunitas Road resident, asked that a professional landscape plan be required. She shares 500 linear feet, and a professional will understand the rules. By removing the Redwood trees and the laurel in front of the barn, she now views homes on Woodside because her privacy has been lost. As part of the penalty, a professional landscape plan should be required.

Barbara Chambers, architect, has no idea who removed the trees and agreed to look into the matter. Mayor Kuhl expressed concern for the fact that there is a contractor just ignoring the rules of the Town.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Small stated that part of the issue is that the applicant has not pulled a building permit as of yet, which is when a landscape plan would be provided. The difficulty here is when doing things without a full landscape plan, the owner inadvertently got herself in this situation. A landscape plan will save a lot of heartache and money in the long run.

Mayor Kuhl stated copies of the municipal code being sent to all new homeowners in Town is not realistic, but such information is provided on the website along with tree permit information.

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Council Member Small added that considering the issues that have been created, a landscape professional would be appropriate to develop a landscape plan. The Council agreed to require a landscape plan from a qualified landscape professional.

Mayor Kuhl asked for a motion.

Council Member Small moved and Mayor Pro Tempore Brekhus seconded, to accept staff's recommendations Item Nos. 1-5, including Item No. 6 to include a landscape plan to be completed within 60 days, but also planting of the affected area within the 60 days as approved by staff; and Item No. 3 to be completed within the 60 days as well for 179 Lagunitas Road, Violation of Tree Ordinance and consideration of penalties subject to the findings and conditions outlined in the staff report. Motion carried 4:0. Hoertkorn recused.

179 Lagunitas Road Conditions:

Approve the after-the-fact tree removal request subject to the following conditions:

1. Pay triple tree removal permit fees of \$3,119.52 for all trees topped and for one tree removed without prior approval of a tree permit.
2. Reimburse the Town \$113.75 for the tree appraisal.
3. Require a professional landscape plan to be submitted for the site within 60 days, for review and approval by staff. The plan shall include planting to restore the privacy lost along the west property line in the southwest corner of the site due to the barn and tree removal, at least equivalent to the following, within 60 days:
 - a. Plant three, 24-36" box, trees at least 10-14' tall to replace the bay tree removed without a permit. The new trees should be planted in the area where the barn and bay tree was removed, to improve screening between the site and 181 Lagunitas Road. The tree species may be selected by the property owner with final approval by staff to ensure the tree will be evergreen and not a nuisance due to dropping fruit, invasiveness, or other factors.
 - b. Install a permanent wire fence to replace the existing wire fence in the area where the barn and bay tree were removed. The fence posts shall be wood or a permanent metal post similar to the fencing along the east side property line at 185 Lagunitas Road.
 - c. Require ball and burlap English Laurel plants, similar to the one planted in the southwest corner of the lot, to form an instant privacy hedge adjacent to the new fence. The plants shall have 4-5 foot centers, meaning the trunks of each plant are 4 or 5 feet apart.
4. Correctively prune the redwoods and schedule the town arborist to review the trees in 2 years, at the property owners' expense. At the two-year inspection, the town arborist may recommend and staff may impose additional monitoring for future years.
5. Reserve the right to impose penalties for the redwood tree topping if tree removal is necessary in the future.

Council Member Hoertkorn reconvened her position on the Town Council.

17. 4 Allen Avenue, Variance, Design Review and Demolition Permit No. 1934

Mark Dumolien and Carol Brown, 4 Allen Avenue, A.P. No. 73-241-09, R-1:B-7.5 (Single Family Residence, 7,500 sq. ft. min lot size), Medium Low Density (3-6 units per acre),

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Mayor Kuhl asked for a motion.

Council Member Russell moved and Council Member Hoertkorn seconded, to continue the matter to the March Town Council meeting. Motion carried unanimously.

Council Member Hoertkorn recused herself from the next agenda item in order to avoid the appearance of a conflict.

20. 179 Lagunitas Road, Violation of Tree Ordinance and consideration of penalties.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council require the property owner to pay triple tree removal permit fees of \$3,119.52 for all trees topped and for one tree removed without prior approval of a tree permit, pay the cost of the Town Arborist review and report, require the property owner to plant replacement trees and to correctively prune the redwoods in the future.

Barbara Chambers, architect, noted that her client apologized and agreed to pay the fine. Also, her client was not aware a permit was required to top or remove trees. Her client agreed to plant replacement trees. Senior Planner Semonian noted that the replacement trees should be in the area of the gap in order to replace the screening that was lost. Council Member Small desired 36-inch box trees to be planted sooner rather than later. Architect Chambers believed her client will work with staff. Her desire is to have screening as well.

Mayor Kuhl opened the public comment on this item.

Katie Hoertkorn, Lagunitas Road resident, stated that the trees were not trimmed they were butchered. The tops were cut off. The normal process is to feather those trees. It is shocking what took place.

Peter Nelson, Circle Drive resident, referred to the arborist report that topping the trees is not recommended and only increases the risk factors and encourages growth out sideways. He believed the trees should be monitored as to their health.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Mayor Kuhl asked if they have the power to suspend the license of the contractor who cut down the trees. Senior Planner Semonian responded that they can be precluded from working in Ross for two years.

The Council felt a penalty is appropriate and agreed to continue this matter in order for the homeowner to come before the Council and provide a timeline of events and inform the Council as to who authorized the removal of the trees. The Council felt a condition in regard to monitoring the trees is appropriate.

Mayor Kuhl asked for a motion.

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Council Member Russell moved and Mayor Pro Tempore Brekhus seconded, to continue the matter to a later date. Motion carried 4-0-1. Hoertkorn recused.

Council Member Hoertkorn reconvened her position on the Town Council.

End of Public Hearings on Planning Applications – Part II.

21. No Action Items:

a. Council correspondence received

- Letter from Fairfax Women’s Club on their upcoming meeting on Cittaslow Planning.
- Email from Chestnut resident supporting additional FAR

b. Future Council items

- Consider a stop light at the other end of Winship due to bridge construction

22. Adjournment.

Mayor Kuhl moved to adjourn the meeting at 10:33 p.m.

P. Beach Kuhl, Mayor

ATTEST:

Linda Lopez, Town Clerk

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Mayor Pro Tempore Brekhus moved and Council Member Russell seconded, to approve the application in part and deny the application in part at 191 Lagunitas Road, After-the-Fact Variance and Design Review No. 1927 and continue the remainder of the application to the December 12, 2013, Town Council meeting. The Town Council denies the floor area ratio request. The Council permits staff to approve interior modifications to the pool house structure and approves window modifications to the pool house and the exterior stairs west of the pool house. The Town shall retain Craig Herzog, or an appropriate Town-retained Geotechnical Engineer, to review the cuts at the site. The applicant shall post a deposit to cover the cost of this review. The engineer shall consider if removal of the retaining wall is possible at this time and if new walls may be constructed at this time. If so, the wall shall be removed within 90 days. The applicant is directed to review the proposed material changes with the Advisory Design Review Group, or they may build the project with the Council approved materials. Motion carried unanimously. Hoertkorn/Small recused.

Council Member Small reconvened her position on the Town Council and Town Attorney Greg Stepanicich left the Town Council meeting at 10:00 p.m.

15. 179 Lagunitas Road, Variance, Design Review and Demolition Permit No. 1920

Gardenia L.P., 179 Lagunitas Road, A.P. No. 73-231-17, R-1:B-A (Single Family Residence, 1 acre min lot size), Very Low Density (.1-1 units per acre). Application for design review for the following: 1.) new, detached, 750 square foot three-car garage up to 18 feet tall; 2.) new, detached, 650 square foot pool house, east of the pool, up to 16 feet tall; 3.) demolition of barn/carriage house and removal of water tank within rear yard area; and 4.) landscape improvements including a reconfigured driveway and new 16 foot wide and 6 foot tall auto gate. The Town Council approved modifications to the residence at the October 10, 2013 Town Council meeting.

Lot Area	45,886 square feet	(1.05 acres)
Existing Floor Area Ratio	6,980 sq. ft.	15.2%
Proposed Floor Area Ratio	7,480 sq. ft.	16.3% (15% permitted)*
Existing Lot Coverage	3,706 sq. ft.	8.1%
Proposed Lot Coverage	4,650 sq. ft.	10.1% (15% permitted)
Existing Impervious Surfaces	7,810 sq. ft.	17.0%
Proposed Impervious Surfaces	7,810 sq. ft.	17.0%

***Proposed FAR includes 500 square feet for new second unit. Total floor area for primary residence, garage and pool house (excluding second unit) is 6,980 square feet, 15.2%.**

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the project subject the findings and conditions outlined in the staff report.

Barbara Chambers, architect, explained that the upper level living space was removed from the garage and the size and mass were reduced as well. They removed all windows facing the neighbors. They moved the garage building back on the site as far as physically possible. The second unit was relocated to the main residence. In order to get the garage back as far as possible, they redesigned the house completely. Landscaping has been redesigned several

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times. They adjusted the story poles and felt the project is fully compliant with the zoning code and no variances are requested. They further hope the Council finds the project satisfactory.

Mayor Kuhl opened the public hearing on this item.

Zach McReynolds, Lagunitas Road resident, appreciated the Council and applicant accommodating the concerns he had and thanked everyone for their patience. He asked that the Council require applicants to build according to the plans. This is an agonizing process, but a message should not be sent to applicants that the Council will over look the changes at a later date. The rules should be the same for everyone.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Small thanked the applicant for making the changes. On the pool house, she preferred to see the living room area window gone as well as the one bedroom window. Simply because on the pool house there are two large French doors as well as bay windows, so there is plenty of light. She reviewed the height of the garage, which appeared different on the rendering, and would support reducing the garage by one more foot if so desired by the rest of the Council. She is fine with the rest of the application. It is a tremendous property and beautiful lot.

Mayor Pro Tempore Brekhus does not love the garage in the front yard, but was more persuaded once she was shown how it could not be placed to the side without going into the setback. She also appreciated the fact that the resident is keeping this old, historic home. She continues to believe the garage is too high and believed the garage should be reduced by one more foot. In regard to the pool house, she pointed out that in back it is elevated. Architect Chamber explained that it is slab on grade. Accessory buildings on a historic home match the existing conditions. She believed it is a reasonable design request on their part.

Council Member Russell stated that none of them like the fact that there is a lot of structure in the front yard, but at this point they understand the site constraints.

Mayor Kuhl asked for a motion.

Council Member Small moved and Council Member Russell seconded, to approve 179 Lagunitas Road, Variance, Design Review and Demolition Permit No. 1920 subject to the findings and conditions outlined in the staff report with an additional requirement to remove the living room and bedroom windows on the east side of the pool house. Motion carried unanimously. Hoertkorn recused.

179 Lagunitas Road Conditions:

The following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit:

1. Except as otherwise provided in these conditions, the project shall comply with the plans for the residence approved by the Town Council on October 10, 2013 and the pool house, garage and landscaping shall comply with the plans approved by the

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Council on November 14, 2013. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.

2. The pool house is not permitted to be a residential second unit without prior approval of the Town.

3. The property owner shall maintain the existing level of hedge/tree screening between 177 and 179 Lagunitas Road to screen the garage structure.

4. The site is limited to 15.2% floor area. An exception from the floor area regulations is granted to permit up to 500 additional square feet for a second unit at the lower level of the residence. The project shall comply with Ross Municipal Code Section 18.42.065 prior to project final.

5. No gates are permitted to provide access to the adjacent private driveway unless the applicant has legal access to use the driveway.

6. Impervious surfaces shall be limited to existing conditions. Pervious surfaces shall not be converted to impervious surfaces, even after project final, without prior Town Council approval.

7. Landscaping shall be installed in substantial conformance with the approved landscape plan prior to project final. The Town staff reserves the right to require modifications to the landscape to protect mature trees and to comply with MMWD water conserving landscape requirements or fire code clearance requirements. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.

8. A tree protection plan for all protected trees on or near the project site is required with the building permit application. The plan shall comply with the requirements of Ross Municipal Code Section 12.24.100. The applicants'/project arborist shall review the final construction-level drawings and landscape plans, including civil, structural, grading, drainage, irrigation and utility plans (arborist should note the dates of the plans reviewed). The arborist shall review the construction management plan including all paths that will be used for equipment, grading and off haul. All tree protection conditions recommended by the project arborist shall be included on all relevant sheets of the building permit plans to ensure compliance with the arborist recommendations. The plan shall include a schedule of when the consulting arborist should inspect the site or be present for activities such as trenching in the tree protection area. The applicant shall submit a deposit to cover the cost of town arborist review of the Tree Protection Plan and periodic site inspections.

9. Tree protection fencing and other tree protections, such as mulch, steel plates or other protection against compaction around un-fenced trees, shall be installed prior to building permit issuance as recommended by the project arborist on the tree protection plan. Tree protection fencing shall be constructed of sturdy material and identified with signs that include the words, "tree protection fence" and "do not remove without permission from the Town of Ross." The project arborist shall inspect the site prior to issuance of a building permit to determine if tree protection fencing has been properly installed and shall submit written confirmation to the town planner that the tree protection is in place prior to building permit issuance.

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10. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.

11. Any exterior lighting shall be included on plans submitted for the building permit and is subject to the review and approval of the town planner. Lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and pattern of light and eliminate spill light to neighboring properties or a glowing night time character.

12. Applicants shall comply with all requirements of PG&E prior to project final. Letter or email confirming compliance shall be submitted to the building department prior to project final.

13. The applicant shall comply with all requirements of the Marin Municipal Water District (MMWD) for water service prior to project final including compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 - Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1559. For questions contact Joseph Eischens, Engineering Technician, at (415) 945-1531. Letter or email confirming compliance shall be submitted to the building department prior to project final.

14. Applicants shall comply with the following requirements of the Ross Valley Sanitary District No. 1 prior to project final: since this project involves an extensive demolition and rebuild, the Ross Valley Sanitary District (415) 259-2949 will require a connection permit from the District. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirement of the fixture count, the applicant has the option of installing a new lateral or the old sewer lateral needs to be tested in the presence of a District Inspector and found to meet all current District requirements. Sanitary District No. 1 will place a hold on the property once the building permit is issued. This hold prevents the new building from being released for occupancy until the District's permit and sewer requirements are fulfilled. It is the owner's responsibility to obtain a sewer connection permit from this office and meet all District requirements pertaining to the private side sewer/lateral prior to project final. Letter or email confirming compliance shall be submitted to the building department prior to project final.

15. The project shall comply with the Fire Code and comments of the Ross Valley Fire Department (RVFD) in the memo dated August 30, 2013.

16. Based on the scope of the project, the Town shall require sprinklers to be installed in the structures.

17. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:

a. Applicants may be required to return for additional Town Council review, which requires payment of additional application fees, for any roof projections that are not identified on the plans submitted for Town Council review. Where a roof area is visible from off site, roof projections shall be located to minimize their appearance. Exposed galvanized material is discouraged. All vents and flue pipes shall utilize a finish to blend into adjacent surfaces. If possible, vents may be concealed from view in forms compatible with the structure. Vents for cooking appliances should be located or directed to avoid noise and odor impacts to adjacent sites and shall be located out of required setback areas.

b. The plans submitted for the building permit shall detail the gutter and downspout design and location for review and approval by the Town. Applicants may be required to return for additional Town Council review, which requires payment of additional application fees, for any gutters or downspouts that are not identified on the plans submitted for Town Council review. A specification sheet shall be provided and the proposed color and finish material shall be specified. Downspouts should be located to minimize their appearance from off site locations. Gutters and downspouts should have a finish to blend into adjacent surfaces or underlying trim. Exposed galvanized material is not permitted.

c. Exterior plumbing shall be removed and replaced with plumbing within the walls of the structure.

d. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.

e. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.

f. Property lines and location of foundation relative to property line shall be physically identified (string line or equal) and must be certified by a licensed land surveyor to be in compliance with the approved plans at the time of the first foundation-related inspection. The building inspector shall not provide foundation-related inspections until the information is provided.

g. Floor elevation shall be physically surveyed and certified by a licensed land surveyor to be in compliance with the approved plans after the floor(s) are completed.

h. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.

i. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils

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engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.

j. Prior to any demolition or issuance of a building permit for the new structure, which was constructed prior to 1985, an asbestos and lead-based paint survey shall be provided to the Town building department for review by the Building Official. If asbestos-containing materials are determined to be present, the materials should be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. If lead-based paint is identified, then federal and state construction worker health and safety regulations should be followed during renovation or demolition activities. If loose or peeling lead-based paint is identified, it should be removed by a qualified lead abatement contractor and disposed of in accordance with existing hazardous waste regulations.

k. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director, who may consult with the town hydrologist at the applicants' expense (a deposit may be required). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to pre-project conditions. Applicants are encouraged to submit a drainage plan designed to produce peak runoff from the site that is the same or less than estimated natural, predevelopment conditions which existed at the site prior to installation of impermeable surfaces and other landscape changes (natural predevelopment rate standard). Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.

l. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.

m. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas.

n. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).

o. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the project and the construction management plan.

p. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.

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q. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.

r. Inspections shall not be provided unless the Town-approved building permit plans are available on site.

s. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).

t. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved. (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.

u. A single geotechnical engineering report, containing all recommended geotechnical design criteria for the project, shall be submitted with the building permit plans for review by the building official. All geotechnical aspects of the proposed project and preliminary development of plans shall continue to be evaluated by the project geotechnical consultant. A letter from the project geotechnical consultant shall be prepared that approves all geotechnical aspects of the proposed site development layout, verifies project geotechnical feasibility, and verifies conformance with the geotechnical consultant's design recommendations.

v. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.

w. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.

x. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.

y. Carbon monoxide alarms shall be provided outside of each dwelling unit sleeping area in the immediate vicinity of the bedroom(s) and on every level of a dwelling unit.

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z. Address numbers at least 4" tall shall be in place adjacent to the front door. If not clearly visible from the street, additional numbers are required. The address numbers shall be internally illuminated or illuminated by an adjacent light controlled by a photocell and switched only by a breaker so the numbers will remain illuminated all night.

aa. A second unit permit is approved for the detached residential unit. The address of the second unit shall be 179A Lagunitas Road.

bb. The applicant shall work with the Public Works Department to repair any road damage caused by the construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment will be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.

cc. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance (copies available at www.townofross.org). If construction is not completed by the construction completion date provided for in that ordinance, the owner will be subject to automatic penalties with no further notice. As provided in the Town of Ross Municipal Code Section 15.50.040, construction shall be complete upon the final performance of all construction work, including: exterior repairs and remodeling; total compliance with all conditions of application approval, including required landscaping; and the clearing and cleaning of all construction-related materials and debris from the site. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

dd. A Grading Permit is required from Department of Public Works for site grading. The applicant shall comply with the requirements of Chapter 15.24 of the Ross Municipal Code

ee. The Public Works Department may require a grading security to be submitted in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.

ff. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The plan shall include a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediments controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls.)

gg. The Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.

hh. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc, are implemented

ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.

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jj. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.

18. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding (“action”) against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in **either case paid for by the applicant and/or owners.**

Council Member Hoertkorn reconvened her position on the Town Council.

16. 34 Poplar Avenue, Variance and Design Review No. 1933

Dante and Mouna Ghilotti, 34 Poplar Avenue, A.P. No. 73-272-05, R-1:B-7.5 (Single Family Residence, 7,500 sq. ft. min lot size), Medium Low Density (3-6 units per acre), Zone A (High Risk Area with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30 year mortgage). Continued public hearing to consider a revised application for design review and variances for the following: 1.) demolition of shed along the south property line; 2.) 254 square foot addition to the residence, including a new bedroom within the required north side yard setback (15 feet required, 2.5± feet proposed) and master bedroom extension partially within the required south side yard setback (15 feet required, 10.5 feet proposed); and 3.) 128 square foot deck and stairs to grade. One new tandem parking space is proposed behind the garage, within the north side yard setback.

Lot Area	7,500 square feet
Existing Floor Area Ratio	2,092 sq. ft. 27.9%
Proposed Floor Area Ratio	2,091 sq. ft. 27.9% (20% permitted)
Existing Lot Coverage	2,545 sq. ft. 33.9%
Proposed Lot Coverage	2,616 sq. ft. 34.9% (20% permitted)
Existing Impervious Surfaces	2,362 sq. ft. 31.5%
Proposed Impervious Surfaces	2,362 sq. ft. 31.5%

Existing residence is nonconforming in setbacks and parking.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the project subject to the findings and conditions outlined in the staff report.

Jared Polsky, architect, believed it is better to leave the historic garage with tandem parking in back. It is better for the site. Widening the garage would take away one on-street parking, so this proposal seems the least obtrusive solution to the parking problem.

Mayor Kuhl opened the public hearing on this item.

X

- 7. **179 Lagunitas Road; Gardenia L.P., Owner; Barbara Chambers, Design Professional; A.P. Number 73-231-17; Zoning R-1:B-A (Single Family Residence, 1 acre min lot size); General Plan Very Low Density (.1-1 units per acre); Flood Zone Zone X (outside special flood hazard area); Draft FIRM Flood Zone: Zone X**

Review of plans that would require Town Council approval of design review, demolition permit and floor area variance for the following: 1.) remodel of each level of existing residence and modifications to roofline and each exterior elevation; 2.) new, detached, three car garage and upper level second unit; 3.) demolition of barn/carriage house and removal of water tank within rear yard area.

Lot Area	45,886 square feet	(1.05 acres)
Existing Floor Area Ratio	8,170 sq. ft.	15.2%
Proposed Floor Area Ratio	7,889 sq. ft.	15.1% (15% permitted)
Existing Lot Coverage	3,706 sq. ft.	8.1%
Proposed Lot Coverage	4,657 sq. ft.	10.2% (20% permitted)
Existing Impervious Surfaces	7,810 sq. ft.	17.0%
Proposed Impervious Surfaces	10,308 sq. ft.	22.5%

Existing residence is nonconforming in height (up to 35 feet tall, 30 feet permitted) and covered parking (1 covered parking space, 2 covered parking spaces required).

Barbara Chambers, project architect, presented the plans and described the window materials. They are upgrading the appearance of the residence and providing a sense of entry to the house. They propose a proper garage and carriage house with a second unit above. Structures in the rear yard would be removed, including the water tank.

Mr. Kelly confirmed that the water tank is proposed for removal.

Jim Kemp thought the garage would be a plus for the property and liked the studio above it.

Eric Soifer was concerned with the height of the second unit. He thought the structure would stand out, based on the story poles. The house is so much further back on the lot. Otherwise he was not concerned with the project.

Chris Neumann was happy to see the tank removed and did not have concerns with the project. Screening would be important. Lagunitas Road is the showcase road of the Town and the landscaping is important as so many walk by the site.

Peter Nelson suggested that they work to reduce the hardscape and screen the garage. The second unit is a positive addition.

8. Adjournment

Chair Peter Nelson adjourned the meeting at 8:15 p.m.

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this landscaping must be 14 ft. high to provide the privacy desired, but that 14 ft. must be maintained. He further stated that it is very clear from the October decision that it is his choice of tree, not the applicants.

Molly Woodring, applicant, pointed out that it is the end of the season and what is available is the podocarpus hedge, which is affordable and provides the privacy desired.

Council Member Hoertkorn has never seen a situation where a neighbor has the right to choose the landscaping, normally it is a condition that screening and landscaping must be provided. Senior Planner Semonian agreed it is an unusual condition. Mayor Kuhl stated that the condition could be revoked if the residents at 55 Poplar cannot make a decision in a reasonable amount of time. Senior Planner Semonian discussed the condition in question and her understanding was not that the neighbor would pick the tree, but that they consult together on a few selections and ultimately it is the property owners decision. However, the Council wanted to provide the neighbors opportunity for input because the choice will have an impact on their privacy and light.

Teri Dowling, Poplar resident, expressed concern for the statement "*a reasonable amount of time.*" She desired the courtesy of time as well. She added that 14 ft. should be the appropriate height of the tree. Senior Planner Semonian clarified that the initial height of the plants may not be 14 ft.

Mayor Kuhl proposed allowing the residents at 55 Poplar the ability to provide their available landscaping option to the Town by October 2nd and then the Woodring's as well as the Town Arborist can review. Mr. Woodring pointed out that the issue is privacy.

There being no further public testimony on this item, the Mayor closed the public portion, and brought the matter back to the Council for action.

Mayor Kuhl asked for a motion.

Mayor Kuhl moved and Council Member Hoertkorn seconded, to revise the landscape condition No. 2 for the project approved for 53 Poplar Avenue, Amendment to Variance No. 1891 to provide: The residents of 55 Poplar will have until October 2nd to nominate an available tree of their choice; likewise the Woodring's will have until October 2nd to nominate an available tree of their choice, and if the two parties are unable to reach an agreement, then the two landscaping nominations will be referred to the Town Arborist to make a decision on what is best for the particular property. Motion carried unanimously.

Council Member Hoertkorn recused herself from the next agenda item to avoid the appearance of a conflict.

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17. **179 Lagunitas Road, Variance, Design Review and Demolition Permit No. 1920**
Gardenia L.P., 179 Lagunitas Road, A.P. No. 73-231-17, R-1:B-A (Single Family Residence, 1 acre min lot size), Very Low Density (.1-1 units per acre), Zone X (outside 1-percent annual chance floodplain). Application for design review, demolition permit, variances and exceptions for the following: 1.) remodel of each level of existing residence and

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modifications to roofline and each exterior elevation; 2.) new, detached, 1,190 square foot three car garage and 960 square foot upper level second unit (700 feet maximum size and single story permitted for second unit without an exception or variance); 3.) demolition of barn/carriage house and removal of water tank within rear yard area; and 4.) landscape improvements including a reconfigured driveway and new 16 foot wide and 6 foot tall auto gate.

Lot Area	45,886 square feet	(1.05 acres)
Existing Floor Area Ratio	6,979 sq. ft.	15.2%
Proposed Floor Area Ratio	7,470 sq. ft.	16.2% (15% permitted)
Existing Lot Coverage	3,706 sq. ft.	8.1%
Proposed Lot Coverage	4,657 sq. ft.	10.2% (20% permitted)
Existing Impervious Surfaces	7,810 sq. ft.	17.0%
Proposed Impervious Surfaces	7,955 sq. ft.	17.3%

Existing residence is nonconforming in number of stories, height and covered parking.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council provide feedback to the applicant on their application and continue the matter to the October Town Council meeting.

Barbara Chambers, architect, indicated that her client loves the location and historic nature, but this property had several poor remodels. Essentially they are trying to bring this house back to its historic appearance. They received positive comments from the Advisory Design Review (ADR) Group. The goals are to restore the house to its original character and historic style. Largely to make sense of this floor plan, particularly upstairs. Another problem with this parcel is the parking garage, which is very awkward. They propose keeping the garage where it is located in order to comply with the setback. Their first attempt was large and since then the garage has been cut in half. They have a three-car garage with a little guest unit. It is not a second unit, if the Council desired a second unit, then the unit would have to be located in the basement.

Mayor Kuhl opened the public hearing on this item.

Zach McReynolds, Lagunitas Road resident, is flabbergasted by the project initially. Placing a large structure in the front of that property seems crazy in his view. If that is living space, it is in the worst location since it is 40 ft. from his bedroom window. It kills him to think they will be able to hear each other. He believed another location would be better than the proposal before the Council. He further added that a one-story garage would be acceptable.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Small thought the FAR was being reduced over the garage. Architect Chambers indicated that it was reduced by half, but the size of the house increased. They wanted to maintain their 15.2% FAR. She further noted that the second unit would be a bonus.

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The Council indicated that a single story garage would be more appropriate, with no living space upstairs. Also, the limit should be 15.2% FAR, if there is no a second unit.

Mayor Kuhl asked for a motion.

Mayor Pro Tempore Brekhus moved and Council Member Small seconded, to continue this matter to the October Town Council meeting. Motion carried unanimously. Hoertkorn recused.

Council Member Hoertkorn reconvened her position on the Town Council. Mayor Kuhl recused himself from the next agenda item in order to avoid the appearance of a conflict.

- 18. 20 Olive Avenue, After-the-fact Amendment to Variance and Design Review No. 1879**
Ezra and Kate Ripple, 20 Olive Avenue, A.P. No. 73-171-09, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre), Zone X (outside 1-percent annual chance floodplain). After-the-fact consideration of amendment to design review and variance plans approved by the Town Council on June 14, 2012. The amendment includes: 1.) reconfiguration of the approved parking area and landscape plan; 2.) construction of a trellis within the east side yard setback (15 feet required, 1 foot proposed) and rear yard setback (40 feet required, 15 feet proposed); and 3.) an outdoor shower area within the rear yard setback (40 feet required, 30 feet proposed).

Lot Area	7,265 square feet
Existing Floor Area Ratio	33.9%
Proposed Floor Area Ratio	31.9% (20% permitted)
Existing Lot Coverage	25.9%
Proposed Lot Coverage	24.0% (20% permitted)
Existing Impervious Areas	68.3%
Proposed Impervious Areas	45.6%

The existing residence and parking structures are nonconforming in setbacks.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council hold a public hearing, and if the modifications are found to be acceptable, approve the modifications subject to the findings and conditions of the June 14, 2012, Town Council project approval.

Ezra Ripple, applicant, explained that he rearranged the geometry of the driveway and decreased the number of pavers, so they decreased the impervious surface. Also, they constructed an enclosure around the outdoor shower. The last item is the trellis, and they planted rose vines to eventually screen the trellis. Neighbors have reviewed and had no objections. He further requested that the Council approve the modifications.

Mayor Pro Tempore Brekhus opened the public hearing on this item, and seeing no one wishing to speak, the Mayor Pro Tempore closed the public portion and brought the matter back to the Council for discussion and action.

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could not communicate effectively with another agency working on the same emergency. Today MERA is a JPA in Marin County to plan, implement and manage a countywide public safety and emergency radio system for the use of all member agencies. MERA went live on January 24, 2004. MERA is connecting 25 member agencies and capable to connect to other agencies and systems. The system is showing its age and there are challenges. The new system must be up and running by 2018. The system is very complex. Regulatory deadlines are ahead and they face a combination of challenges from FCC technical requirements. The new system will improve capacity and coverage. They have a population that demands the highest quality emergency response, and at the same time, the funding has to be reasonable and fair to all communities and users. The next steps include presentations to all MERA members, review feedback and questions. With the Council's help, they hope to continue and improve 911 and safety communications.

Council Member Hoertkorn believed it is very logical that technology would need replacement. She does not question the need for a new system, but how they are paying for this and the amount of time. The cost is less than 1% of the County budget. To get a parcel tax approved, even a minimal amount of money, it seems to be one tax after another and believed this should be absorbed by the County. Town Manager Rob Braulik indicated that this is the preliminary phase and the Managers have yet to discuss this matter.

Council Member Small stressed there must be a significant campaign. The Town's will be paying for the old system and the residents will pay for the new system. One advantage is they will not be limited to one vendor. As Town's struggle to pay their bills, these types of items are just being added to the property tax bill.

Dave Jeffress, MERA representative, explained it is a robust system and the key is the 2018 date. They are talking about replacing a system five years down the road. They want to continue looking for grants. To count on federal and state grants would be foolish. They are trying to identify a funding source that will be stable and as other funding sources become available they can pair down. The newer systems are becoming more software driven. They rely heavily on smartphone and emails, but when there is an incident they must be able to talk to several officers, Highway Patrol, Sheriff and so forth. He further noted that creating that group conversation is the challenge.

Public Hearings on Planning Applications.

Town Attorney Greg Stepanicich left the Town Council meeting at 7:04 p.m. Council Member Hoertkorn recused herself from the next agenda item in order to avoid the appearance of a conflict.

- X
- 12. 179 Lagunitas Road, Variance, Design Review and Demolition Permit No. 1920**
Gardenia L.P., 179 Lagunitas Road, A.P. No. 73-231-17, R-1:B-A (Single Family Residence, 1 acre min lot size), Very Low Density (.1-1 units per acre), Zone X (outside 1-percent annual chance floodplain). Application for design review and demolition permit for the following: 1.) remodel of each level of existing residence and modifications to roofline and each exterior elevation; 2.) new, detached, 750 square foot three-car garage and 650 square foot upper level guest room; 3.) demolition of barn/carriage house and removal of water tank within rear yard area; and 4.) landscape improvements including

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a reconfigured driveway and new 16 foot wide and 6 foot tall auto gate. A variance is necessary for the modifications proposed to the residence, which is nonconforming in number of stories and height. An exception is requested to retain 500 square feet of the lower/basement level for a new second unit (alternatively, the ceiling height of the basement space would be reduced so that the area is not included as floor area).

Lot Area	45,886 square feet	(1.05 acres)
Existing Floor Area Ratio	6,979 sq. ft.	15.2%
Proposed Floor Area Ratio	7,480 sq. ft.	16.3% (15% permitted)
Existing Lot Coverage	3,706 sq. ft.	8.1%
Proposed Lot Coverage	4,000 sq. ft.	8.7% (15% permitted)
Existing Impervious Surfaces	7,810 sq. ft.	17.0%
Proposed Impervious Surfaces	7,955 sq. ft.	17.3%

Existing residence is nonconforming in setbacks, number of stories, height and covered parking.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the project subject to the findings and conditions outlined in the staff report.

Mayor Pro Tempore Brekhus visited the site and it appears from the drawings as if the garage structure is flush with the house, which is not the case. Council Member Russell found the drawing to be very deceptive because the structure is quite foreign from the house.

Barbara Chambers, architect, was sorry that the Council found the drawing deceptive. It is very hard to show depth with a two-dimensional drawing. This project application is basically a historic renovation of an existing residence. They modified their application after the last hearing. They propose an alternate garage location. They studied three locations, which were attached to the back of the Council's packet. They cannot push the garage further without getting into a variance situation. There is no other physical location to place this garage. Since the last application they reduced the size by almost half at 1,400 sq. ft. The garage was lowered by 4 ft. The proposed upper floor plate is under 3 ft. They took a second story off and propose it to be attic space, so it is an attic bedroom and not a full height space. Most of it is not habitable because it goes down to 2 ft. Building a garage with nothing above it would be out of scale and unattractive in their opinion. To address concerns, they removed all windows facing the neighbor. They removed the top of garage and it is now a bedroom suite. The second unit is not their highest priority. The project complies with the zoning code and no variances are requested other than those grandfathered in. The main house floor plan was redesigned. The idea of a structure in front of a house is not new to Ross, three other projects in Town are very similar. They believe they adequately addressed the Council's concerns as well as the neighbors. In the last week they found an alternate solution to address the neighbors concern, which is to take the 600 sq. ft. and make a one-story pool structure.

Mayor Pro Tempore Brekhus desired an explanation in regard to the fire department comments. Architect Chambers explained that in order to get up 12 ft., a long stair and landing is needed, which impacted the fire truck, so they relocated the stair and now have 150 ft. of clearance.

Senior Planner Semonian noted that, if a second unit was not desired, the applicant would reduce the ceiling height of the basement area to eliminate the space from floor area. With the 500 square foot 2nd unit floor area exception, the FAR for the site remains the same. Essentially, they are trading the barn in the back for the garage floor area. They would be happy to put in a second unit or just eliminate it.

Council Member Small added that the Council recommended that it be a one-story garage and they chose to make it a two-story garage. When moved closer to the house, the grade is higher, so now even though the garage is slightly lower it does not look lower. Also, when referencing the other garages, one is a one-story garage at a much lower level and the other structures referenced are also one-story and one was grandfathered in, and not a new structure.

Mayor Kuhl opened the public hearing on this item.

Zach McReynolds, Lagunitas Road resident, pointed out that his feelings from the last meeting have not changed. He felt having the living space on the second story has a profound impact on his quality of life and the reason for the objection. He understands the need for a garage, but objected to living space above the garage.

Council Member Russell asked if the windows on the neighbors side could be removed. Architect Chambers responded that it is possible.

Mayor Pro Tempore Brekhus stated that this continues to be a front yard structure against a setback, which is a concern.

Rich Hoertkorn, Lagunitas Road resident, was not aware of these changes. He appreciated the upgrades. The alternative to the existing garage location would be to place it in the setback. A garage is an attribute and objected to the garage being placed on his side because it would be in the setback. If the living space is compliant and aesthetically pleasing, it is very subjective. He had no objection, but it is not next to him and further reiterated that the structure should not be in the setback.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Mayor Pro Tempore Brekhus asked staff if other neighbors are located near the pool house. Senior Planner Semonian noted that the Delong's are very close to the pool structure, but they are currently on vacation. The 6 Woodside owner had no objection to the structure. Mayor Pro Tempore Brekhus believed the pool house structure would just require notice. Senior Planner Semonian noted that it might block sound, so it is hard to say if they would have an objection if well screened.

Mayor Pro Tempore Brekhus objected to the front yard garage structure. All the designs have been very beautiful, but when visiting the site it appears very different. This is a huge lot and does not understand why the garage is located in the front yard. She is very torn about this project.

Council Member Small noted difficulty with the garage in the front yard. She can support a one-story garage as low as possible. She must review the design to see what is absolutely necessary. She also desired a second unit because this is an opportunity to help meet their state mandate. She expressed concern for the tree located in the front yard, but she was told the tree is failing and in poor condition. She favored a one-story garage with the second unit under the house. She wanted to review the design and story poles of a one-story garage as well as the layout of the driveway. Senior Planner Semonian noted that the driveway is very similar, it just cuts in closer to the tree. All work will occur under the supervision from an arborist. Part of the parking area is in the setback, which would be removed and the area in front of the house will become wider and part of the parking area adjacent to the McReynolds would be removed and regarded.

Council Member Small stated that they have been very strict about impervious surface, so the impervious surface should be maintained at 17%, not 17.3%.

Mayor Pro Tempore Brekhus objected to the garage located in the front yard. She must review the detail of the garage and home to really be able to judge this application. It is hard to visualize the end result. She reiterated that she is very torn with this project in terms of the front yard garage.

Senior Planner Semonian suggested approving the design and location of the garage, but require the design of the garage to return.

Mayor Kuhl is inclined to approve the house and continue to design the garage without the living space and pool house. Council Member Small will not support a two-story garage in the front yard. Mayor Kuhl believed the solution is to approve the house itself and require notice and then come back to the Council with plans on the garage with no living space and pool house in the back yard.

Council Member Russell desired a drawing that reflects the actual appearances in terms of the position of the garage.

Senior Planner Semonian suggested denying the garage structure as proposed, but approve the location and require the plate height to be reduced at least by 2 ft., 10-in., so it is a standard garage size with the design to return for the Council's review. The Council may indicate that a building permit cannot be issued for the main house project until there is approved covered parking for the site.

Janelle Hobart, landscaper, stated that the tree is in good condition and protective measures will be taken by the arborist. She further noted that the tree will remain in good health after the project is complete.

Mayor Kuhl asked for a motion.

Council Member Small moved and Council Member Russell seconded, to approve 179 Lagunitas Road, Variance, Design Review and Demolition Permit No. 1920 with the following

modifications: eliminate Item. No. 2 under the description; include the second unit to be located in the basement of the main house; the impervious surface percentage should not increase; include all other conditions and findings outlined in the staff report; and that a building permit shall not be issued for the modification of the residence until covered parking is approved. Motion carried 3:1:1. Brekhus opposed/Hoertkorn recused.

179 Lagunitas Road Conditions:

The Town Council approves the modifications proposed to the residence based on the findings in the staff report and the following conditions of approval, which shall be reproduced on the cover sheet of the plans submitted for a building permit:

1. The garage is not approved as proposed. A plan for covered parking must be approved prior to issuance of a building permit for the project.

2. The project is limited to 15.2% floor area. An exception from the floor area regulations is granted to permit up to 500 additional square feet for a second unit at the lower level of the residence. The project shall comply with Ross Municipal Code Section 18.42.065 prior to project final.

3. Except as otherwise provided in these conditions, the project shall comply with the plans approved by the Town Council on October 10, 2013. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.

4. No gates are permitted to provide access to the adjacent private driveway unless the applicant has legal access to use the driveway.

5. Impervious surfaces shall be limited to existing conditions. Pervious surfaces shall not be converted to impervious surfaces, even after project final, without prior Town Council approval.

6. Applicants may be required to return for additional Town Council review, which requires payment of additional application fees, for any roof projections that are not identified on the plans submitted for Town Council review. Where a roof area is visible from off site, roof projections shall be located to minimize their appearance. Exposed galvanized material is discouraged. All vents and flue pipes shall utilize a finish to blend into adjacent surfaces. If possible, vents may be concealed from view in forms compatible with the structure. Vents for cooking appliances should be located or directed to avoid noise and odor impacts to adjacent sites and shall be located out of required setback areas.

7. The plans submitted for the building permit shall detail the gutter and downspout design, and location for review and approval by the Town. Applicants may be required to return for additional Town Council review, which requires payment of additional application fees, for any gutters or downspouts that are not identified on the plans submitted for Town Council review. A specification sheet shall be provided and the proposed color and finish material shall be specified. Downspouts should be located to minimize their appearance from off site locations. Gutters and downspouts should have a finish to blend into adjacent surfaces or underlying trim. Exposed galvanized material is not permitted.

8. Exterior plumbing shall be removed and replaced with plumbing within the walls of the structure.

9. Landscaping shall be installed in substantial conformance with the approved landscape plan prior to project final. The Town staff reserves the right to require modifications to the landscape to protect mature trees and to comply with MMWD water conserving landscape requirements or fire code clearance requirements. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.

10. A tree protection plan for all protected trees on or near the project site is required with the building permit application. The plan shall comply with the requirements of Ross Municipal Code Section 12.24.100. The applicants'/project arborist shall review the final construction-level drawings and landscape plans, including civil, structural, grading, drainage, irrigation and utility plans (arborist should note the dates of the plans reviewed). The arborist shall review the construction management plan including all paths that will be used for equipment, grading and off haul. All tree protection conditions recommended by the project arborist shall be included on all relevant sheets of the building permit plans to ensure compliance with the arborist recommendations. The plan shall include a schedule of when the consulting arborist should inspect the site or be present for activities such as trenching in the tree protection area. The applicant shall submit a deposit to cover the cost of town arborist review of the Tree Protection Plan and periodic site inspections.

11. Tree protection fencing and other tree protections, such as mulch, steel plates or other protection against compaction around un-fenced trees, shall be installed prior to building permit issuance as recommended by the project arborist on the tree protection plan. Tree protection fencing shall be constructed of sturdy material and identified with signs that include the words, "tree protection fence" and "do not remove without permission from the Town of Ross." The project arborist shall inspect the site prior to issuance of a building permit to determine if tree protection fencing has been properly installed and shall submit written confirmation to the town planner that the tree protection is in place prior to building permit issuance.

12. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.

13. Any exterior lighting shall be included on plans submitted for the building permit and is subject to the review and approval of the town planner. Lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and pattern of light and eliminate spill light to neighboring properties or a glowing night time character.

14. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54).

15. Applicants shall comply with all requirements of PG&E prior to project

final. Letter or email confirming compliance shall be submitted to the building department prior to project final.

16. The applicant shall comply with all requirements of the Marin Municipal Water District (MMWD) for water service prior to project final including compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 - Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1559. For questions contact Joseph Eischens, Engineering Technician, at (415) 945-1531. Letter or email confirming compliance shall be submitted to the building department prior to project final.

17. Applicants shall comply with the following requirements of the Ross Valley Sanitary District No. 1 prior to project final: since this project involves an extensive demolition and rebuild, the Ross Valley Sanitary District (415) 259-2949 will require a connection permit from the District. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirement of the fixture count, the applicant has the option of installing a new lateral or the old sewer lateral needs to be tested in the presence of a District Inspector and found to meet all current District requirements. Sanitary District No. 1 will place a hold on the property once the building permit is issued. This hold prevents the new building from being released for occupancy until the District's permit and sewer requirements are fulfilled. It is the owner's responsibility to obtain a sewer connection permit from this office and meet all District requirements pertaining to the private side sewer/lateral prior to project final. Letter or email confirming compliance shall be submitted to the building department prior to project final.

18. The project shall comply with the Fire Code and comments of the Ross Valley Fire Department (RVFD) in the memo dated August 30, 2013.

19. Based on the scope of the project, the Town shall require sprinklers to be installed in the structures.

20. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance (copies available at www.townofross.org). If construction is not completed by the construction completion date provided for in that ordinance, the owner will be subject to automatic penalties with no further notice. As provided in the Town of Ross Municipal Code Section 15.50.040, construction shall be complete upon the final performance of all construction work, including: exterior repairs and remodeling; total compliance with all conditions of application approval, including required landscaping; and the clearing and cleaning of all construction-related materials and debris from the site. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

21. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding (“action”) against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to

October 10, 2013 Draft Minutes

set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

Council Member Hoertkorn reconvened her position on the Town Council. The Council took a short recess at 8:03 p.m. and then reconvened at 8:10 p.m. with the next agenda item.

13. 34 Poplar Avenue, Variance and Design Review No. 1933

Dante and Mouna Ghilotti, 34 Poplar Avenue, A.P. No. 73-272-05, R-1:B-7.5 (Single Family Residence, 7,500 sq. ft. min lot size), Medium Low Density (3-6 units per acre), Zone A (High Risk Area with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30 year mortgage). Application for design review and variances for the following: 1.) demolition of shed along the south property line; 2.) 254 square foot addition to the residence, including a new bedroom within the required north side yard setback (15 feet required, 2.5± feet proposed) and master bedroom extension partially within the required south side yard setback (15 feet required, 10.5 feet proposed); and 3.) new 323 square foot deck with stairs to grade.

Lot Area	7,500 square feet
Existing Floor Area Ratio	2,092 sq. ft. 27.9%
Proposed Floor Area Ratio	2,091 sq. ft. 27.9% (20% permitted)
Existing Lot Coverage	2,767 sq. ft. 36.9%
Proposed Lot Coverage	3,101 sq. ft. 41.4% (20% permitted)
Existing Impervious Surfaces	2,362 sq. ft. 31.5%
Proposed Impervious Surfaces	2,634 sq. ft. 35.1%

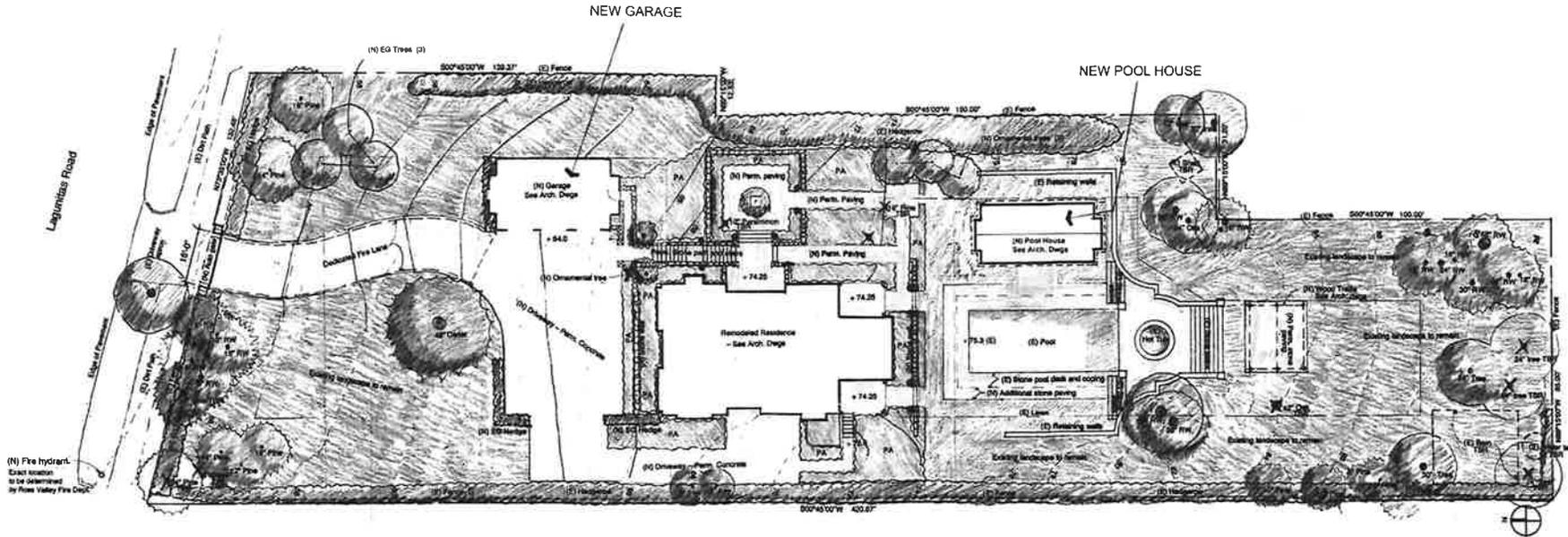
Existing residence is nonconforming in setbacks and parking.

Senior Planner Elise Semonian summarized the staff report and recommended that the Council continue the project to reduce lot coverage and increase onsite parking by one space as outlined in the staff report. Correspondence has been received in support of the project as well as a concern for an existing window.

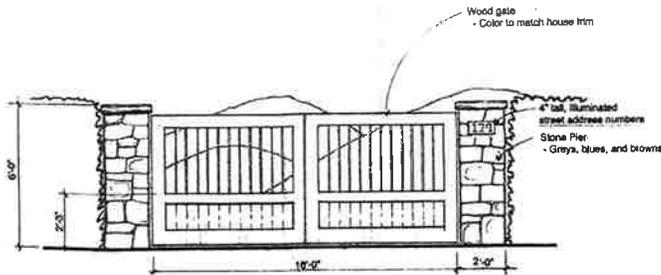
Mouna Ghilotti, owner, explained that they want to maintain the charm and privacy of the home. They propose a minor addition to the master bedroom. It will stay within the scale and charm of the house. It is a street to street lot and the reason for the decking is that it must be elevated to give that needed livability. All neighbors feel the scale is acceptable. All neighbors do not believe there is a parking problem. Another option is to push the garage back, but some of the cypress trees must be removed, so screening would be lost. She argued that off street parking is not needed and she rather not lose the charm of the property. In terms of the deck, it allows the property to have outdoor living space. In regard to the window, it is an existing window and once the shrubs grow back that window will not be an issue.

Mayor Kuhl opened the public hearing on this item.

Town Council Approved Plans for House, Garage, Pool house and 2nd unit



(N) Fire hydrant. Exact location to be determined by Rose Valley Fire Dept.



Legend

- (E) Existing
- (N) New (Proposed)
- PA Planting Area
- Existing tree
- ✕ Existing Tree to be removed - 7 Shown Above
- Low-voltage path light location
- + Spot elevation
- - - Existing deer fencing
- - - Building setback line
- TBR To be removed
- EG Evergreen
- Perm. Permeable



Landscape Path Lighting FX Luminaire

GENERAL NOTES:

1. THIS DRAWING IS FOR PLANNING APPROVAL ONLY. NOT FOR CONSTRUCTION
2. PATH LIGHTING IS TO BE DOWNWARD DIRECTED TO PREVENT GLARE.
3. SURVEY INFORMATION BY: J. L. ENGINEERING, CIVIL ENGINEERS.
4. ALL SPOT ELEVATIONS ARE FOR DESIGN INTENT ONLY. NOT FOR CONSTRUCTION

REVISIONS	BY

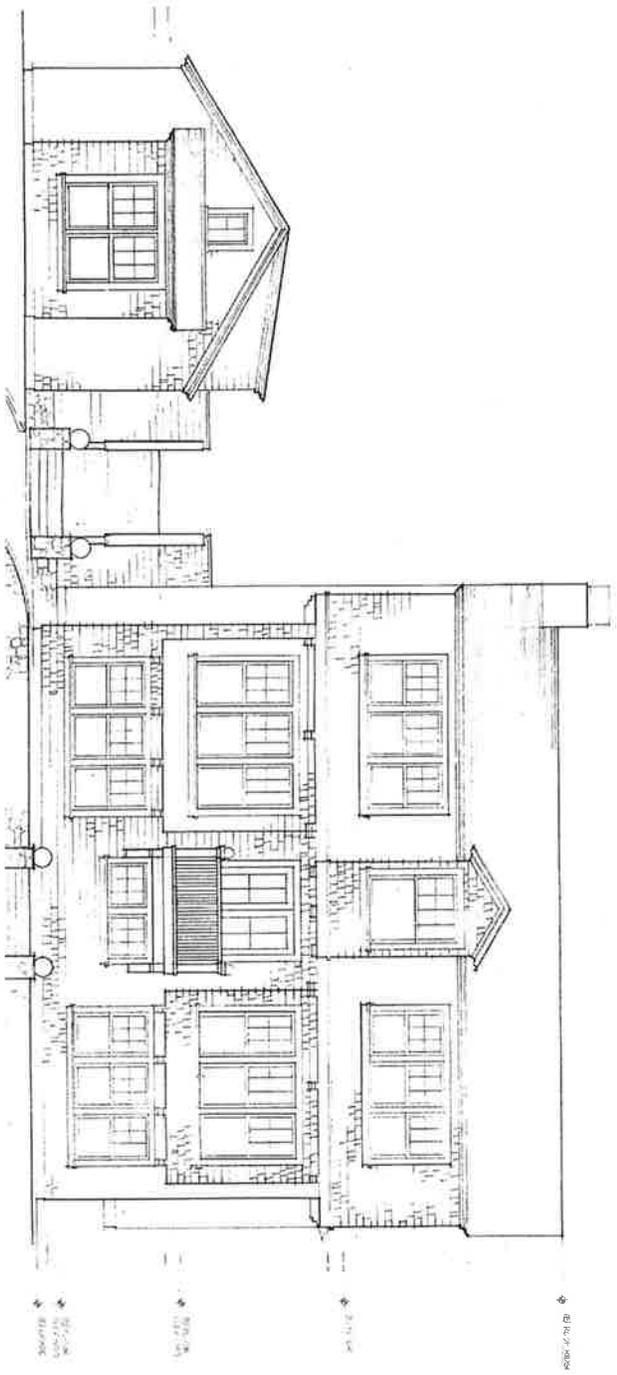
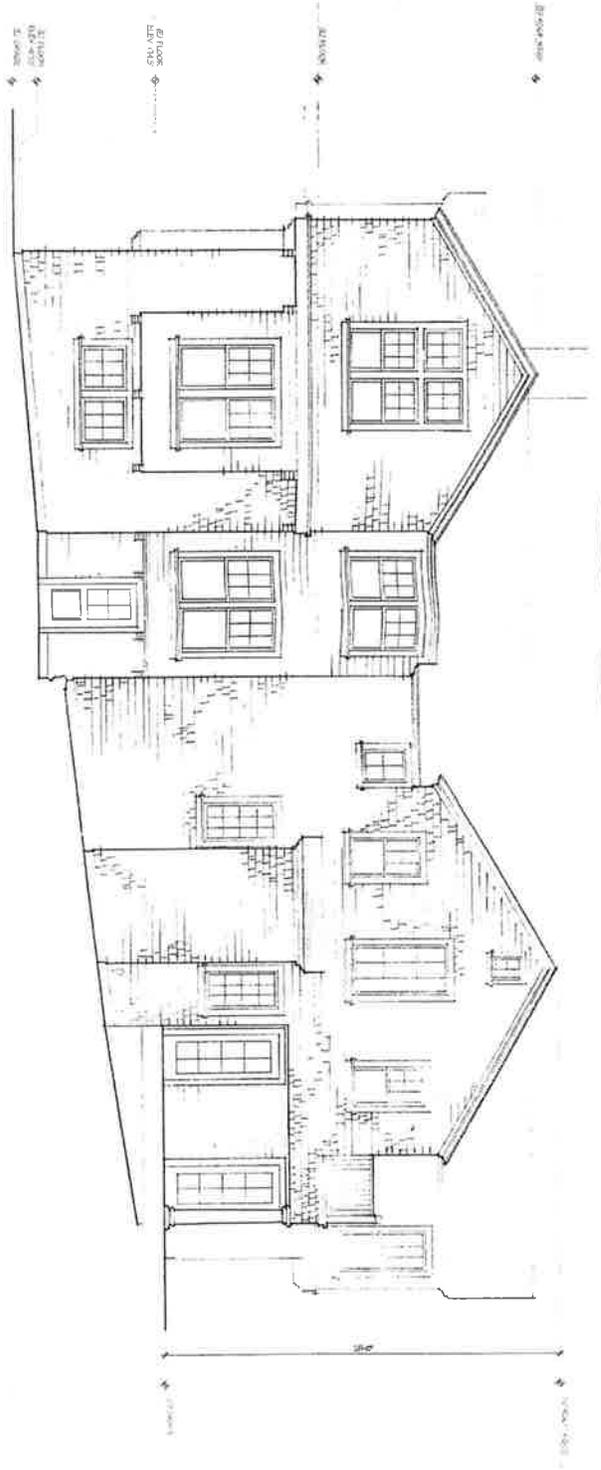
DENLER HOBART GARDENS LLC
 ROSS, CA 94067
 T: 415.516.1683
 F: 415.454.6353

Landscape Plan

Gardenia LP Project
 179 Lagunitas Rd
 Ross, California

APN: 073-231-17
 Date: 9-27-13
 Scale: 1/16"=1'-0"
 Title: _____

2
A3.1
MAIN HOUSE WEST ELEVATION - APPROVED 10-10-13
SCALE 1/8" = 1'-0"



chambers
+
chambers

4400 Wilshire Avenue
Culver City, CA 90230
Tel: 310.206.1111
www.chambersplus.com

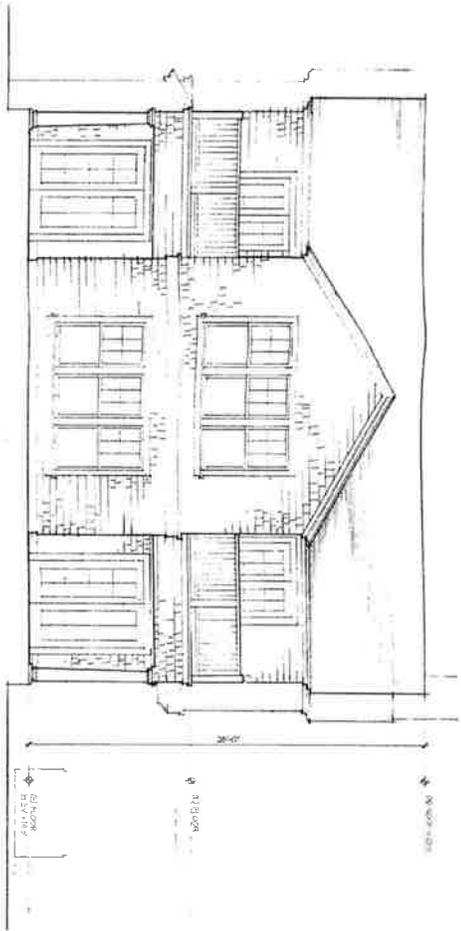
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GARDENIA L.P. RESIDENCE
179 LAGUNITAS ROAD
ROSS, CA 94957

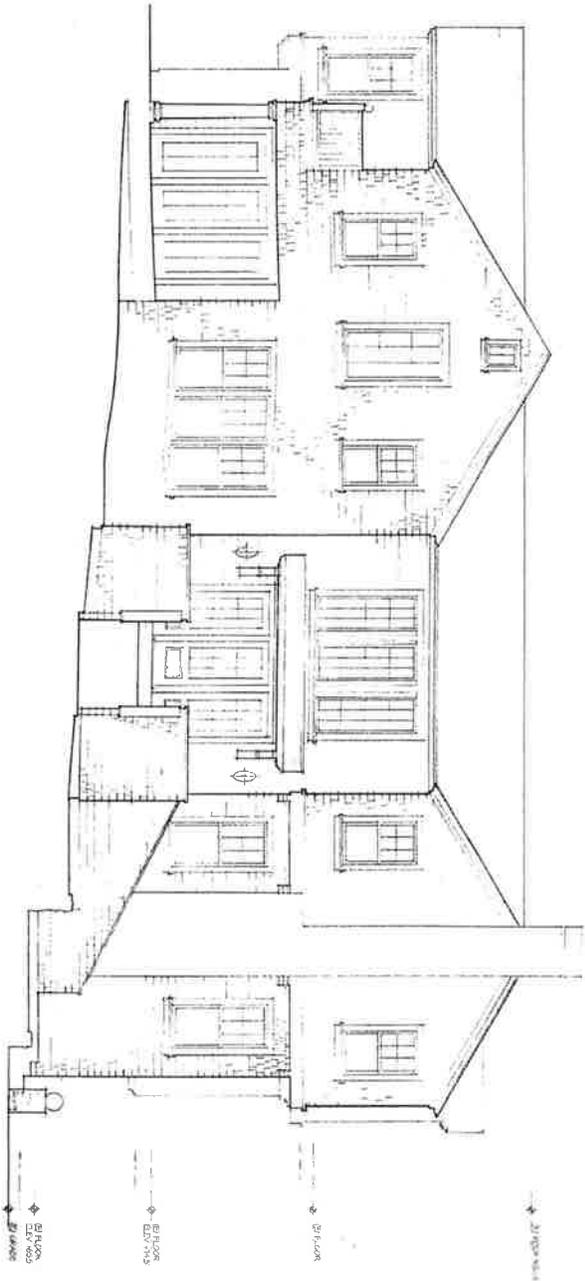
APP # 072420137
DATE: 10/10/13
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

EXTERIOR
ELEVATIONS -
PROVIDED
MAIN HOUSE

A3.1

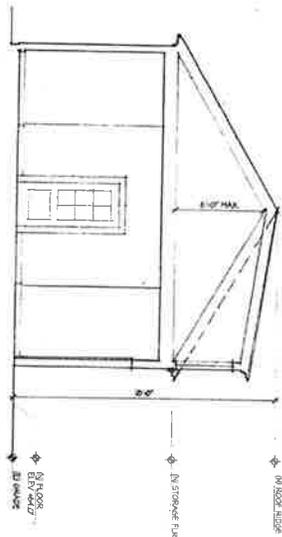


2 MAIN HOUSE SOUTH ELEVATION - APPROVED 10-10-13
 A32 SCALE: 1/4" = 1'-0"

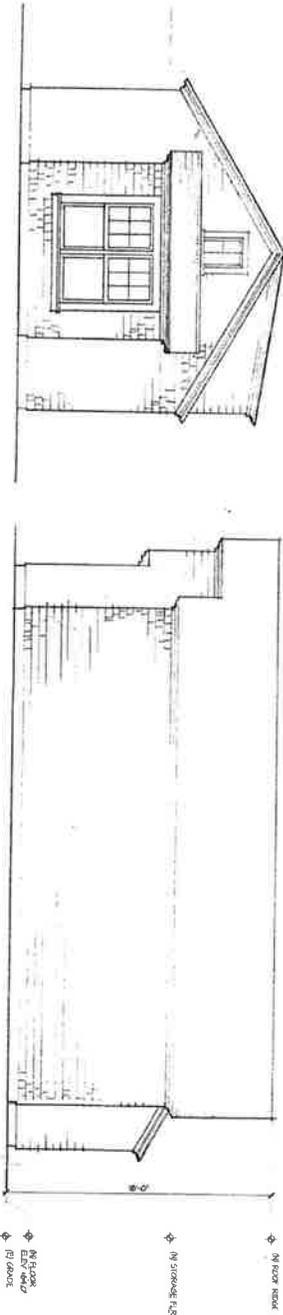


<p>chambers + chambers</p> <p>400 Miller Avenue California 94011</p> <p>101.100.0000</p>	<p>GARDENIA L.P. RESIDENCE 179 LAGUNITAS ROAD ROSS, CA 94957</p>	<p>DATE: 07/25/17 DRAWN: ADR CHECKED: DR/DAVID PROJECT: 179 LAGUNITAS SHEET: 2 OF 2</p> <p>EXTERIOR ELEVATIONS- PROPOSED MAIN HOUSE</p> <p>A 3 3</p>
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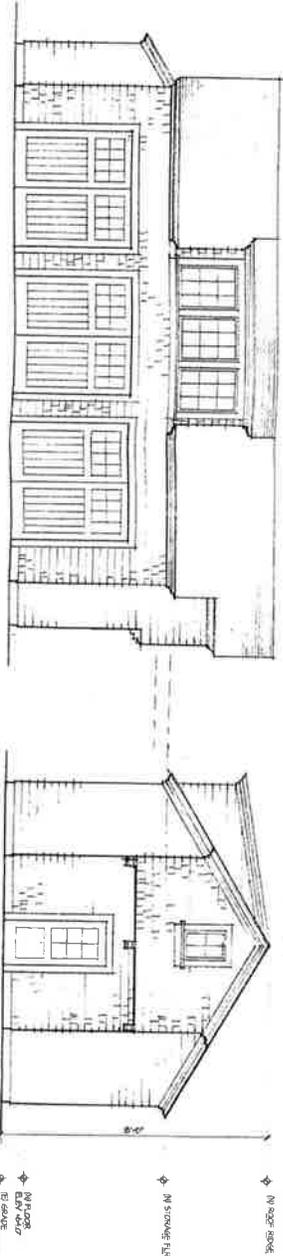
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3 PROPOSED GARAGE SECTION
SCALE: 1/4" = 1'-0"



2 PROPOSED GARAGE ELEVATIONS - NORTH & EAST
SCALE: 1/4" = 1'-0"



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+
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California 94581
925.348.0000
www.chambers.com

GARDENIA L.P. RESIDENCE
179 LAGUNITAS ROAD
ROSS, CA 94957

EXTERIOR
ELEVATIONS &
SECTION -
GARAGE

DATE: 05/11/2010
DRAWN BY: J. GARDNER
CHECKED BY: J. GARDNER
DATE: 05/11/2010
DESIGNED BY: J. GARDNER
DATE: 05/11/2010

4 - PLAN SECTION
1 - SECTION
1 - ELEVATION
1 - FLOOR PLAN
1 - WALL ELEVATION

200% SCALE DIMENSION INDICATED

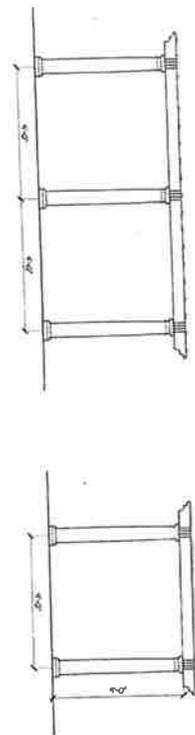
N - NORTH

D - APPROVED

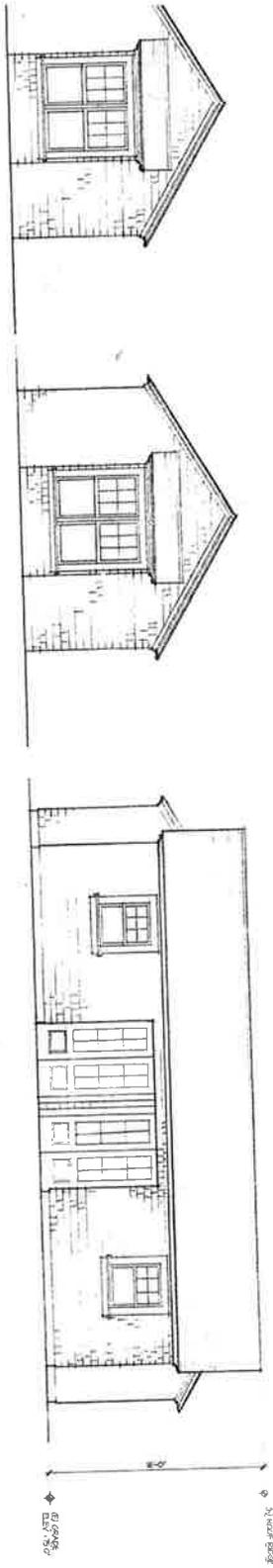
S - SECTIONED

M - MODIFIED

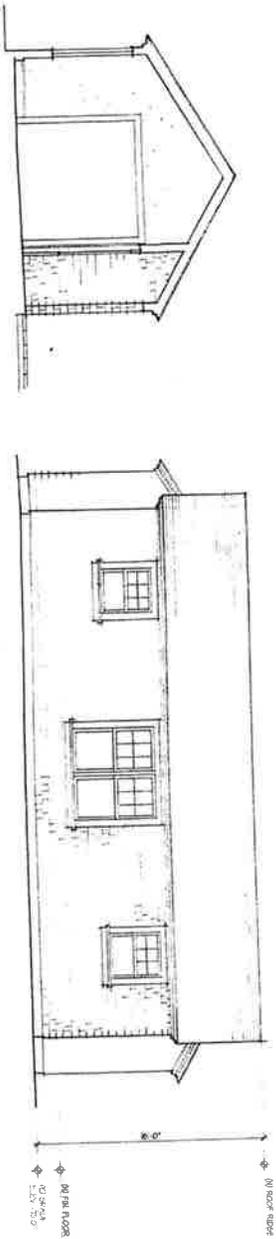
BY: J. GARDNER



3 PROPOSED GARDEN TRELLIS ELEVATIONS
SCALE: 1/4" = 1'-0"



OSIED POOL HOUSE ELEVATIONS - NORTH, SOUTH & WEST
SCALE: 1/4" = 1'-0"



1 PROPOSED POOL HOUSE SECTION AND EAST ELEVATION
SCALE: 1/4" = 1'-0"

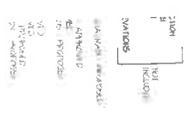
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2200 Laguna Avenue
Red Bluff, CA
California 95711
415.851.8126
www.chambersarchitect.com

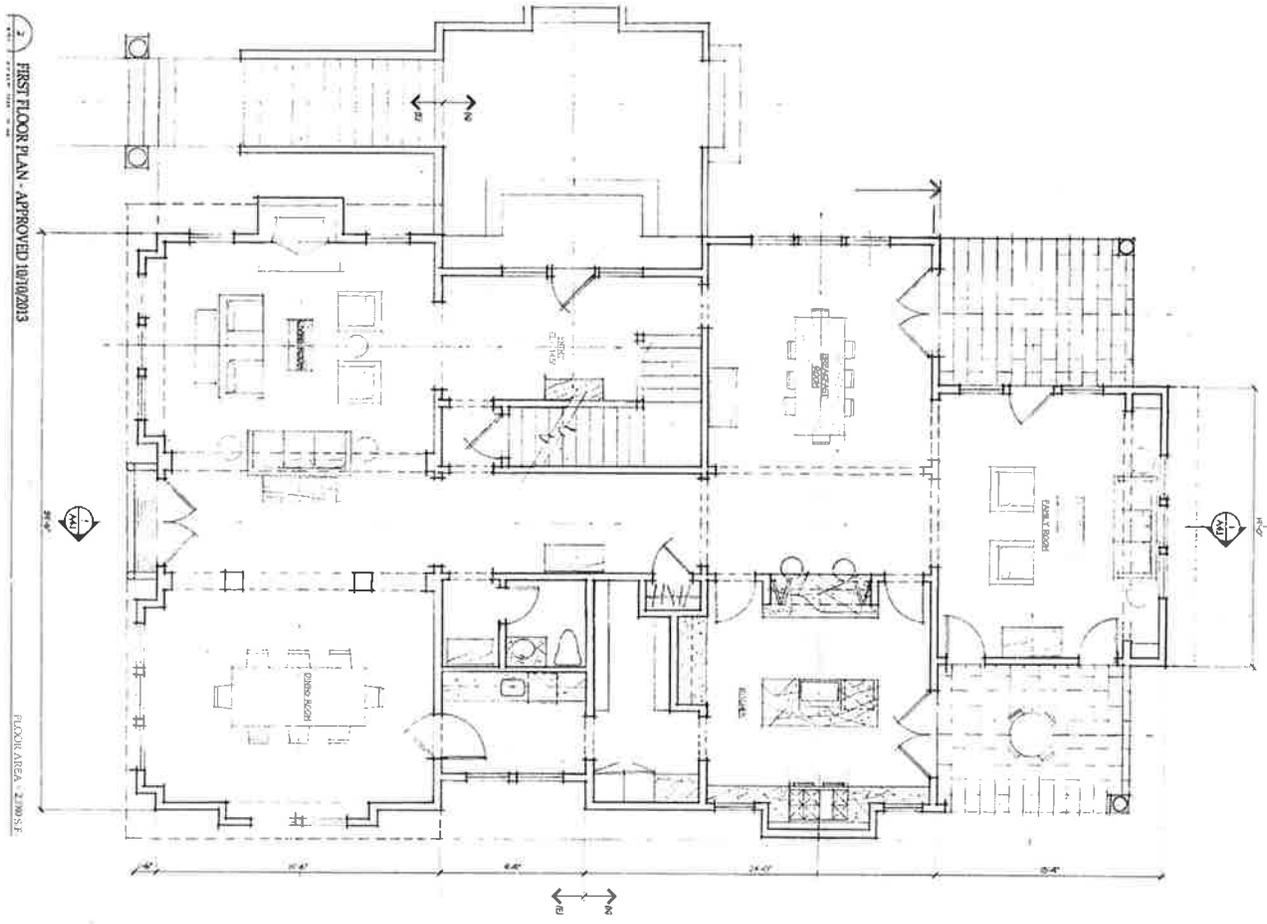
GARDENIA L.P. RESIDENCE
179 LAGUNITAS ROAD
ROSS, CA 94957

DATE: 10/25/2017
DRAWN BY: [illegible]
CHECKED BY: [illegible]
PROJECT: [illegible]

EXTERIOR
ELEVATIONS &
SECTION -
POOL HOUSE

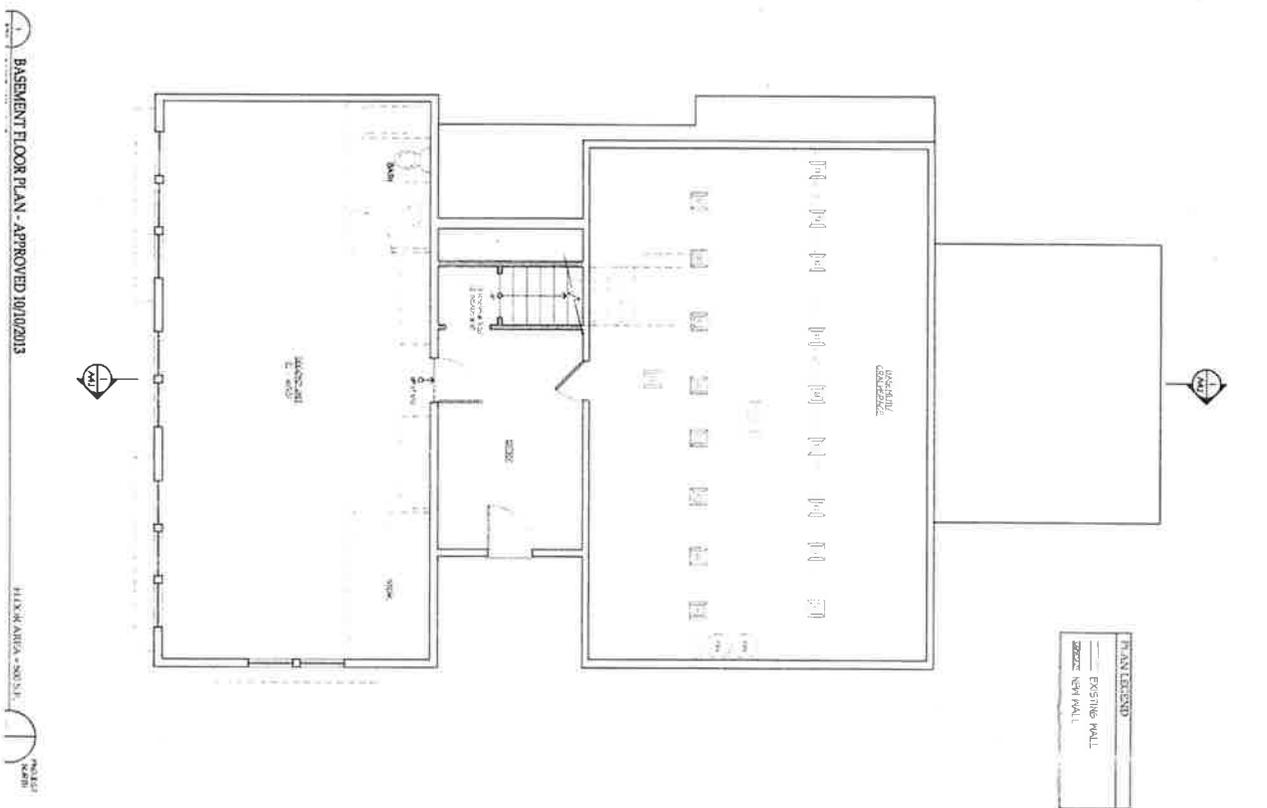
A3.4





2 FIRST FLOOR PLAN - APPROVED 10/10/2013

FLOOR AREA - 2300 S.F.



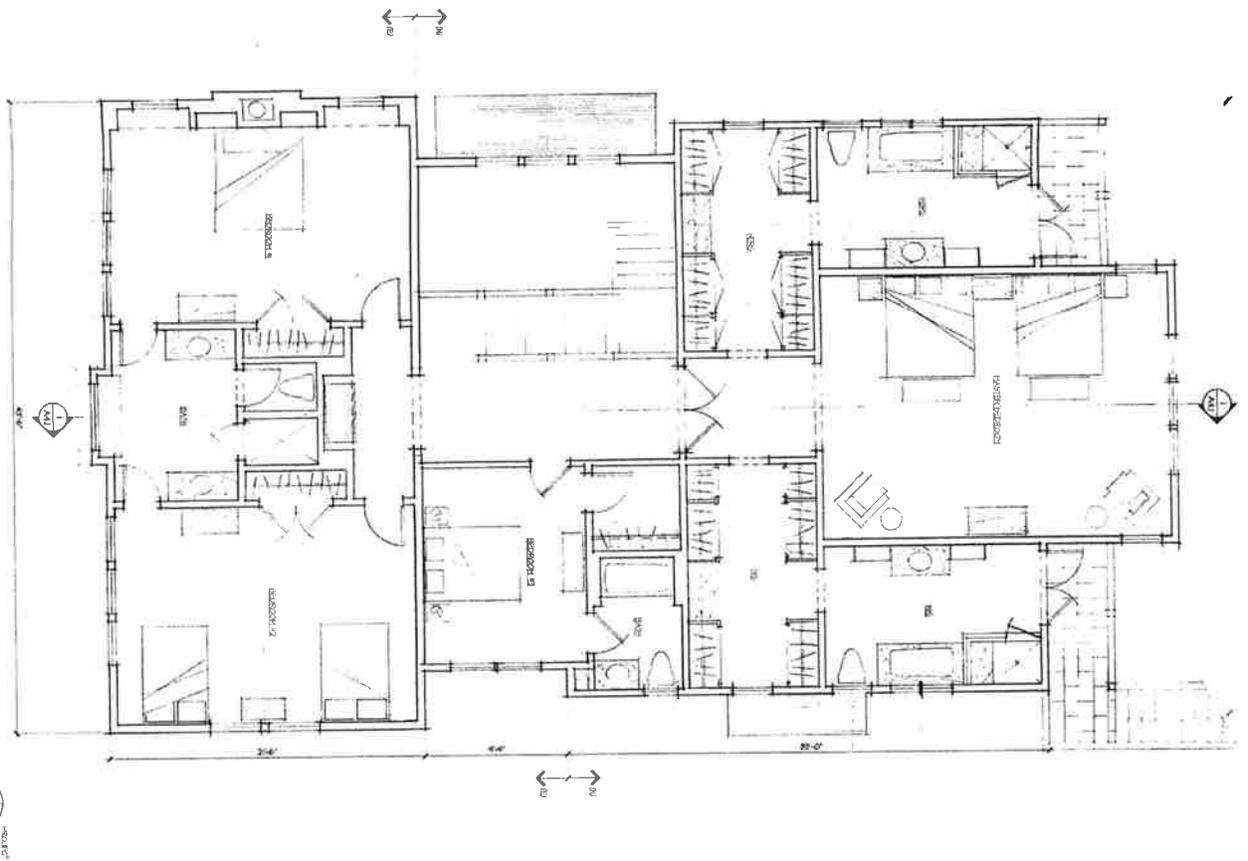
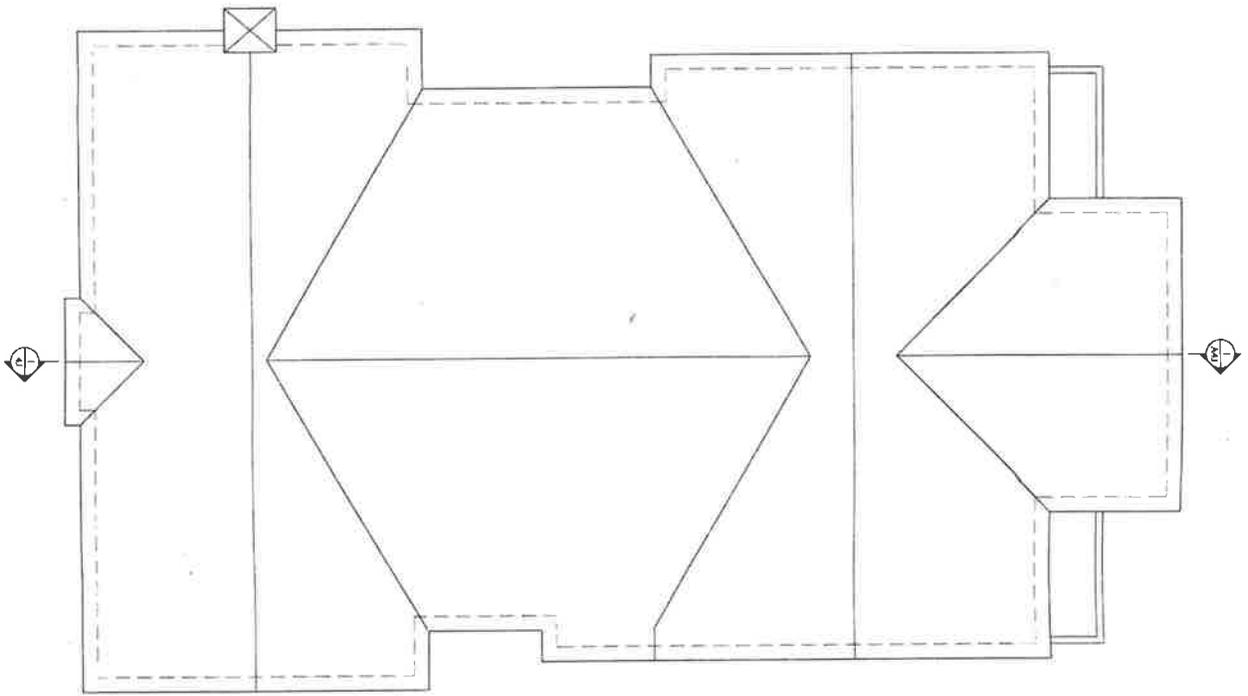
1 BASEMENT FLOOR PLAN - APPROVED 10/10/2013

FLOOR AREA - 800 S.F.

FRONT ELEVATION
 EXISTING WALL
 NEW WALL

<p>chambers + chambers</p> <p>430 Miller Avenue Culverton, CA 94931 415.461.6533 chambersandchambers.com</p>	<p>GARDENIA L.P. RESIDENCE 179 LAGUNITAS ROAD ROSS, CA 94957</p>		<p>DATE: 08/08/12 DRAWN: J. GARDNER CHECKED: J. GARDNER PROJECT: RESIDENTIAL</p>
	<p>AP # 071-231-17</p>		<p>PROPOSED BASEMENT FLOOR PLAN, PROPOSED FIRST FLOOR PLAN</p>

A2.1



<p>A2.2</p>	<p>PROPOSED SECOND FLOOR PLAN, PROPOSED ROOF PLAN</p>	<p>GARDENIA L.P. RESIDENCE 179 LAGUNITAS ROAD ROSS, CA 94957</p>	<p>CHAMBERS + CHAMBERS ARCHITECTS 415 S. G ST. SUITE 200 SAN FRANCISCO, CA 94107 TEL: 415.398.2800 WWW.CHAMBERSARCHITECTS.COM</p>	<p>THIS DOCUMENT IS THE PROPERTY OF CHAMBERS + CHAMBERS ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CHAMBERS + CHAMBERS ARCHITECTS. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS STRICTLY PROHIBITED. CHAMBERS + CHAMBERS ARCHITECTS ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DOCUMENT.</p>
	<p>DATE: 08/20/17 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]</p>			

Ross Town Council
PO Box 320
Ross, CA 94957

September 4, 2014

Re: 179 Lagunitas – Town Council Public Hearing September 11, 2014

Dear Members of the Ross Town Council:

We are a contiguous property owner to the proposed project at 179 Lagunitas Road. I am writing to offer our support for this project and hope that the owner receives the support of the Council as well.

It has been disheartening for many of us in town to see an unprecedented number of historic homes demolished in the past few years. We are grateful to the Weiner's for choosing to renovate, remodel and save this home, keeping a part of the historic fabric of Ross intact. I am sure that it would have been far less costly for them to scrape the property and construct a new home, than it will be for them to do a restoration and remodel. They are to be thanked and supported.

The owner has made every effort to listen to the concerns of each neighbor bordering her property. She has tried to be responsive to not only these concerns, but also to the recommendations and directives of the Town. She wants to be both a good neighbor and member of the Ross community, and wants to make a beautiful home for her family to enjoy for a long time.

The architect chosen for this project is an excellent one. The final project will be one that fits well in the community and respects the historic nature of the current home. We hope that you will approve their plans.

Thank you,

Martha Kelly
PO Box 396
Ross, CA 94957
mkellyarchitect@comcast.net

cc: Elise Semonian, Janet Weiner