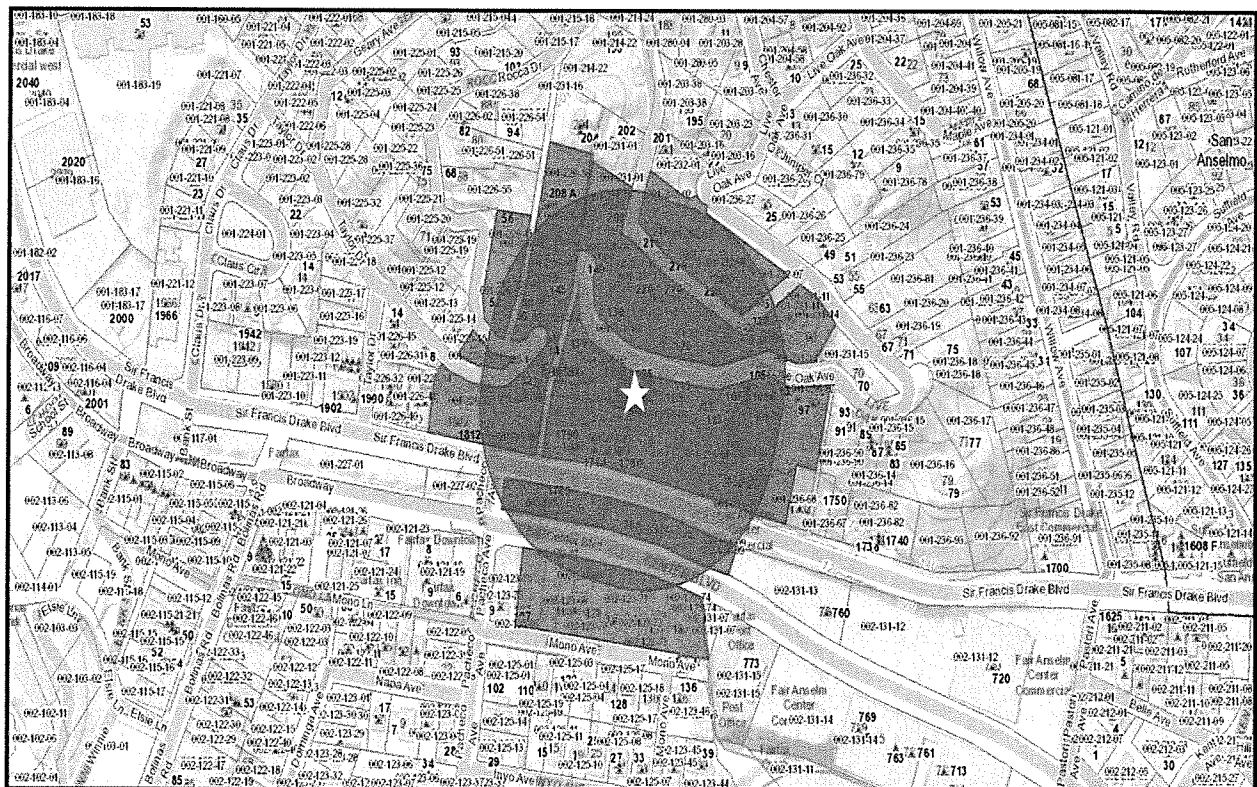


**TOWN OF FAIRFAX
STAFF REPORT
Department of Planning and Building Services**

TO: Fairfax Planning Commission
DATE: June 21, 2018
FROM: Linda Neal, Principal Planner
LOCATION: 125 Live Oak Avenue; Assessor's Parcel No. 001-236-03
PROJECT: Modification of a previously approved Hill Area Residential Development (HRD) Permit
ACTION: HRD Modification; Application # 18-09
APPLICANT: Steve Hall
OWNER: H. and A. Home Solutions, Inc.
CEQA STATUS: Categorically exempt, § 15301(a)



125 LIVE OAK AVENUE

BACKGROUND

The 4,900 square-foot site slopes down from Live Oak Avenue at an average rate of 50%. The site was developed with a 1,689 square-foot, 3 bedroom, 2 bathroom residence in 1962.

On February 16, 2012, the Town issued a demolition permit to allow limited exploratory demolition to enable the owner to determine the extent of reconstruction necessary in order to remodel the structure and abate violations that included construction done without permits by the previous owner. No subsequent permit was every filed to perform additional work on the structure.

In August 2012 a previous owner submitted an incomplete Hill Area Residential Development Permit application which he then withdrew in October 2012.

In May 2014 the Building Official performed a resale inspection of the property documenting that extensive work had been done to the house that exceeded the exploratory demolition permit issued in 2012. The entire interior of the house had been gutted and excavation had occurred beneath the building. The resale report advised prospective buyers that in order to re-establish a single-family residence on the site a Hill Area Residential Development permit and possibly other discretionary permits would have to be approved by the Town of Fairfax.

In May 2015 a subsequent owner applied for a Hill Area Residential Development permit to finish the work started by the previous owner which constituted a 50% remodel. Issues that delayed the application being deemed complete for 2-years included the Ross Valley Fire Department requirement for a fire truck pull-out, the need for an accurate and complete recorded topographic survey for the site, the need for the plans to include repair of existing drainage facilities, and the need for the Town to have adequate information to determine that the unpermitted excavation underneath the house had not destabilized the structure or the site.

This application was deemed complete on April 7, 2017 and the Planning Commission approved a Hill Area Residential Development Permit for the 50% remodel/expansion project on July 26, 2017. The approval increased the residence square footage from 1,689 square- feet (2 bedrooms, 2 bathrooms) to 1,810 square-feet (3 bedrooms, 3 bathrooms). The fire truck pull-out was finally approved by Ross Valley Fire within the driveway apron in front of the duplex at 130 Live Oak Avenue, with the approval of owners on both sides of the street.

DISCUSSION

The owner is now requesting a modification of the previous Hill Area Residential Development Permit to expand the 25.5 foot eastern length of the front wall 3 feet towards the front property line, to be flush with the western portion of the front of the building. The entire structure would maintain a 9 to 9.5 foot setback from the front

property line in compliance with the front setback regulation that requires a minimum 6 foot front setback [Town Code § 17.084.070(B)(1)]. The proposed expansion would increase the 1,810 square-foot, 3 bedroom, 3 bathroom, residence to a 1,922 square-foot, 3 bedroom 2 ½ bath residence. The expansion would provide an additional 112 square feet of space (56 square feet of living space and 56 square-feet of garage) at the front of the structure, allow the stairway to be relocated thus providing more living space in the kitchen, living room and den/office, and additional space in the garage.

The proposed modification includes relocating the master bedroom, walk-in closet and bathroom to the upper level of the residence from the lower level where the view and light is impinged upon by the overhanging upper deck,. The proposed expansion remodel includes changing one of the two lower floor bathrooms into a laundry room, the relocation of the 2nd and 3rd bedrooms from the upper floor to the lower floor, and installation of an additional lower level closet.

Exterior changes include the following:

1. Replacement of the traditional French door in the den/office with a sliding “french” door and relocation of the two windows in the western lower level of the structure so that each of the proposed bedrooms has its own window.
2. Five clerestory windows on the lower level, in the northern walls of the bathroom and laundry room, to allow natural light into the spaces (windows will face the hillside below Live Oak Avenue between the house and the improved roadbed).
3. Replacement of one fixed window with three clerestory windows in the northern wall of the upper level master bathroom to allow in natural light (the adjacent room used to be a bedroom).
4. Replacement of the fixed bedroom window on the upper floor southern wall with a sliding glass door.
5. A redesigned front entryway replacing the previously approve “pillar” style roof supports with 42 inch tall partial walls and smooth support posts to create a partially enclosed entry space with siding to match the rest of the house.
6. One of the windows on the western side of the upper floor, in a room which was previously approved as a bathroom and is now being proposed as the master bedroom closet, has been eliminated.

The development would comply with the Residential RD 5.5-7 Zone regulations as follows:

	Front Setback	Rear Setback	Combined Front/rear Setback	Side Setbacks	Combined Side Setbacks	FAR	Lot Coverage	Height
Required/ Permitted	6 ft.	12 ft.	35 ft.	5 ft. & 5 ft.	20 ft.	.40	.35	35 ft., 3 stories
Previously approved	9 ft.	22 ft.	29 ft.	6 ft. & 15.5 ft.	21.5 ft.	.40	.20	35.8 ft., 2 stories
Proposed	No change	No change	No change	no change	no change	no change	.23	No change

The project meets all the minimum setback, height, lot coverage and floor area ratio regulations of the RD 5.5-7 Zone and the combined front/rear setback is not being changed from what was approved by the Commission on July 26, 2017.

The proposed changes will not have a significant impact on either of the adjacent residences because the new square footage is being created between the existing structure and the front property line, within the footprint of the previously existing structure.

Hill Area Residential Development

The purpose of the HRD Ordinance, Town Code § 17.072.010(B) is to: 1) Encourage maximum retention of natural topographic features such as drainage ways, streams, slopes, ridgelines, rock outcroppings, vistas, natural plant formations and trees; 2) Minimize grading of hillside areas; 3) Provide a safe means of ingress and egress for vehicular and pedestrian traffic to and within hillside areas; 4) minimize water runoff and soil erosion problems during and after construction; 5) prevent loss of life, reduce injuries and property damage and minimize economic dislocations from geologic hazards; and 6) Ensure that infill development on hillside lots is of a size and scale appropriate to the property and is consistent with other properties in the vicinity under the same zone classification.

The proposed development is consistent with the General Plan, other adopted codes and policies of the Town of Fairfax, and is consistent with the purpose and intent of the HRD Ordinance.

The additional 56 square feet of living space will not result in a residence that is out of character with other structures in the vicinity.

The housing stock found throughout the Live Oak Avenue neighborhood is varied with 6 duplexes and two, three-story triplexes (on one property at 103 through 109 Live Oak) within 500 feet of the site. Single-family residences range in size from a 1,001 square-foot, 2 bedroom, 1 bathroom residence on a 7,140 square-foot site with a Floor Area Ratio (FAR) of .14 (25 Live Oak Avenue) to a 2,161 square-foot, 6 bedroom, 2.5

bathroom residence on a 5,166 square-foot site with an FAR of 41% (133 Live Oak Avenue).

Therefore, the proposed 1,922 square-foot, 3 bedroom, 2 ½ bathroom residence on this 4,900 square-foot site with an FAR of .40 will not be out of character with the neighborhood or out of scale with the project site.

OTHER DEPARTMENT/AGENCY COMMENTS/CONDITIONS

None of the original agency comments/conditions will change based on the proposed minor design changes to the residence. The original agency/department conditions are as follows:

Ross Valley Fire Conditions

1. A proposed fire truck turn-around shall be installed and made serviceable prior to the delivery of combustibile materials to the site.
2. The project requires installation of a fire sprinkler system that complies with the National Fire Protection Association regulation 13-D and local standards. The system would require a permit from the Fire Department and the submittal of plans and specifications for system submitted by an individual or firm licensed to design and/or design-build sprinkler systems.
3. The property is located within the Wildland Urban Interface Area for Fairfax and the new construction must comply with Chapter 7A of the California Building Code or equivalent.
4. All smoke detectors in the residence shall be provided with AC power and be interconnected for simultaneous alarm. Detectors shall be located in each sleeping room, outside of each sleeping room in a central location in the corridor and over the center of all stairways with a minimum of 1 detector on each story of the occupied portion of the residence.
5. Carbon monoxide alarms shall be provided in existing dwellings when a permit is required for alterations, repairs, or addition and the cost of the permit exceeds \$1,000.00. Carbon monoxide alarms shall be located outside of each sleeping area in the immediate vicinity of the bedrooms and on every level of the dwelling, including basements.
6. Address numbers at least 4 inches tall must be in place adjacent to the front door. If not clearly visible from the street, additional numbers must be placed in location that is visible from the street. The numbers must be internally illuminated or illuminated by and adjacent light controlled by a photocell that can be switched off only by a breaker so it will remain illuminated all night.

7. Alternative materials or methods may be proposed for any of the above conditions in accordance with Section 104.9 of the Fire Code.
8. All approved alternatives requests, and their supporting documentation, shall be included in the plan sets submitted for final approval by the Fire Department.
9. A Vegetation Management plan designed in accordance with Ross Valley Fire Standard #220 is required. A separate permit shall be required for this plan. Please note that permission from your neighbors may be required if the required clearance extends beyond the property lines. If permission cannot be obtained the structure may require exterior hardening to be in compliance with the intent of the code.

Marin Municipal Water District

10. A water service permit is required for this project.
11. The plans must comply with all the indoor and outdoor requirements of District Code Title 13, Water Conservation. Plans must be submitted to the District and be approved.
12. The District's backflow prevention requirements must be met and if installation of a backflow device is required, the device shall be tested/inspected and be approved by a District Inspector prior to the project final inspection and issuance of the occupancy permit.
13. Comply with ordinance No. 429, requiring the installation of gray water recycling systems when practicable for all projects required to install new water service and existing structures undergoing "substantial remodel" that necessitates an enlarged water service.

Ross Valley Sanitary District

14. A Sanitary District sewer connection permit is required prior to the project final inspection and issuance of an occupancy permit for the residence.

Fairfax Police, Public Works and Building Departments

The police, public works and the building department did not provide conditions of approval or comments on the project.

RECOMMENDATION

1. Conduct the public hearing,

2. Move to approve application # 18-09 by adopting Resolution No. 2018-08 setting forth the findings and conditions for the project approval.

ATTACHMENTS

Attachment A – Resolution No. 2018-08

RESOLUTION NO. 2018-08

**A Resolution of the Fairfax Planning Commission Approving Application No. 18-09 Modifying and Previously Approved Hill Area Residential Development (HRD) Permit for a 50% Remodel and Addition to an Existing Single-family Residence at
125 Live Oak Avenue**

WHEREAS, the Town of Fairfax has received an application from H. and A. Home Solutions, Inc., to modify a previously approved HRD permit to expand and remodel an 1,819 square-foot, 3-bedroom, 2-bathroom residence converting it into a 1,922 square-foot, 3 bedroom, 2 ½ bathroom residence; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on June 21, 2018, at which time the Planning Commission determined that the project complies with the Hill Area Residential Development Overlay Ordinance; and

WHEREAS, based on the plans and other documentary evidence in the record the Planning Commission has determined that the applicant has met the burden of proof required to support the findings necessary to approve the modification of the approved Hill Area Residential Development Permit; and

WHEREAS, the proposed remodel addition has been designed to stay within the footprint of the existing structure, does not increase the visual mass of the building and minimizes additional disturbance to the hillside it has been found to comply with the following 2010-2030 Fairfax General Plan Policies and Goals:

Policy LU-1.2.3: New and renewed development shall be designed and located so as to minimize the visual mass. The Town will require exterior materials and colors that blend the exterior appearance of structures with the surrounding natural landscape, allowing for architectural diversity.

Policy LU-4.1.3: New and renewed development shall comply with all regulations encompassed in the California and Uniform Building Codes intended to reduce potential damage and threats to the public's health, safety and welfare in the event of an earthquake.

Policy LU4.1.4: New and renewed development shall be designed to minimize run-off in a manner that does not cause undue hardship on neighboring properties.

Policy LU 7.1.5; New and renewed residential development shall preserve and enhance the existing character of the Town's neighborhoods in diversity, architectural character, size and mass.

WHEREAS, the Commission has made the following findings:

Hill Area Residential Development

1. The proposed development is consistent with the General Plan and the Residential RD 5.5-7 Zone regulations.
2. The new living space is located between the front of the building approved on July 26, 2017 and the location of the existing front wall, an area already disturbed by the original development. The site planning preserves identified natural features as much as possible while also complying with other agency and department regulations.
3. Vehicular access and parking are adequate.
4. The two story structure is very similar in design and character to the two residence on either side of it. Therefore, the proposed development harmonizes with surrounding residential development and meets the design review criteria contained in Town Code § 17.020.040.
5. The approval of the Hill Area Residential Development permit for 1 single-family residence on this 4,900-square-foot parcel shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.
6. The development and use of the property as approved under the Hill Area Residential Development Permit will not cause excessive or unreasonable detriment to adjoining properties or premises, or cause adverse physical or economic effects thereto, or create undue or excessive burdens in the use and enjoyment thereof, or any or all of which effects are substantially beyond that which might occur without approval or issuance of the use permit.
7. Approval of the proposed Hill Area Residential Development permit is not contrary to those objectives, goals or standards pertinent to the particular case and contained or set forth in any Master Plan, the Zoning Ordinance, or other plan or policy, officially adopted by the Town.
8. Approval of the Hill Area Residential Development permit will result in equal or better development of the premises than would otherwise be the case; and

WHEREAS, The Town Engineer has reviewed the following plans and reports and has determined the project can be constructed, with certain conditions of approval, without creating any hazards:

Development Plans, cover sheet A0, Engineering plan pages C1 and C2 by Alberto Masso, Registered Professional Engineer (plan certification date 33/17),

topographical survey sheet SV-1 by Wiley J. Peirce, Land Surveyor, dated 1/12/17 and revised architectural plan pages A0.1, A2, A2B, A5 and A6 by Bacilia Macias, Architect, received October 13, 2016.

Geotechnical and Hydrologic reports from Summit Engineering dated 4/17/15, 3/23/16, 12/8/16 and 2/25/17.

Based on the Town Engineer's review and recommendation that the project can be safely constructed, the Planning Commission finds that:

1. The health safety and welfare of the public will not be adversely affected;
2. Adjacent properties are adequately protected by project investigation and design from geologic hazards as a result of the work;
3. Adjacent properties are adequately protected by project design from drainage and erosion problems as a result of the work;
4. The amount of the excavation or fill proposed is not more than that required to allow the property owner substantial use of his or her property;
5. The visual and scenic enjoyment of the area by others will not be adversely affected by the project more than is necessary;
6. Natural landscaping will not be removed by the project more than is necessary; and
7. Town code § 17.072.090(c)(4) prohibits grading of hillside properties from October 1st through April 1st of each year. Therefore, the time of year during which construction will take place shall be such that work will not result in excessive siltation from storm runoff nor prolonged exposure of unstable excavated slopes.

WHEREAS, the Commission has approved the project subject to the applicant's compliance with the following conditions:

1. The project is approved as it is depicted on the development Plans, cover sheet A0, Engineering plan pages C1 and C2 by Alberto Masso, Registered Professional Engineer (plan certification date 3/17), topographical survey sheet SV-1 by Wiley J. Peirce, Land Surveyor, dated 1/12/17, revised architectural plan pages A0.1, A2, A2B, A5 and A6 by Bacilia Macias, Architect, received May 17, 2011 and the lighting plan, page LT-1 dated 10/9/15 with the exterior lighting fixture locations as shown, subject to alternative fixtures that are shielded and direct all light downward being approved by the Planning Staff for the north side of the structure.

2. Prior to issuance of any of the building permits for the project the applicant or his assigns shall:
 - a. Submit a construction plan to the Public Works Department which may include but is not limited to the following:
 - b. Construction delivery routes approved by the Department of Public Works.
 - c. Construction schedule (deliveries, worker hours, etc.)
 - d. Notification to area residents
 - e. Emergency access routes
 - f. The applicant shall prepare, and file with the Public Works Director, a video tape of the roadway conditions on the public construction delivery routes (routes must be approved by Public Works Director).
 - g. Submit a bond or letter of credit to the Town in an amount that will cover the cost of grading, weatherization and repair of possible damage to public roadways. The applicant shall submit contractor's estimates for any grading, site weatherization and improvement plans for approval by the Town Engineer or Building Official. Upon approval of the contract costs, the applicant shall submit a cash deposit, bond or letter of credit equaling 100% of the estimated construction costs.
 - h. The foundation and retaining elements shall be designed by a structural engineer certified as such in the state of California. Plans and calculations of the foundation and retaining elements shall be stamped and signed by the structural engineer and submitted to the satisfaction of the Town Structural Engineer.
 - i. The grading, foundation, retaining, and drainage elements shall also be stamped and signed by the site geotechnical engineer as conforming to the recommendations made by the project Geotechnical Engineer.
 - j. Prior to submittal of the building permit plans, the applicant shall secure written approval from the Ross Valley Fire Authority, Marin Municipal Water District and the Ross Valley Sanitary District noting the development conformance with their recommendations.
 - k. Submit 3 copies of the record of survey with the building permit plans.
 - l. The applicant shall secure a tree cutting permit, if required, from the Town prior to removal of any on-site trees subject to a permit under Town Code Chapter 9.36.

3. During the construction process the following shall be required:
 - a. The geotechnical engineer shall be on-site during the grading process (if there is any grading remaining to be done) and shall submit written certification to the Town Staff that the grading has been completed as recommended prior to installation of foundation and/or retaining forms and piers.
 - b. Prior to the concrete form inspection by the building official, the geotechnical and structural engineers shall field check the forms of the foundations and retaining elements and provide written certification to the Town staff that the work to this point has been completed in conformance with their recommendations and
 - c. the approved building plans. The Building Official shall field check the concrete forms prior to the pour.
 - d. All construction-related vehicles including equipment delivery, cement trucks and construction materials shall be situated off the travel lane of the adjacent public right(s)-of-way at all times. This condition may be waived by the Building Official on a case-by-case basis with prior notification from the project sponsor.
 - e. Any proposed temporary closures of a public right-of-way shall require prior approval by the Fairfax Police Department and any necessary traffic control, signage or public notification shall be the responsibility of the applicant or his/her assigns. Any violation of this provision will result in a stop work order being placed on the property and issuance of a citation.
4. Prior to issuance of an occupancy permit, the following shall be completed:
 - a. The geotechnical engineer shall field check the completed project and submit written certification to the Town Staff that the foundation, retaining, grading and drainage elements have been installed in conformance with the approved building plans and the recommendations of the soils report.
 - b. The Planning Department and Town Engineer shall field check the completed project to verify that all and planning commission conditions and required engineering improvements have been complied including installation of landscaping and irrigation prior to issuance of the certificate of occupancy.
5. Excavation shall not occur between October 1st and April 1st of any year. The Town Engineer has the authority to waive this condition depending upon the weather.

6. The roadways shall be kept free of dust, gravel and other construction materials by sweeping them, daily, if necessary.
7. Any changes, modifications, additions or alterations made to the approved set of plans will require a modification of Application # 18-09. Any construction based on job plans that have been altered without the benefit of an approved modification of Application 18-09 will result in the job being immediately stopped and red tagged.
8. Any damages to the public portions of Oak Manor Drive or Sir Francis Drake Boulevard or other public roadway used to access the site resulting from construction activities shall be the responsibility of the property owner.
9. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director, or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly notifying the applicant of any said claim, action, or proceeding.
10. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: the Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32 and the Americans with Disabilities Act.
11. Conditions placed upon the project by outside agencies or by the Town Engineer may be eliminated or amended with that agency's or the Town Engineer's written notification to the Planning Department prior to issuance of the building permit.

Town Engineer Conditions

12. The encroachment permit for driveway-bridge and associated supporting retaining wall shall be recorded at the County of Marin Recorder's Office prior to issuance of the building permit for the project.
13. Frequent inspections of the foundation construction shall be made by the soils engineer and a final construction review letter must be provided from the project engineer stating that all the required stabilization work on the site has been completed prior to the project final inspection. This letter must also cover the stability of the 80% slope below the concrete drainage v-ditch at the rear of the site, a description of how the weak fill soils above the wooden retaining walls located along the west side of the site were stabilized and verification that the roof down-leader drainage pipe and other drainage improvements to direct site drainage to the v-ditch have been improved per the grading and drainage plans.
14. Sheet A3 of the project plans, previously submitted but not included in the final submittal for planning commission review, must be revised to state that the work must satisfy the project Geotechnical Report requirements prior to issuance of the building permit.
15. The applicant shall arrange for the Town Engineer to perform a field review during construction with the project engineer to determine if additional support, beyond the proposed 1-inch diameter vertical pipes at four feet on center, is necessary for the concrete v-ditch in steep slope areas.

Ross Valley Fire Department Conditions

16. Project has been deemed a "substantial remodel" and as such requires installation of a fire sprinkler system that complies with the National Fire Protection Association regulation 13-D and local standards. The system will require a permit from the Fire Department and the submittal of plans and specifications for a system submitted by an individual or firm licensed to design and/or design-build sprinkler systems.
17. The property is located within the Wildland Urban Interface Area for Fairfax and the new construction must comply with Chapter 7A of the California Building Code or equivalent.
18. All smoke detectors in the residence shall be provided with AC power and be interconnected for simultaneous alarm. Detectors shall be located in each sleeping room, outside of each sleeping room in a central location in the corridor and over the center of all stairways with a minimum of 1 detector on each story of the occupied portion of the residence.

19. Carbon monoxide alarms shall be provided in existing dwellings when a permit is required for alterations, repairs, or addition and the cost of the permit exceeds \$1,000.00. Carbon monoxide alarms shall be located outside of each sleeping area in the immediate vicinity of the bedrooms and on every level of the dwelling, including basements.
20. Address numbers at least 4 inches tall must be in place adjacent to the front door. If not clearly visible from the street, additional numbers must be placed in location that is visible from the street. The numbers must be internally illuminated or illuminated by and adjacent light controlled by a photocell that can be switched off only by a breaker so it will remain illuminated all night.
21. Alternative materials or methods may be proposed for any of the above conditions in accordance with Section 104.9 of the Fire Code.
22. All approved alternatives requests, and their supporting documentation, shall be included in the plan sets submitted for final approval by the Fire Department.
23. The site plan submitted with the building permit application shall include the fire apparatus staging area location, depicted as it is currently marked in the field with white paint. This drawing will have to be approved as accurately representing the staging area by the Department of Planning and Building Services and the Ross Valley Fire Department prior to issuance of the building permit for the project.

Marin Municipal Water District Conditions

24. A high pressure water service permit is required for this project.
25. The plans must comply with all the indoor and outdoor requirements of District Code Title 13, Water Conservation. Plans must be submitted to the District and be approved.
26. The District's backflow prevention requirements must be met and if installation of a backflow device is required, the device shall be tested/inspected and be approved by a District Inspector prior to the project final inspection and issuance of the occupancy permit.
27. Comply with Ordinance No. 429, requiring the installation of gray water recycling systems, when practicable, for all projects required to install new water service and existing structures undergoing "substantial remodel" that necessitates an enlarged water service.

Ross Valley Sanitary District Conditions

28. A Sanitary District sewer connection permit is required to either replace the

existing sewer lateral, or demonstrate to a District Inspector that the existing lateral meets current requirements, prior to the project final inspection and issuance of an occupancy permit for the residence.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the modification of the Hill Area Residential Development permit is in conformance with the 2010 – 2030 Fairfax General Plan and the Fairfax Zoning Ordinance, Town Code Title 17; and

Construction of the project can occur without causing significant impacts on neighboring residences and the environment.

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 21st day of June, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

Chair Newton

Attest:

Ben Berto, Director of Planning and Building Services