TOWN OF FAIRFAX STAFF REPORT

Department of Planning and Building Services

TO: Fairfax Planning Commission

DATE: September 17, 2020

FROM: Kara Spencer, Assistant Planner

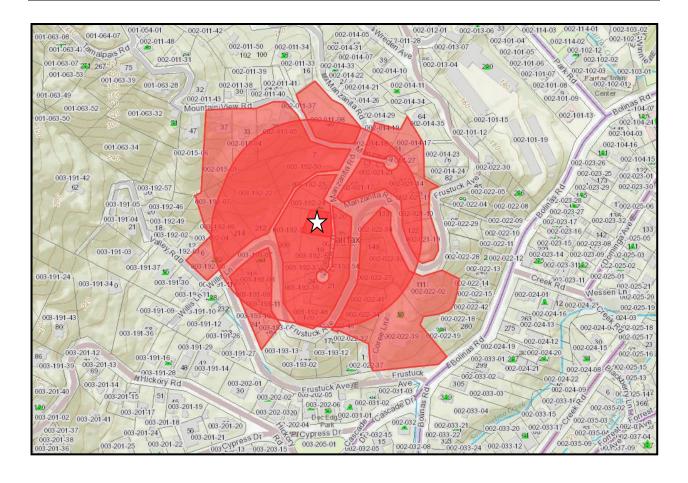
LOCATION: 6 Walsh Lane

PROJECT: 50 percent remodel and two-story addition to single family residence ACTION: Hill Area Residential Development, Excavation, Design Review and Tree

Removal permits; Application # 20-8

APPLICANT: Laura Kehrlein, Architect

OWNER: Irene Pan Panagoulias Survivor's Trust CEQA STATUS: Categorically exempt, § 15301(e)(2)(A)



6 WALSH LANE

AGENDA ITEM #1

BACKGROUND

The Planning Commission continued this item from their August 20, 2020 meeting where they gave staff the following direction regarding the project:

- 1. Provide more information from Ross Valley Sanitary District about (a) whether the project property's sewer lateral is code compliant; and, (b) the ownership and responsibility of the project property's sewer lateral; and,
- The Town Attorney shall respond to the letter from the property owner's attorney, Mr. Neil Sorensen, including specifically addressing the appropriateness of the prescriptive easement court case mentioned by Mr. Sorensen in his letter because it does not seem applicable to this project, as it has to do with public access to a beach.

For additional information on the project and for the attachments to the August 20, 2020 original staff report on this project visit the Town's website www.townoffairfax.org under the Planning Commission meetings.

DISCUSSION

Sewer Lateral Code Compliance

On September 3, 2020, Assistant Planner Spencer, Planning Director Berto, and Ross Valley Sanitary District (RVSD) Associate Engineer Phill Benedetti did a site visit to 10 Walsh Lane to check the code compliance of the sewer lateral from 6 Walsh Lane where traverses10 Walsh Lane. The property owner of 10 Walsh Lane, Sharab Bogan-Ziegler and resident of 10 Walsh Lane, Morgan Hall met staff at the site.

During the site visit, Associate Engineer Benedetti, of the Ross Valley Sanitary District, inspected the lateral and confirmed that it is code compliant. He noted that the lateral appears to be buried approximately nine inches below grade. When questioned by Morgan Hall regarding whether the lateral needed to be buried deeper, Associate Engineer Benedetti stated that in a non-traffic area there is discretion regarding the depth of cover. Associate Engineer Benedetti stated that the pipe's condition was not a health and safety issue, but rather an aesthetic issue. Furthermore, during the site visit, Morgan Hall admitted to staff that he dug up the backyard to locate the pipe, which accounts for its exposure. Refer to Attachment B for photos of the exposed sewer lateral.

Staff also received a written email confirmation from Associate Engineer Benedetti (Attachment C) that the lateral passed all inspections; was determined to be in compliance; and, has a certificate of compliance that is good for 20 years.

Sewer Lateral Ownership and Responsibility

RVSD Ordinance 100 addresses the ownership, maintenance, and repair of private sewer laterals (Attachment D). Specifically, Section 7(A) of RVSD Ordinance 100 states, "Private Sewer Laterals shall be owned, maintained and repaired by the Owner(s) of the property served by the Private Sewer Lateral. The entire Private Sewer Lateral, from the building connection to and including the 'wye' connection or other-tie-in to the Sewer Main, shall fall within the Owner's responsibility for installation, maintenance and repair." During the September 3, 2020 site visit, Associate Engineer Benedetti confirmed that the sewer lateral from 6 Walsh Lane that traverses 10 Walsh Lane is a private lateral and not a shared lateral. However, Associate Engineer Benedetti also confirmed when the lateral from 6 Walsh lane enters 20 Walsh Lane it ties into and shares the lateral with 20 Walsh Lane before tying into the main at Frustuck. (See sewer layout in the upper left hand corner of Sheet 2 of the plans). According to Section 13(D) of RVSD Ordinance 100, "The Owners of the parcels served by the Shared Lateral shall jointly be responsible for any maintenance, operation, inspection, testing, and repairs." Therefore, 6 Walsh Lane and 20 Walsh Lane are both responsible for the lateral where it traverses 20 Walsh Lane.

Town Attorney Comments on Letter from Neil Sorensen dated August 18, 2020

The Town Attorney has indicated that she will contact the Planning Commission directly regarding the Letter from the property owner's attorney, dated August 18, 2020.

OTHER DEPARTMENT/AGENCY COMMENTS/CONDITIONS

Ross Valley Fire Department (RVFD)

The following summarizes RVFD requirements, which have been incorporated into conditions of approval in the attached resolution. Construction shall comply with the requirements of Chapter 7A of the 2016 California Building Code. A Class "A" roof assembly is required. All vegetation and construction materials are to be maintained away from the residence during construction. A fire sprinkler system shall be installed throughout the entire building. Smoke detectors shall be installed throughout the entire building and be provided with AC power and be interconnected for simultaneous alarm. Carbon monoxide alarms shall be provided outside each sleeping area in the immediate vicinity of the bedrooms. Address numbers at least 4 " tall are required and must visible from the street, controlled by a photocell and illuminated all night. A Vegetation Management Plan (VMP) is required for the project. RVFD approved the VMP for the project on June 24, 2020.

Marin Municipal Water District (MMWD)

Written requirements submitted by MMWD have been incorporated into conditions of approval in the attached resolution. The following summaries those comments: comply with Ordinance No. 429 requiring the installation of grey water recycling system when

practicable for existing structures undergoing a substantial remodel that necessitates enlarged water service; indoor and outdoor requirements of District Code Title 13 - Water Conservation must be complied with; any landscaping plans subject to review by the Town of Fairfax or subject to a Town permit must be reviewed and approved by the District; backflow prevention requirements must be met;. all the District's rules and regulations if effect at the time service is requested must be complied with.

Ross Valley Sanitary District (RVSD)

RVSD submitted the following written requirements, which have been incorporated into conditions of approval in the attached resolution: Plans shall be reviewed and approved by RVSD which show the location of the RVSD sewer main, existing lateral, and point-of-connection for the proposed improvements, the elevation of the lowest-habitable-floor in the structure (the basement) and the elevation of the nearest downstream sewer manhole on the RVSD mainline; and, the location of all existing or proposed sewer cleanouts, check and/or backwater devices located outside the foundation of the proposed structures.

Police, Building and Public Works Departments

There were no comments received from the Police, Building or Public Works Departments.

RECOMMENDATION

- 1. Conduct the public hearing.
- 2. Move to approve Application 20-8 and adopt Resolution No. 2020-08 (Attachment A), setting forth the findings and conditions for project approval

ATTACHMENTS

Attachment A – Resolution No. 2020-08

Attachment B – Sewer Lateral Photos

Attachment C – Email from Phil Benedetti, RVSD Associate Engineer

Attachment D – RVSD Ordinance 100

Attachment E – Letter from neighbors on Walsh Lane and Manzanita Road

RESOLUTION NO. 2020-08

A Resolution of the Fairfax Planning Commission Approving Application No. 20-08 for a Hill Area Residential Development, Excavation, Design Review, and Tree Removal Permits for a 50 Percent Remodel and Addition at 6 Walsh Lane

WHEREAS, the Town of Fairfax has received an application from the Irene Pan Panagoulias Survivor's Trust for an addition and 50% of remodel of single-family residence on December 19, 2019; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on August 20, 2020 at which time the Planning Commission determined that the project complies with the Hill Area Residential Development Overlay Ordinance, Excavation Ordinance, Design Review Regulations, and Tree 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 Hill Area Residential Development, Excavation, Design Review, and Tree Removal Permits; and

WHEREAS, the Commission has made the following findings:

The project is consistent with the 2010-2030 Fairfax General Plan as follows:

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.

Policy LU-7.2.2: To the extent feasible natural features including the existing grade, mature trees and vegetation shall be preserved for new and renewed development.

Policy LU-4.1.4: New and renewed development shall be designed to minimize run-off in a manner that does not cause undue hardship on neighboring properties.

Hill Area Residential Development

The proposed development is consistent with the General Plan and the Residential Single-family RS 6 Zone regulations.

- 1. The site planning preserves identified natural features as much as possible while also complying with other agencies' regulations.
- Vehicular access and parking are adequate.

ATTACHMENT A

- 3. The proposed development harmonizes with surrounding residential development and meets the design review criteria contained in Town Code § 17.020.040.
- 4. The approval of the Hill Area Residential Development permit for an addition and 50 percent remodel of a single-family residence on a 7,200 square foot parcel shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.
- 5. The development and use of 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 permit.
- 6. 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, or other plan or policy, officially adopted by the Town.
- 7. Approval of the Hill Area Residential Development permit will result in equal or better development of the premises than would otherwise be the case.

Excavation Permit

- 8. The Town Engineers have reviewed the following plans and reports and have determined the project can be constructed, with certain conditions of approval, without creating any hazards:
 - Architectural plans Frederic C. Divine Associates revision date 8/12/20; geotechnical report by Herzog Associates, dated 12/19/19; preliminary grading and drainage plan by Oberkamper and Associates, dated 12/18/19
- 9. Based on the Town Engineer's review and recommendation that the project can be safely constructed, the Planning Commission finds that:
- 10. The health safety and welfare of the public will not be adversely affected;
- 11. Adjacent properties are adequately protected by project investigation and design from geologic hazards as a result of the work;
- 12. Adjacent properties are adequately protected by project design from drainage and erosion problems as a result of the work;
- 13. 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;

- 14. The visual and scenic enjoyment of the area by others will not be adversely affected by the project more than is necessary;
- 15. Natural landscaping will not be removed by the project more than is necessary; and
- 16. 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 is such that work will not result in excessive siltation from storm runoff nor prolonged exposure of unstable excavated slopes.

Tree Permit

- 17. The alteration of the trees is necessary to protect the public health and safety and prevent damage to property (Town Code §8.36.060(B)(1); and
- 18. Is necessary to allow the owner to reasonably develop and use the property (Town Code §8.36.060(B)(4).

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

- 1. The project is approved per the following plans and documents: Frederic C. Divine Associates revision date 8/12/20, pages A1,1, 2, F1, F2, A2.0 through A2.3, A3.0 through A3.2, A4.0 and A4.1; the geotechnical report by Herzog Associates, dated 12/19/19, and the Tree Removal Application dated 5/5/20.
- 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:
 - Construction delivery routes approved by the Department of Public Works.
 - ii. Construction schedule (deliveries, worker hours, etc.)
 - iii. Notification to area residents
 - iv. Emergency access routes
 - b. 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).
 - c. Submit a cash deposit, 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. 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.
- d. 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.
- e. 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.
- f. 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.
- g. Submit 3 copies of the record of survey with the building permit plans.
- h. Prior to the removal of any trees not approved by the Planning Commission through this action, the applicant shall secure a tree cutting permit, if required, from the Fairfax Tree Committee prior to removal of any on-site trees subject to a permit under Town Code Chapter 8.36. To further minimize impacts on trees and significant vegetation, the applicant shall submit plans for any utility installation (including sewer, water and drainage) which incorporates the services of the project arborist to prune and treat trees having roots 2 inches or more in diameter that are disturbed during the construction, excavation or trenching operations. In particular, cross country utility extensions shall minimize impacts on existing trees. Tree root protection measures may include meandering the line, check dams, rip rap, hand trenching, soil evaluation and diversion dams. Any pruning shall take place during the winter when trees are dormant for deciduous species and during July to August for evergreen species.
- i. If deemed necessary by the Town Engineers, the applicants shall prepare a drainage system maintenance agreement including a recordable exhibit of the proposed drainage system in its entirety including a maintenance schedule to be approved by the Town Engineer. The maintenance agreement will have to be signed by the owner, notarized and recorded at the Marin County Recorder's office prior to issuance of the building permit.
- 3. During the construction process the following shall be required:
 - a. The geotechnical engineer shall be on-site during the grading process and shall submit written certification to Town Staff that the grading protection measures have been completed as recommended prior to installation of

- foundation and/or retaining forms and drainage improvements, piers and supply lines.
- 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 Town staff that the work to this point has been completed in conformance with their recommendations and the approved building plans.
- c. 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 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 planning commission conditions and required engineering improvements have been complied with including installation of landscaping and irrigation prior to issuance of the certificate of occupancy.
- 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 # 20-8. Modifications that do not significantly change the project, the project design or the approved discretionary permits *may* be approved by the Planning Director. Any construction based on job plans that have been altered without the benefit of an approved modification

- of Application 20-8 will result in the job being immediately stopped and red tagged.
- 8. Any damages to the public portions of Walsh, Manzanita, Frustuck, or other public roadway used to access the site resulting from construction-related 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, Design Review Board 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. In accordance with Town Code §8.20.060(C)(1) and (2), the operation of any tools or equipment used in construction or demolition work or in property maintenance work between the hours of 6:00 PM and 8:00 AM Monday through Friday, or on weekends and holidays between 4:00 PM and 9:00 AM is prohibited.
- 12. 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.

13. The building permit plans shall be reviewed and approved by the Town Engineer, at the expense of the applicant, prior to issuance of the building permit. The project shall be inspected by the Town Engineer prior to issuance of the occupancy permit for the residential structures for compliance with the engineering plans.

Ross Valley Fire Department

- 14. 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.
- 15. 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.
- 16. 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.
- 17. 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.
- 18. 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 an adjacent light controlled by a photocell that can be switched off only by a breaker so it will remain illuminated all night.
- 19. Alternative materials or methods may be proposed for any of the above conditions in accordance with Section 104.9 of the Fire Code.
- 20. All approved alternatives requests, and their supporting documentation, shall be included in the plan sets submitted for final approval by the Fire Department.
- 21. All vegetation and construction materials are to be maintained away from the residence during construction.

Marin Municipal Water District (MMWD)

- 22. A copy of the building permit must be provided to the district along with the required applications and fees.
- 23. All indoor and outdoor requirements or District Code Title 13, Water Conservation must be complied with.
- 24. Any landscaping plans subject to review by the Town of Fairfax or subject to a Town permit must be reviewed and approved by the District.
- 25. Backflow prevention requirements must be met.
- 26. Ordinance 429, requiring installation of grey water recycling system when practicable, must be incorporated into the project building permit plans or an exemption letter from the District must be provided to the Town.
- 27. All of the District's rules and regulations if effect at the time service is requested must be complied with.

Ross Valley Sanitary District (RVSD)

- 28. The applicant shall submit plans to RVSD for review which show the following:
 - a. The location of the RVSD sewer main, exiting lateral, and point-of-connection for the proposed improvements.
 - b. The elevation of the lowest-habitable-floor in the structure (the basement) and the elevation of the nearest downstream sewer manhole on the RVSD mainline.
 - c. The location on of all exiting or proposed sewer cleanouts, check and/or backwater devices located outside the foundation of the proposed structures.
- 29. All new connections, remodels, additions, and improvements are subject to Sewer Capacity Charges and Permit Fees.

Miscellaneous

30. Any future tree removal, beyond the trees proposed for removal in the 5/5/2020 Tree Removal Application will require the review and approval of the Tree Committee and may also require review and approval with mitigation measures of the geotechnical engineer if the tree removal may effect hillside stability below the structure at a future date.

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

The approval of the Hill Area Residential Development Permit, Excavation Permit, Design Review Permit, and Tree Removal Permit are in conformance with the 2010 – 2030 Fairfax General Plan, the Fairfax Town Code 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 17th day of September 2020 by the following vote:

AYES: NOES: ABSTAIN:		
	Chair Green	
Attest:		
Ben Berto, Director of Planning	and Building Services	





ATTACHMENT B













From: <u>Philip Benedetti</u>

To: <u>Kara Spencer</u>; <u>Cristina Velazquez</u>

Cc: <u>Aaron Dillingham</u>
Subject: RE: 6 Walsh Ln FX

Date: Tuesday, September 1, 2020 4:10:58 PM

Hello Kara,

The lateral was inspected on 11/6/2019 by the District's Inspector Aaron Dillingham. The property passed all inspections and was determined to be in compliance, and has a certificate of compliance that is good for 20 years. 6 Walsh rehabilitated their lateral via pipe bursting, which is among the most common ways of trenchless pipeline rehabilitation.

On the date of the inspection, the District Inspector was able to see over the fence and confirm that the pipe was not exposed at that time.

Furthermore, from the photo shown it appears obvious that the pipe was dug up by hand. This excavation would not be part of the rehabilitation actions taken by 6 Walsh Ln, as pipe bursting is selected as means to eliminate the need for any excavation.

I am happy to do a site visit with the Planning Department to look at the lateral in question. Please let me know when you'd like to schedule this.

Best,

Phil Benedetti, P.E.

Associate Engineer Ross Valley Sanitary District 2960 Kerner Blvd., San Rafael, CA 94901

Mobile: (415)847-7688 Office: (415)259-2949 x:212

From: Kara Spencer < kspencer@townoffairfax.org>

Sent: Tuesday, September 01, 2020 3:25 PM **To:** Cristina Velazquez cvelazquez@rvsd.org

Cc: Philip Benedetti <pbenedetti@rvsd.org>; Aaron Dillingham <adillingham@rvsd.org>

Subject: RE: 6 Walsh Ln FX

Hi,

This project was commented on by RSVD earlier in the year and went before the Fairfax Planning Commission August 20th. There was some concern expressed at the Planning Commission meeting that the sewer lateral for 6 Walsh Lane is not to code where it traverses 10 Walsh Lane.

ATTACHMENT C

There are some photos that show it at ground surface level and not buried 12 inches below ground. Is this a violation of the Plumbing Code or any local RVSD ordinances? Would it be possible for someone from RSVD to do a site visit with staff from the Fairfax Planning Department and check the sewer lateral for its regulatory compliance? (I'm not sure who to ask, so if I need to contact someone else please let me know).

Best Regards, Kara Spencer Assistant Planner Town of Fairfax 415-458-2349

From: Cristina Velazquez < cvelazquez@rvsd.org>

Sent: Thursday, August 20, 2020 2:48 PM

To: Kara Spencer < kspencer@townoffairfax.org; plans < plans@rvsd.org

Cc: Philip Benedetti pbenedetti@rvsd.org>; Aaron Dillingham <adillingham@rvsd.org>

Subject: RE: 6 Walsh Ln FX

Any time! Have a great day.

Best.

Cristina Velazquez

From: Kara Spencer < kspencer@townoffairfax.org>

Sent: Thursday, August 20, 2020 2:43 PM

To: Cristina Velazquez <<u>cvelazquez@rvsd.org</u>>; plans <<u>plans@rvsd.org</u>>

Cc: Philip Benedetti pbenedetti@rvsd.org>; Aaron Dillingham <a dillingham@rvsd.org>

Subject: RE: 6 Walsh Ln FX

Thank you

From: Cristina Velazquez < cvelazquez@rvsd.org>

Sent: Thursday, August 20, 2020 1:01 PM

To: Kara Spencer < kspencer@townoffairfax.org; plans < plans@rvsd.org>

Cc: Philip Benedetti pbenedetti@rvsd.org>; Aaron Dillingham <adillingham@rvsd.org>

Subject: RE: 6 Walsh Ln FX

Good afternoon Kara,

Thank you for reaching out. Yes, the property is compliant per our requirements. We still request that they submit plans for the remodel in response to our comments from January, but the existing lateral in place passed a final inspection with us in 2019. Please let me know if you have any questions!

Best,

Cristina Velazquez

From: Kara Spencer < kspencer@townoffairfax.org>

Sent: Tuesday, August 18, 2020 12:12 PM **To:** Cristina Velazquez cvelazquez@rvsd.org

Subject: RE: 6 Walsh Ln FX

Hi Christina.

This project was reviewed by the District back in January. It is a 50 percent remodel and addition. All comments from the District were ones that could be dealt with during the building permit review. The project is finally complete and going before the Fairfax Planning Commission this Thursday, August 20, 2020.

The sewer lateral for this house and project traverses two adjacent properties before it enters the main on Frustuck. Recently, the Town has received complaints from the neighbor who owns the two adjacent properties where the lateral traverses. I have attached their comments and the photos of the sewer lateral, which they claim is illegal. I have also attached the sign off from the district on the lateral work that was recently done.

Could you please confirm that the sewer lateral for 6 Walsh Lane in Fairfax, which traverses 10 and 20 Walsh Lane is up to code and the District does not require its relocation out of 10 and 20 Walsh Lane?

Thanks, Kara Spencer Assistant Planner Town of Fairfax 415-458-2349

From: Cristina Velazquez < cvelazquez@rvsd.org **Sent:** Wednesday, February 12, 2020 10:34 AM **To:** Kara Spencer kspencer@townoffairfax.org

Subject: RE: 6 Walsh Ln FX

Any time. Thank you Kara!

Best,

Cristina Velazquez

ROSS VALLEY SANITARY DISTRICT ORDINANCE NO. 100 AN ORDINANCE REPEALING ORDINANCE 66 ADOPTED AUGUST 21, 2013, AND ENACTING THIS PRIVATE SEWER LATERAL ORDINANCE

WHEREAS, the Ross Valley Sanitary District ("District") is authorized by the Sanitary District Act of 1923 (Health & Safety Code §6400 et seq.) to provide public services and facilities related to the acquisition, construction, replacement, maintenance and operation of wastewater collection facilities within the District's service area; and

WHEREAS, a comprehensive program that enforces routine maintenance of Private Sewer Laterals fosters compliance with requirements of the Clean Water Act, 33 U.S.C. § 1251, et. seq., the U.S. Environmental Protection Agency ("EPA"), the State of California Water Resources Control Board ("SWRCB"), and the San Francisco Regional Water Quality Control Board ("SFRWQCB") by reducing both infiltration and inflow ("I&I") and sewer system spills and overflows ("SSOs"); and

WHEREAS, on June 18, 2014, the District adopted Ordinance No. 66 to regulate the testing, inspection, and maintenance of private sewer laterals; and

WHEREAS, Ordinance No. 66 was amended by: Ordinance No. 67, adopted June 25, 2014; Ordinance No. 68, adopted August 27, 2014; Ordinance No. 69, adopted December 17, 2014; Ordinance No. 71, adopted February 18, 2015; Ordinance No. 72, adopted May 20, 2015; Ordinance No. 73, adopted July 15, 2015.; and

WHEREAS, the District desires to repeal Ordinance No. 66, including amending ordinances, and adopt Ordinance No. 100 to regulate the testing, inspection, and maintenance of private sewer laterals; and

WHEREAS, Ordinance No. 100 is in addition to any other requirements of Ordinance No. 26, regulating the use of private and public sewer drains, or other duly adopted Ordinances of the District; and

WHEREAS, the District finds that this Ordinance No. 100 is necessary to protect the public health and safety, and to preserve the environment; and

WHEREAS, the District further finds that this Ordinance No. 100 is necessary in order to ensure the proper construction and maintenance of private sewer laterals within the District; and

WHEREAS, the District finds this Ordinance No. 100 is statutorily exempt from the provisions of the California Environmental Quality Act of 1970 ("CEQA") per CEQA Guidelines Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources and Section 15308, Actions by Regulatory Agencies for Protection of the Environment.

NOW, THEREFORE, the Board of Directors of the Ross Valley Sanitary District does ordain as follows:

SECTION 1. RECITALS

All of the above Recitals are true and incorporated by reference herein.

SECTION 2. SHORT TITLE

This ordinance shall be known as the "Private Sewer Lateral Ordinance" and may be cited accordingly.

SECTION 3. FINDINGS

- A. The District finds and determines that Infiltration and Inflow (hereinafter referred to as I&I) is a problem for the District in that during heavy rains, a significant amount of water is introduced into the District's system from I&I. A significant amount of this I&I is believed to be introduced into the District's pipelines and sewer mains from sewer laterals or unpermitted drainage structures leading from a property to the District's sewer mains. As a result of I&I, the District's sewers, as well as the downstream wastewater treatment facility, have the potential to become overburdened during periods of heavy rains. If these excess flows result in overflows and spills from the sewer system (SSOs), the District faces significant fines and penalties by state and federal water regulatory agencies, and also risks private litigation.
- B. The District further finds that I&I makes up a significant portion of the average annual wastewater system flow volume, which in turn increases the operations costs related to pumping, treating, and disposing of the total wastewater volume. These extra costs for I&I flows are currently spread across all customers, through the District's sewer service charges.
- C. The District has undertaken a coordinated effort to reduce I&I through a comprehensive program whose elements include rehabilitation and replacement of sewer mains, replacement of degraded private sewer laterals, and supplemental services such as inspections, testing, and financial assistance for lateral replacements.
- D. The District finds that, when not properly inspected, maintained, repaired or replaced by property owners, Private Sewer Laterals may become blocked and result in overflows of sewage from the private sewer laterals. Sewage overflows negatively impact the public health, safety and welfare of both the property owner and the public by exposing them to untreated sewage. Sewage overflows also frequently result in illicit discharges of sewage from private property to the public storm drains or waters of the United States or the State. Further, private sewer laterals that are not properly inspected, maintained, repaired or replaced by property owners can interfere with the operation of the public sewer system by, for example, allowing roots to infiltrate sewer mains. Interference with the operation of the public sewer system may, in turn, cause sewage overflows from the public sewer system. Therefore, the establishment of regulations for private sewer laterals is necessary to protect the public health, safety

and welfare by both preventing overflows from the private laterals and interference with the operation by District of the public sewer system.

SECTION 4. DEFINITIONS

- A. "Certificate of Compliance for Common Interest Development Laterals" means a certificate issued by the District upon its determination that the Homeowners' Association completed the work described in the approved Corrective Action Plan for all Private Sewer Lateral(s) it has responsibility to maintain.
- B. "Certificate of Compliance for Private Sewer Lateral" means a certificate issued by the District upon its determination that all Private Sewer Lateral(s) associated with a parcel have demonstrated compliance with applicable standards by passing a Lateral Test.
- C. "Common Interest Development" means a development characterized by individual ownership of a condominium housing unit or a residential parcel coupled with the shared ownership of (or right to use) common areas and facilities, including, but not limited to, condominium projects, community apartment projects, stock cooperatives and planned unit developments, which contains three (3) or more dwelling units and which has a sewer service lateral shared by three (3) or more dwelling units.
- D. "Defective Condition" includes, but is not limited to: a condition that will allow I&I or exfiltration of sewage, including Non-Sanitary Sewer Connections to the Private Sewer or to any wastewater plumbing that connects to the Public Sewer Lateral; a condition that materially increases the possibility of blockage or overflow such as roots, grease deposits, other deposits or obstructions which may impede or obstruct the flow; sags, cracks, breaks, offsets, separations, holes; uncapped or missing sewer cleanout; construction without a proper permit or with materials not approved by the District; other violation of District Standards and requirements.
- E. "District Engineer" means the Engineer of the District, licensed by the State of California as a Civil Engineer, acting either directly or through authorized agents.
- F. "District Standards" means the District Standards, also known as "District Standard Specifications and Drawings" in effect at the time of inspection and/or permit.
- G. "Infiltration" means water other than sewage which enters into the District's collection system through cracks, breaks, open joints, or other deficiencies which may exist in laterals or in the District's system.
- H. "Inflow" means any water other than sewage that is directed toward or connected to the District's collection system through drainage ditches, open or enclosed culverts, roof drains, yard or area drains, or any other source of storm or ground water.
 - I. "Infiltration and Inflow" are referred to collectively as "I&I".

- J. "Lateral Inspection" means an inspection of a Private Sewer Lateral that consists of the retention of a licensed plumber by the Owner in order to visually examine and inspect a lateral in the manner deemed appropriate by the District Engineer. Such an inspection shall, at a minimum, include the use of a closed-circuit television inspection device for the purposes of determining whether the lateral complies with the requirements of this Ordinance.
- K. "Lateral Test" means leakage testing, in accordance with Section 02735 SANITARY SEWER SYSTEM TESTING of the District Standards, to determine whether the Private Sewer Lateral complies with the requirements of this Ordinance.
- L. "Lower Lateral" means that portion of any Private Sewer Lateral beginning at the property line and running to the Sewer Main, including the connection itself.
 - M. "NASSCO" means the National Association of Sewer Service Companies.
- N. "Non-Sanitary Sewer Connection" means anything that directly or indirectly conveys storm water, surface water, roof runoff, intercepted groundwater or subsurface drainage into the sanitary sewer, including, but not limited to, down spouts, yard drains, sump pumps, or other sources of storm water, run-off or groundwater.
- O. "Notice of Violation" means the written notice issued by the District Engineer, or his or her designee, to the Owner advising that the Owner appears to be in violation of the respective Code or Ordinance with respect to the Owner's Private Sewer Lateral, or in violation of the Code or Ordinance in a manner of the lateral's connection to the District Sewer Mains, which order directs the abatement of the identified violation in a timely manner.
- P. "Notice to Repair" means the written notice issued by the District Engineer, or his or her designee, to the Owner advising that the Owner appears to be in violation of the respective Code or Ordinance with respect to the Owner's Private Sewer Lateral, or in violation of the Code or Ordinance in a manner of the lateral's connection to the District Sewer Mains, which order directs the abatement of the identified violation in a timely manner through repair, replacement or rehabilitation.
- Q. "Owner" means any person, partnership, association, corporation or fiduciary having legal title (or any partial interest) in any real property situated within the District.
- R. "PACP", "MACP" and "LACP" mean the Pipeline, Manhole, and Lateral Assessment Certification Programs, respectively.
- S. "Private Sewer Lateral", "Lateral", or "Sewer Lateral" is hereby defined as a privately-owned sewer which conveys sewage from a building to the District's collection system, including all pipes, fittings, and appurtenances, from the outer face of the building served to the connection into the District's Sewer Main, including the connection itself.

- T. "Publicly-Owned Facility" means a facility owned by a county, city, school district, municipal corporation, district, political subdivision; or any board, commission or agency thereof; other local public agency; or entities that are legislative bodies of a local agency.
- U. "Repair", also referenced as "Rehabilitation" or "Replacement" means restoration of the lateral in a manner that maintains adequate flow capacity to serve the property and eliminates Defective Conditions and Non-Sanitary Sewer Connections. The appropriate requirement of repair, rehabilitation, or replacement shall be determined by the District Engineer.
- V. "Sewer Main" means a District-owned pipeline designed and operated to collect sewage from Private Sewer Laterals and Collection Systems for treatment and disposal.
- W. "Shared Lateral" means any portion of a Private Sewer Lateral that serves more than one parcel.
 - X. "SSO" means sanitary sewer overflow.

SECTION 5. PRIVATE SEWER LATERALS - CONSTRUCTION

Construction of new, repaired, replaced, or rehabilitated Private Sewer Laterals shall conform to District Standards.

SECTION 6. PRIVATE SEWER LATERALS – PERMITS

Prior to constructing a Private Sewer Lateral or connecting a new building to an existing Private Sewer Lateral, or undertaking construction of a new, a repair, rehabilitation, or replacement of a private sewer, the owner shall apply for and obtain a permit from the District. The application shall include a plan showing the location of the private sewer and the proposed repair or replacement, and all buildings, other utilities, significant features and topography of the property and showing the public right-of-way or easement in which the private sewer and the District Sewer Main are located, and the proposed connection of the private sewer to the District's Sewer Main.

SECTION 7. PRIVATE SEWER LATERALS – OWNERSHIP, MAINTENANCE AND REPAIR

A. Private Sewer Laterals shall be owned, maintained and repaired by the Owner(s) of the property served by the Private Sewer Lateral. The entire Private Sewer Lateral, from the building connection to and including the "wye" connection or other-tie-in to the Sewer Main, shall fall within the Owner's responsibility for installation, maintenance and repair.

- B. Private Sewer Laterals shall meet the following maintenance standards:
- 1. All pipes shall be kept free from roots, grease deposits, and other solids which may impede or obstruct the flow.
- 2. All joints shall be tight and all pipes shall be sound and free from structural defects, cracks, breaks, openings, and missing portions which could allow infiltration by ground water or storm water or exfiltration of wastewater.
 - 3. Grade shall be uniform without sags or offsets.
 - 4. All cleanouts shall be securely capped at all times.
- C. Owner(s) is(are) responsible to clean, maintain and repair Private Sewer Laterals serving their property sufficient to keep the lateral in proper operating condition at all times.
- D. The District will replace Lower Laterals with Defective Conditions as part of projects that replace the Sewer Main by open-cut and pipebursting construction methods. The District may replace Lower Laterals as part of projects that rehabilitate the Sewer Main by other construction methods for the purposes of I&I and SSO reduction.

SECTION 8. ACCESS FOR INSPECTIONS AND RIGHT OF ENTRY BY DISTRICT

- A. ACCESS FOR INSPECTIONS. Pursuant to the District Sanitary Code and California Health and Safety Code section 6523.2, the District Engineer (or any designated representative thereof) is authorized to inspect Private Sewer Laterals with advance notice to the Owner(s) for the following purposes:
- 1. To determine the size, depth, and location of any Private Sewer Laterals.
- 2. To determine the end outlet of any sewer connection by depositing harmless testing materials in any plumbing fixture attached hereto and flushing the same, if necessary.
- 3. To determine, by measurements and samples, the quantity and nature of the sewage or wastewater being discharged into any Sewer Main.
- 4. To determine the location of the roof, swimming pool, floor and surface drains, and whether or not they physically connect to a Sewer Main.
- 5. To assess the condition of the Private Sewer Lateral where he/she suspects the Private Sewer Lateral may be allowing I&I to enter.

- B. **RIGHT OF ENTRY BY DISTRICT.** Pursuant to the District Sanitary Code and California Health and Safety Code section 6523.2, the District has the right of entry to any private property within the District when access is required for the following purposes:
- 1. Installation, maintenance and repair, rehabilitation, or replacement of Sewer Main infrastructure, including replacement of lower laterals.
- 2. Performing asset inventories, condition assessment surveys, and risk assessment surveys.
- 3. Responding to service calls, evaluating the cause of a blockage, SSO, or other Sewer Mainor lateral failure.
 - 4. Collecting water/wastewater samples.
- 5. Testing buildings, structures or premises to secure compliance or prevent a violation of any portion of this Ordinance.
- C. Owner(s) will be notified by the District 10 days in advance if possible. In the event of an emergency threatening public health, safety, or welfare the District may exercise right of entry immediately to respond to the emergency.
- D. Nothing herein shall be deemed to provide the District Engineer with any right or authority to enter a building or other apparently private or interior area of a real property, except to the extent such entry is expressly authorized by state law or by consent or permission of the resident.

SECTION 9. LATERAL INSPECTIONS

- A. **APPLICABILITY.** This Section shall apply to residential properties, fixed and floating properties, commercial properties, publicly owned buildings, common interest developments, apartment buildings and any structure which has a Private Sewer Lateral.
- B. MANDATORY LATERAL INSPECTION. Mandatory lateral inspection and submittal of an inspection report will be required upon the occurrence of any of the following events:
- 1. **HEALTH AND SAFETY FINDING.** An Owner, or if applicable, all multiple Owners of a shared Private Sewer Lateral, shall have the lateral of his or her real property inspected, in accordance with the requirements of this Ordinance, and/or as directed and within the time period indicated by the District Engineer, upon one or more of the following findings:
- a. **Overflow or Malfunction.** Whenever the District Engineer determines that the sewer service lateral has recently overflowed or has recently

malfunctioned, or that a District sewer system overflow resulted from or could result from roots, grease, debris, or excess flow from a Private Sewer Lateral.

- b. Lateral Failure or Lack of Maintenance. Whenever the District Engineer finds that the Private Sewer Lateral not been properly maintained.
- c. **Public Health Threat.** Upon any other reasonable determination by the District that there exists a threat to the public health, safety, or welfare due to the condition of a Private Sewer Lateral.
- 2. **TRANSFER OF TITLE.** An Owner, or if applicable, all multiple Owners of a common Private Sewer Lateral, shall have the lateral of his or her real property inspected, in accordance with the requirements of this Ordinance, upon the transfer of title of any real property without exchange of payment. This paragraph shall not apply to properties that hold a current Certificate of Compliance for Private Sewer Lateral.
- C. **INSPECTION REPORT REQUIREMENTS.** An inspection report required by this Ordinance shall be prepared in accordance with the following requirements and specifications and shall, in all other aspects, comply with the District Standards.
- 1. Inspection report shall be prepared in a NASSCO PACP/LACP-compliant or equivalent format acceptable to the District.
- 2. Inspection report shall be prepared by a licensed plumber or a NASSCO-certified PACP or PACP/LACP inspector.
 - Inspection report shall include the following items:
 - a. Date of inspection.
 - b. Address of inspection.
 - c. Name of inspector
 - d. NASSCO PACP/LACP certificate number, if applicable
 - e. Name of plumbing firm and license number
 - f. Lateral material(s) and lengths
 - g. Approximate age of lateral
 - 4. Inspection report shall identify all of the following:
- a. Any and all defects that could allow infiltration into the lateral or otherwise create a maintenance issue in the District sewer system. Such defects may include but not be limited to the following: displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration or

extraneous water, grease and sediment deposits, or other conditions likely to increase the chance for blockage of the lateral or Sewer Main.

- b. Whether any other properties connect to the lateral or if the lateral connects to lateral(s) from other properties prior to connection to the Sewer Main.
- c. Whether any connection, by pipes or otherwise, allows rainwater to groundwater to enter the sewer service lateral or public sewer.
- d. Whether the lateral runs under, along, or across a creek, or drainageway, or is exposed or aboveground.
- e. Whether the lateral has a cleanout at the building and at the property line.
- f. Whether the sewer service lateral has an installed backwater device where any outlet or trap of the sewer service lateral is below the level of the nearest manhole. If a backwater prevention device is already installed, the report shall indicate whether the backwater prevention device is functioning properly.
- 5. The Inspection Report shall include the following certifications and declaration by the inspector:
- a. Certification from the inspector that the property has been inspected for any outdoor drain connections to the District sewer system and that no such connections exist.
 - Certification that a televised video was taken of the lateral.
- c. Certification that no roof, swimming pool, sump pump, floor and/or surface drains or any other non-sewage drains are physically connected to the lateral or Sewer Main.
- d. Certification that an installed backwater device is in place where any outlet or trap of the sewer service lateral is below the level of the nearest manhole. If a backwater device is already installed, the report shall indicate whether the backwater device is functioning properly.
- e. Declaration under penalty of perjury that the report is true and correct.
- D. **NOTICE TO REPAIR.** Upon District staff evaluation of a Private Sewer Lateral inspection report received pursuant to this Ordinance, the District Engineer will determine whether it indicates any deficiencies in the operation, maintenance, or construction of the sewer service lateral and, thereafter, shall provide the Owner(s) with a Notice to Repair as described in Section 15 and as may be deemed appropriate by the District Engineer.

SECTION 10. LATERAL TESTING

- A. **APPLICABILITY.** This Section shall apply to residential properties, fixed and floating properties, commercial properties, apartment buildings, and any structure which has a Private Sewer Lateral. This Section shall not apply to Common Interest Developments and Publicly-Owned Facilities. This Section shall not apply to properties that hold a current Certificate of Compliance for Private Sewer Lateral.
- B. **DISCRETIONARY LATERAL INSPECTION PRIOR TO LATERAL TESTING.** Owner(s) of properties described in 10.A., above, may, at the Owner(s) discretion, conduct a Lateral Inspection prior to conducting the Lateral Test, to assist the Owner in determining if the lateral is in need of repair or replacement in order for it to successfully pass the Lateral Test. For this discretionary inspection done before testing an existing lateral under this Section's requirements, the District shall not require an inspection report, as described in Section 9.
- C. EVENTS REQUIRING A LATERAL TEST. An Owner, or if applicable, all multiple Owners of a Shared Lateral, shall have the lateral of his or her Property tested, in accordance with the requirements of this Ordinance upon the occurrence of any of the following events. Evidence of a successful Lateral Test shall be provided in the form of a completed District permit for the Lateral Test work.
- 1. Additions and Improvements. Prior to the issuance of a county or city building permit for a remodel where said remodel has a value of \$75,000 or greater, or the remodel comprises addition of a bathroom.
- 2. Sale of Property. Upon proposed sale of property, the seller shall coordinate a Lateral Test upon listing the home for sale. The responsibility for repair of a lateral that fails testing shall be mutually agreed upon by the property buyer and seller. Properties in escrow.
- 3. Properties that hold a current Certificate of Compliance for Private Sewer Lateral are excepted from lateral testing requirements in this Section.
- D. **OBLIGATIONS OF THE OWNER.** The Owner shall repair his or her Private Sewer Lateral if it cannot pass the Lateral Test, in compliance with the California Environmental Quality Act, including adding a conforming cleanout and backwater prevention device, and acquire all related permits from the District and obtain a final permit inspection from a District Inspector. All permits and repairs shall be completed in a timeframe that is satisfactory to the District Engineer. For repairs required under paragraph 3.b. "Sale of Property" of this section, the deadline to complete repairs and final inspection shall not exceed 90 days from the close of escrow.
- E. **COMPLIANCE CERTIFICATES.** A Certificate of Compliance for Private Sewer Lateral issued to an Owner under this Section shall be valid for 20 years from the date it is issued.

SECTION 11. COMMON INTEREST DEVELOPMENTS

A. **GENERAL**. Common Interest Developments shall have the Private Sewer Lateral(s) within the Common Interest Developments tested, in accordance with the requirements of this Ordinance as described in this Section.

B. RESPONSIBILITY OF HOMEOWNERS' ASSOCIATION AND INDIVIDUAL UNIT OWNERS.

- 1. The Homeowners' Association and the Owner of an individual unit within the Common Interest Development are each responsible to have the Private Sewer Lateral(s) tested to the same extent that each property is responsible to maintain the Private Sewer Lateral(s) within the Common Interest Development. The division of responsibility for the maintenance between the Homeowners' Association and the Owner of individual units may be described in any document but is typically described in the Covenants, Conditions and Restrictions (CC&Rs) applicable to Common Interest Developments or the parcels in them. In some Common Interest Developments, the Homeowners' Association has assumed responsibility to maintain all Private Sewer Lateral(s). In other Common Interest Developments, the owner of each individual unit is responsible to maintain the Private Sewer Lateral(s) associated with the unit he or she owns, and the Homeowners' Association is responsible to maintain the remaining Private Sewer Lateral(s) within the Common Interest Development.
- 2. If the Homeowners' Association has assumed responsibility to maintain all Private Sewer Lateral(s) within the Common Interest Development, the Homeowners' Association must obtain the Certificate of Compliance for Common Interest Development Laterals on or before January 30, 2024 for all parcels within the Common Interest Development. Until January 30, 2024, the following deadlines must be met to maintain compliance with this Ordinance:
- a. Condition Assessment Plan. On or before June 30, 2016 all Homeowners' Associations shall submit for District approval a Condition Assessment Plan. The Condition Assessment Plan shall include the following:
 - (i) The name, physical address, and number of units in the Common Interest Development,
 - (ii) Name of the HOA or HOA management company, HOA representative, and contact information,
 - (iii) A schedule to assess the condition of all Private Sewer Laterals associated with the Common Interest Development in preparation of submitting the Corrective Action Plan.
- b. Corrective Action Plan. On or before June 30, 2018 all Homeowners' Associations shall submit a Corrective Action Plan to the District for approval. The Corrective Action Plan shall incorporate the results of the sewer lateral

condition assessment conducted in accordance with the Condition Assessment Plan. The Corrective Action Plan shall include a map of the sewer laterals serving the development and describe the type, quantity and schedule and summary of all work needed to have all Private Sewer Laterals associate with the Common Interest Development tested, in accordance with the requirements of this Ordinance, and bring all Private Sewer Laterals associated with the Common Interest Development into compliance with all other District ordinances. The District shall approve the Corrective Action Plan if it determines the proposed work will result in full compliance by January 30, 2024.

- c. Certificate of Compliance for Common Interest Development Laterals. After the Homeowners' Associations completes the work described in the approved Corrective Action Plan, the Homeowners' Associations will receive a Certificate of Compliance for Common Interest Development Laterals. The Certificate of Compliance for Common Interest Development Laterals shall be valid for 20 years from the date issued. Upon expiration, the Homeowners' Associations must have the Private Sewer Laterals tested again to obtain a new compliance certificate.
- 3. If the Owner of individual units and the Homeowners' Association share responsibility to maintain the Private Sewer Lateral(s) within the Common Interest Development, the parties' respective responsibility to have the Private Sewer Lateral(s) tested is as follows:
- a. The Owner of the individual unit must have the Private Sewer Lateral(s) tested at the time and in the manner required by Section 10, provided that the District will require testing only of the Private Sewer Lateral(s) or portions of the Private Sewer Lateral(s) that are the responsibility of the Owner of the individual unit before issuing a Certificate of Compliance for Private Sewer Lateral.
- b. The Homeowners' Association must comply with B.2. of this Section for all parcels associated with any Private Sewer Lateral that is the Homeowners' Association's responsibility to maintain, provided that the District will require testing only of those Private Sewer Lateral(s) or portions of Private Sewer Lateral(s) that are the responsibility of the Homeowners' Association before issuing a Certificate of Compliance for Common Interest Development Laterals.
- c. In circumstances where the Owner is responsible for a portion of the lateral, the Homeowners' Association may elect, at its discretion, to take responsibility of the entire Private Sewer Lateral for the purposes of gaining compliance under this Ordinance.
- d. The issuance of a Certificate of Compliance for Private Sewer Lateral or Certificate of Compliance for Common Interest Development Laterals under this Section to either an Owner of an individual unit or to a Homeowners' Association, with respect to a specific parcel within a Common Interest Development, does not relieve another party that shares responsibility to maintain the Private Sewer

Lateral(s) associated with the same parcel of its obligation under this Section to obtain a Certificate of Compliance for Private Sewer Lateral.

C. COMPLIANCE CERTIFICATES. A Certificate of Compliance for Common Interest Development Laterals issued to a Homeowners' Association and a Certificate of Compliance for Private Sewer Lateral issued to an Owner under this Section shall be valid for 20 years from the date it is issued. The Homeowners' Association must have the Private Sewer Lateral(s) it is responsible for tested again upon expiration of the previously issued compliance certificate.

SECTION 12. PUBLICLY-OWNED FACILITIES

- A. Private Sewer Laterals on Publicly-Owned Facilities shall be owned, maintained and repaired by the Owner(s) of the property which the Private Sewer Lateral serves. The entire Private Sewer Lateral, from the building connection(s) to and including the "wye" connection(s) or other-tie-in(s) to the Sewer Main, shall fall within the Owner's responsibility for installation, maintenance and repair.
- B. Publicly-Owned Facilities must obtain a Certificate of Compliance for Private Sewer Lateral on or before **June 30, 2029** for all parcels and Private Sewer Laterals associated with the facility. Until **June 30, 2029**, the following deadlines must be met to maintain compliance with this Ordinance:
- 1. Condition Assessment Plan. On or before June 30, 2021 all Publicly-Owned Facilities shall submit for District approval a Condition Assessment Plan. The Condition Assessment Plan shall include the following:
- a. The name, physical address, parcels and buildings at the facility,
- b. Name and contact information for the facility's representative,
- c. A schedule to assess the condition of all Private Sewer Laterals associated with the facility in preparation of submitting the Corrective Action Plan.
- 2. Corrective Action Plan. On or before June 30, 2023, Publicly-Owned Facilities shall submit a Corrective Action Plan to the District for approval. The Corrective Action Plan shall incorporate the results of the sewer lateral condition assessment conducted in accordance with the Condition Assessment Plan. The Corrective Action Plan shall include a map of the Private Sewer Laterals at the facility and describe the type, quantity and schedule and summary of all work needed to have all Private Sewer Laterals tested in accordance with the requirements of this Ordinance, and bring all Private Sewer Laterals into compliance with all other District ordinances. The District shall approve the Corrective Action Plan if it determines the proposed work will result in full compliance by June 30, 2029.

3. Certificate of Compliance for Common Interest Development Laterals. After the work described in the approved Corrective Action Plan is completed, the Publicly-Owned Facility will receive a Certificate of Compliance for Private Sewer Lateral. The certificate shall be valid for 20 years from the date issued. Upon expiration, the Publicly-Owned Facility must have the Private Sewer Laterals tested again to obtain a new compliance certificate.

SECTION 13. SHARED LATERALS

- A. Shared Laterals are prohibited in accordance with the Sanitary Code and District Standards except as provided in this Section.
- B. One Private Sewer Lateral may serve two or more parcels provided that the District Engineer determines the following: (1) the Shared Lateral existed on or before October 5, 1993, and (2) the Shared Lateral is free of Defective Conditions.
- C. The District may deem the Owner(s) or other responsible party(ies) served by the Shared Lateral jointly and severally responsible for obtaining a Certificate of Compliance for Private Sewer Laterals.
- D. The Owners of the parcels served by a Shared Lateral shall jointly be responsible for any maintenance, operation, inspection, testing and repairs.
- E. The Owners of the parcels served by a Shared Lateral must determine how costs related to lateral maintenance, operation, inspections, testing and repairs will be shared.
- F. The District encourages the Owners to enter into a maintenance agreement (including easements where feasible) between all of the Owners served by a Shared Lateral to ensure there is a mechanism in place to address and finance required lateral maintenance, operation, inspection, testing, and repair and/or replacement of the Shared Lateral.
- G. In the absence of easements or agreements, each Owner shall be responsible for that portion of the Shared Lateral within his or her property boundary, and also that portion downstream of his or her property boundary to the next point of connection to the Shared Lateral or Sewer Main.

SECTION 14. DISTRICT'S AUTHORITY FOR ENFORCEMENT OF VIOLATIONS

- 1. The District may take enforcement action against a person who violates the provisions of this Ordinance or fails to perform any act required by this Ordinance. The District may recover from any person in violation of this Ordinance the costs the District incurs in connection with enforcing this Ordinance, including staff time, and may seek attorneys' fees in any court action or proceeding.
- 2. Article VIII of the District's Sanitary Code provides for enforcement of violations of this Ordinance, including fines.

- 3. Section 6523.3 of the California Health and Safety Code provides that in order to enforce the provisions of any Ordinance of a District, the District may correct any violation of an Ordinance of the District. The cost of such correction may be added to any sewer service charge payable by the person violating the Ordinance or the owner or tenant of the property upon which the violation occurred, and/or the District may place a lien on the property wherein the violation occurred or the District may pursue a civil action for recovery of the costs.
- 4. The District may also petition the superior court for the issuance of a preliminary or permanent injunction, or both, restraining any person from the continued violation of this Ordinance.
- 5. Section 6523 of the California Health and Safety Code provides that a violation of this Ordinance may be a misdemeanor.

SECTION 15. ENFORCEMENT

- A. BASIS FOR ENFORCEMENT. A Notice of Violation or Notice to Repair may be issued as may be deemed appropriate by the District Engineer upon the following findings:
- 1. Violation of this Ordinance. Failure to comply with the requirements of this Ordinance, such as construction not in accordance with District Standards or completed without District permit and/or inspection; failure to perform lateral inspection or testing within the time allowed; or failure to comply with Common Interest Development or Publicly-Owned Facilities compliance requirements.
- 2. Deficiencies in the Operation, Maintenance or Construction of the Private Sewer Lateral. Whenever the District Engineer determines, in his or her sole discretion, that a property has a Defective Condition or other deficiencies in the operation, maintenance or construction of the Private Sewer Lateral, based on the Private Sewer Lateral inspection report, service call history at the property, and observations form the District's capital improvement, condition assessment and inspection activities.
- 3. **High I&I Contribution or Non-Sanitary Sewer Connection.** Whenever the District Engineer finds that a property is contributing high I&I or has a non-sanitary sewer connection, based on observations during smoke testing, flow and level monitoring, site investigations, or CCTV inspection; and other reasonable cause.
- 4. **Private Sewer SSO.** Whenever the District Engineer finds that a property has had one or more private SSOs.
- B. **NOTICE OF VIOLATION.** The Notice of Violation shall specifically identify the violations to be corrected and shall establish a deadline within which the Owner(s) shall complete the required corrective actions. Corrective actions may include but are not limited to Lateral Inspection, Lateral Testing, removal of illicit connections, bringing a non-conforming or unpermitted lateral into compliance with District Standards, including

acquiring a District permit and inspection. The notice shall advise the Owner of the enforcement provisions of this Ordinance.

- C. NOTICE TO REPAIR. The Notice to Repair shall specifically identify the deficiencies to be corrected and shall establish a deadline within which the Owner(s) shall complete the required corrective actions. The corrective actions may include that it be replaced altogether, a requirement that the lateral pass a Lateral Test, and also may include the installation of cleanouts and backwater prevention devices if those devices are otherwise required by this Ordinance, the Sanitary Code, or District Standards. The notice shall advise the Owner of the enforcement provisions of this Ordinance.
- D. **OBLIGATIONS OF THE OWNER.** The Owner shall complete the corrective actions in the Notice of Violation or Repair. Repairs to the Private Sewer Lateral as required in the Notice to Repair shall be completed to the satisfaction of the District Engineer, and in compliance with the California Environmental Quality Act, including adding a conforming cleanout and backwater prevention device, and acquire all related permits from the District and obtain a final permit inspection from a District Inspector. All permits and repairs shall be completed in a timeframe that is satisfactory to the District Engineer.

SECTION 16. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held invalid, unconstitutional or unenforceable, such holding shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause of phrase thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses or phrases is for any reason held invalid, unconstitutional or unenforceable.

SECTION 17. REPEALS AND INCONSISTENT ORDINANCES

As of the effective date of this Ordinance, the following ordinances of the District are hereby repealed: Ordinance No. 66, adopted June 18, 2014; Ordinance No. 67, adopted June 25, 2014; Ordinance No. 68, adopted August 27, 2014; Ordinance No. 69, adopted December 17, 2014; Ordinance No. 71, adopted February 18, 2015; Ordinance No. 72, adopted May 20, 2015; Ordinance No. 73, adopted July 15, 2015. All other District ordinances and resolutions and parts of District ordinances and resolutions inconsistent herewith are hereby repealed.

SECTION 18. EFFECTIVE DATE OF ORDINANCE

A summary of this Ordinance shall be published once in the Marin Independent Journal, a newspaper of general circulation published in the District. The effective date of this Ordinance shall be July 1, 2018.

[Signatures on next page]

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Ross Valley Sanitary District, held on the 20th day of June, 2018 by the following vote:

AYES:	Boorstein,	Gaffney,	Kelly,	Meigs,	Sulla
NOES:			V	0 /	4

PRESIDENT OF THE BOARD

ABSENT:

ATTEST:

THE RESIDENTS OF THE NINE HOUSES ON WALSH LANE AND MANZANITA ROAD

CLOSEST TO 6 WALSH LANE FAIRFAX, CA.

SEP 09 2020

September 8, 2020

Fairfax Planning Commission Fairfax, California

Re: 6 Walsh Lane: 50% remodel and two-story addition

Design Review, Hill Area Residential Development

Application #20-8

Dear Commissioners,

Each and everyone of us object to the proposed changes at 6 Walsh Lane, Fairfax. Unlike the candy-coated Fairfax Staff Report, we recognize this project for what it is.

The project is a for-profit venture by a person not from Fairfax, doesn't intend to live here and doesn't care about our neighborhood or us. The focus of care here is profit.

Such an endeavor is a person's right and is not illegal. It can, however, give rise to expediency and a disregard for the setting and the people who live there. We do not intend to sit by and allow this to roll over us. If approved, a dangerous precedent for Fairfax will be set. Many of us remember what happened to Mill Valley not that long ago.

The development plan for 6 Walsh Lane has tried to obscure the egregious aspects of the project and circumvent the rules that govern it: Fairfax Zoning Code Section 17.020 Design Review and Section 17.072 Hill Area Residential Development Overlay Zone.

We will review the rules and how the proposed work conforms or doesn't conform to them:

ATTACHMENT E

17.020.020, PURPOSE

(B) The purpose of this purpose of Design Review is to foster good design character through consideration of aesthetic and functional relationships to surrounding development and in order to enhance the town's appearance and the livability and usefulness of properties

17.020.030. APPLICABILITY

Because the proposed project is a 50% remodel and second story addition it subject to the rules and requirements of Design Review.

17.020.040 DESIGN REVIEW CRITERIA (and conformance or not by the proposed project).

- (A) The size and height of the proposal are essentially double that which exists in the immediate area. It is a major departure away from the intent of Design Review. It does not "harmoniously relate" to other facilities there. It would be discordant and not harmonious as seen from a distance.
- (B) The elements of design that have a significant relationship to the exterior appearance of the project are to be considered.

Size: The proposed floor area of 2866 square feet is more than double the 1350 square foot average existing floor area in the vicinity. Such size "dwarfs" that of the setting in which it sets.

Height: The proposed height of 31'- 10" hardly relates to the average height of 16'- 6" of the 8 immediate houses on Walsh Lane and Manzanita Road.

Siding and exterior color: The specified siding is the James Hardie "Reveal Panel System." It is a commercial grade cement board panel system and looks like one. It's integral color is a dark blue called "Evening Blue". Such a system and system do not exist in the vicinity and can't be deemed "harmonious." An additional part of the house, the old part, is sided with Hardie cement board smooth lap siding colored "Khaki Brown." This relates better to the immediate area.

- (C) It is hard to say whether the new work will hinder or help values in the area. Its disproportionate size will negatively affect the diminutive charm of the area. Should the developer selling the property for the \$ 2.5 million that is claimed, values may very well go up. We, the neighbors, feel that such a scenario would signal the beginning of the end of Fairfax as we know it.
- (D) This criterion requires that "the proposed development shall conform with <u>all</u> requirements for landscaping, screening, usable open space and the design of parking and off-street loading areas."

Parking here is very tight and we believe the proposed project will make it worse. Walsh Lane is only 10 feet wide, so there is no street parking. Any additional parking is on private property and unavailable. Immediately beyond Walsh Lane, the roads are narrow and winding. Parking spaces that don't block driveways, fall on private property or obstruct emergency vehicle access are scarce.

The parking creates for 6 Walsh Lane is poorly and deficiently designed. Due to the peculiar trapezoidal shape of the garage interior and the obstruction a created by the abnormally large landing for Bedroom #3, two 9' x 19' don't appear to exist. For them to be legitimate, it looks like one of the vehicles has to do some maneuvering to get in or out of the garage. Two 8' x 16' compact spaces would work, but aren't code acceptable.

Because Walsh Lane is so narrow, the required guest parking space is not possible in a spot in front of the house, where it usually goes. Fortunately the code allows for a tandem guest space in the driveway when one is not available in the street. This however further complicates the earlier-mentioned problem of the maneuvering necessary to get in and out of the garage.

Further making this situation worse are the 5 bedrooms called for in the house. Chances are that this many bedrooms are going to generate a number of vehicles. The bottom line here is that there are a maximum of 4 legal parking spaces for the new house. Six cars could be fit, but two of them would be in the front yard setback which not code allowed.

The parking problem here will be largely created by the proposed work. We see this as a serious problem that will torment us if the proposal is

approved. There will be the shuffling of cars going on all the time at all hours. Cars will be parked here there and everywhere. The situation will be very annoying as well as unsafe.

It seems that whenever a problem is encountered with the proposed project, it is due more often than not to one thing: putting a house twice the size of anything around on a ten-foot-wide lane.

We can't emphasize enough that this should not be allowed to happen. It is even worse than it appears. The F.A.R. of the new house is .4, the maximum allowed. It is to be pointed out that the 2866 square foot floor area attributed to the house is, in actuality, greater. Exempted from being called floor area, but nevertheless existing, are the garage, two decks and a landing. These components add 670 square feet to the size of the house.

- (E) Does not apply.
- (F) Does not apply.
- (G) Does not apply.
- (H) The new structure does not conform to the general character of the other structures in the vicinity. The general character of the vicinity is diminutive and homey and considered architecturally desirable. Given these parameters, the proposed work shouldn't be considered architecturally desirable.
 - (I) Does not apply.
- (J) The proposed excavation and removal of 288 cubic yards of dirt and rock is a blatant blatant disregard for the retaining the natural features and grade of the site. This is a tremendous amount of work, more characteristic of something Ghilotti Brothers might do on Highway 101. Construction is disruptive, but bulldozers, loaders and 30 or 40 truckloads of dirt and rock is truly disruptive.
 - (K) Parking in the area has already been discussed.
 - (L) Does not apply.

- (M) Does not apply.
 - (N) Does not apply.

MISCELLANEOUS OBSERVATIONS:

We found two things in the plans that might affect the project adversely.

- 1. The relationship on the site plans showing the relationship between the new deck off the Master Bedroom of 6 Walsh and the house next at 10 Walsh Lane is inaccurate. The deck is actually farther (relatively speaking) toward the rear of the property than is shown. This affords it a view into the Master Bath and Master Bedroom of 10 Walsh Lane. The privacy that existed for the deck at the rear of 10 Walsh Lane will be gone. The new Master Bedroom deck at 6 Walsh Lane will now look down upon the #10 deck from about 12 feet above it.
- 2. One member of our little group spotted a sneaky possibility that exists for the new house.

The floor plans there are unusual. There is a Great Room on one level and a Family Room on the other level. The Family Room is hard to figure out. It is about 12 feet wide and about 30 feet long with no apparent use for the entire space. A ping pong table? Two ping pong tables? A very likely function for it would be to, going from east to west, put in a kitchen, then a dining area, then a living room. Voila! We now have a second unit! Bedroom #3 could easily connect to either level depending on how much rent is sought.

This might also explain why the large, awkward landing for bedroom is being kept even with the problems it generates.

SECTION 17.072 HILL AREA RESIDENTIAL DEVELOPMENT OVERLAY ZONE

The proposed changes for 6 Walsh Lane are also subject to to the requirements of the Hill Area Residential Development Overlay Zone. Some of these requirements are the same, or very similar to, those of Design Review. Those will not be repeated.

SECTION 17.072.010. PURPOSE

- (A). It is the purpose of the hill area residential development overlay zone to provide review of and standards for development proposed for undeveloped land in hill areas.
- (B) It is the intent of this chapter to accomplish the following:
 - (1) Encourage maximum retention of natural topographic features . . . Already discussed and proposal violates it.
 - (2) Minimize grading of hillside areas.

 Already discussed and proposal violates it.
- (3) Provide safe means of ingress and egress for vehicle and pedestrian traffic to and within hillside areas.

Proposal doesn't do anything to help this situation and possibly exacerbates it with 5 bedrooms adding to density and more vehicles in this area.

- (4) Minimize water runoff and soil erosion during and after construction. Some preliminary drainage control is shown on plans.
- (5) Does not apply.
- (6) Ensure that infill development on hillside lots is of a size and scale appropriate to the property and is consistent with the other properties in the vicinity.

This has already been discussed and the proposed project is woefully lacking in fulfilling this requirement.

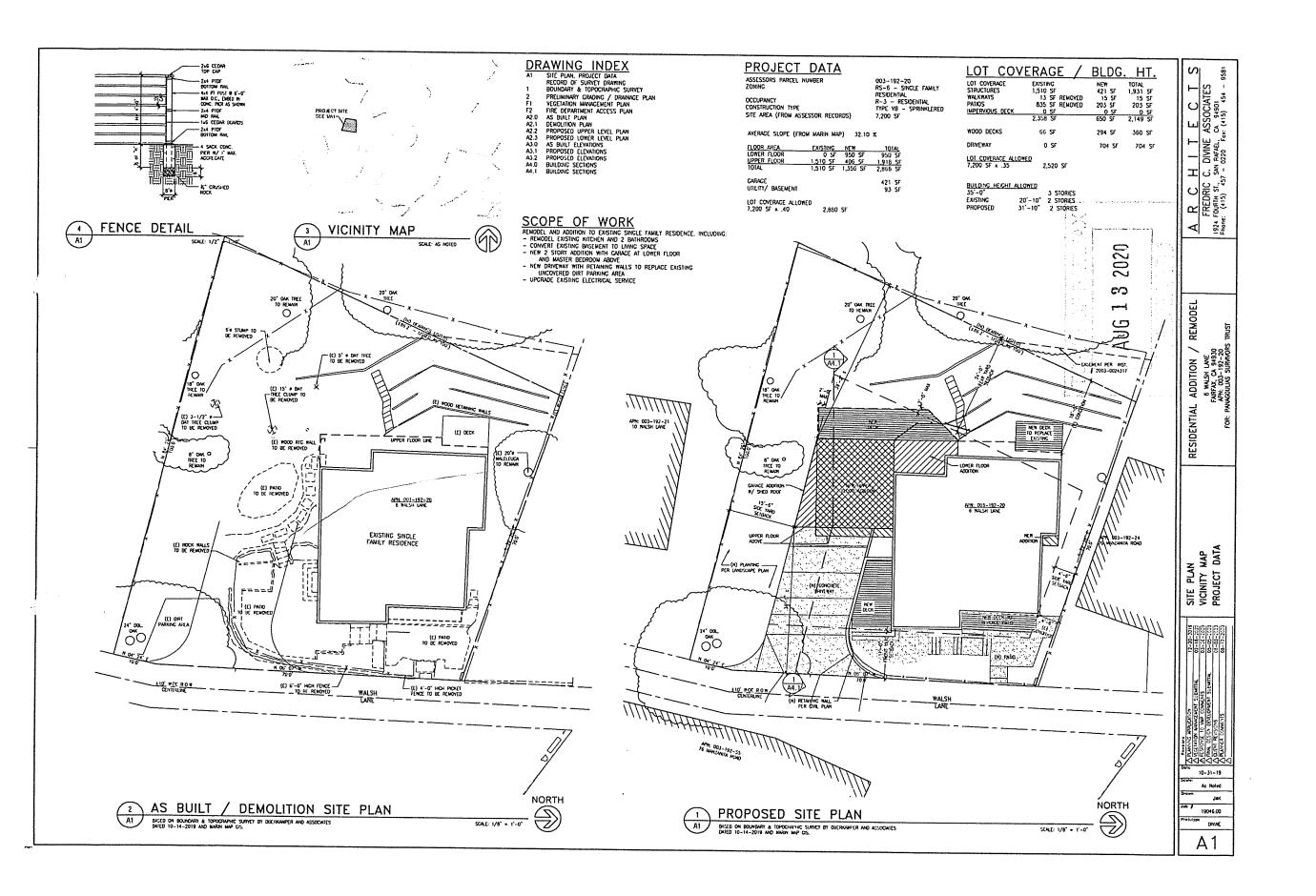
We believe this project is dangerous and a threat to everything around us. It will damage our neighborhood, negatively impact our quality of life and set a frightening precedent that could open Fairfax to soulless real estate speculation.

Please do not approve the proposed changes to 6 Walsh Lane.

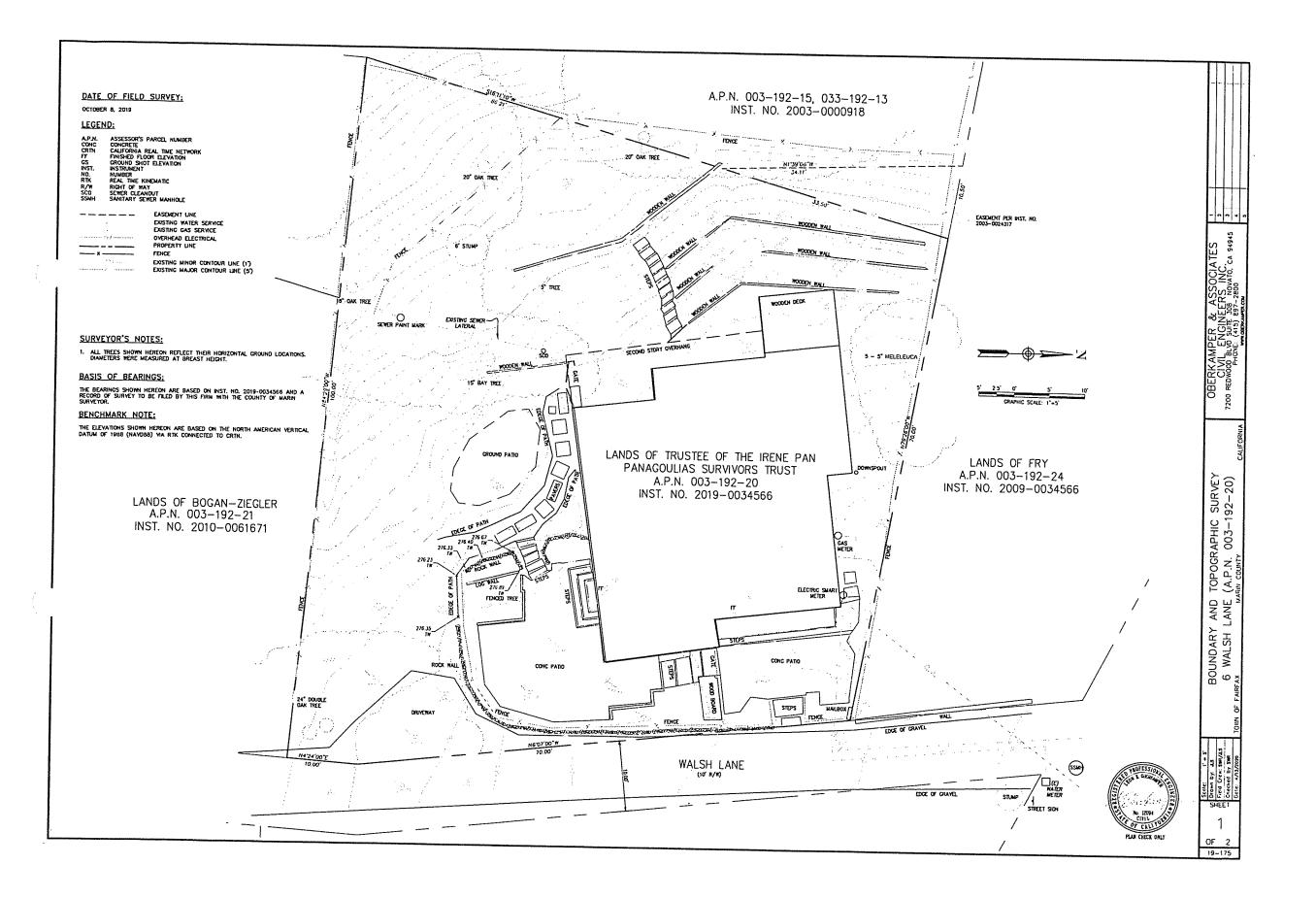
Thank you for your consideration.

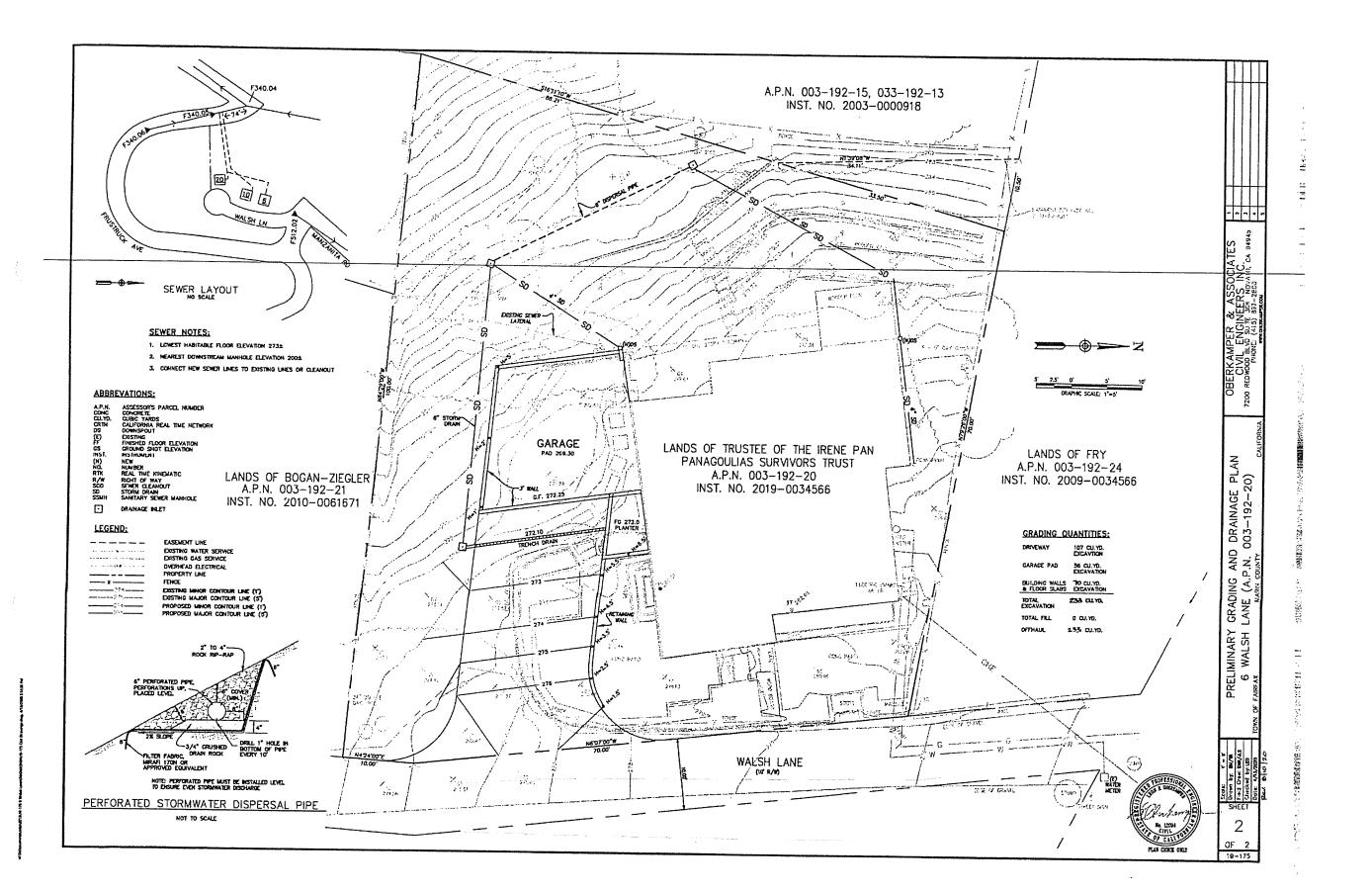
WE OBJECT TO THE WORK PROPOSED AT 6 WALSH LANE FAIRFAX

ADDRESS	NAME	SINCE
10 WALSH LANE	Sharab Bogger Mognethall	
20 WALSH LANE	SHARAB BOGAN & MORGAN HALL	2010
	SHANNON SCOTT	2020
21 WALSH LANE	Lathy Sound	
24 WALSH LANE	KATHYNORWOOD Barbara Casal	1974 <u>Ly</u>
65 MANZANITA ROAD	MICHAEL & BARBARA CASADY	1984
	ALISSA-INGLER VAN LEUVEN	2011
68 MANZANITA ROAD	Michael & Goldman	
70 MANZANITA ROAD	MICHAEL GOLDMAN MWFLY	1972 annfrypane Yahoo Com
76 MANZANITA ROAD	ANNE FRYE Kylo W. Grady	2009
76 A MANZANITA ROAD	GREG & HE GRADY	2005
	KAREN SEEKAMP & CHRISTOFE BESSLER	2003



SURVEYOR'S STATEMENT: THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF IRENE PAN PANAGOULIAS SURVIVOR'S TRUST IN OCTOBER 2019.	SHANE W. RAUCH ST. L.S. 9471		10,50	LANDS OF FRY D.N.2009-0062167 A.P.N. 003-192-24	MANZANITA Secondo: RA	
SHANE W. RAUCH DATE PLS 9471	15.	EASEMENT LINE PER 2003-0 NO1*39*08* - 34.11	\	79:26:00° W (01, 02)	RAW R	O_{A_D}
COUNTY SURVEYOR'S STATEMENT:			\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	" IRON PIPE PLS 9471	1	
THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYOR'S ACT THIS DAY OF	E 2019.			≥ 06:07:00 20:07:00 ANDS OF	FOUND 5/8" REBAR W/ CAP PLS7744 (R	1) /
TRACY W. PARK, PLS 8176 - COUNTY SURVEYOR	N	LANDS OF MURPHY D.N. 2003-0000918 A.P.N. 003-192-53	MAF ズダダ TRUSTEE OF TH 来記さ	NTSA B. CHEW E IRENE PAN PANAGOULIAS EVIVORS TRUST 1.2019-0034566 1.003-192-20	NORWOOD /	(17) [37, (187)]
DAVID O. KNELL, PLS 5301 - DEPUTY COUNTY SURVEYOR		132-33	88.51		RS 2003 OF MAP AT PAGE 60	25
RECORDER'S STATEMENT: FILED THIS DAY OF, 2019 ATM, IN BC		FOUND 1/2" IP OPEN-NO RECORD		/4" IRON PIPE PLS 9471 10.00' (01)	S. Mes.	T' (RI)
OF MAPS AT PAGE(S), AT THE REQUEST OF THE MARI	NIN IN	-	3	FOUND NAIL NO RECORD	2/3/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2	. 6 20/3
COUNTY RECORDER	7	4,00 06 VOZ.W. 172,40	28 12 12 12 12 12 12 12 12 12 12 12 12 12		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	012700
BY DEPUTY		7. W. 23. C.	A CO B	OGAN-ZIEGLER N.2010-0061671	S LANDS OF NORWOOD	N. 18(1)
LEGEND: FOUND MONUMENT AS NOTED LINET	TYPE LEGEND	72.50	2	20.	Zi	999
O SET 3/4" IRON PIPE MONUMENT TAGGED PLS 9471 () MAP DATA PER RECORD REFERENCE, AS SHOWN. A.P.N. ASSESSOR'S PARCEL NO. B.O.B. BASIS OF BEARING	ADJACENT PROPERTY LINE BASIS OF BEARINGS/TIE LINE BOUNDARY LINE THIS SURVEY BASEMENT LINE	હ	1	N 04'24'00'	FOUND 5/8" REBAR W/ CAP PLS7744 (R1)	
(C) CALCULATED (D#) DEED REFERENCE DOCUMENTS DIST. DISTANCE D.N. DOCUMENT NUMBER (↑) POI	VEYORS NOTES:	5 89'48' E (04)	5 89'43' E - 10 SENE 2X2'		2' (191) -	
I.P. IRON PIPE	DINT ESTABLISHED AT RECORD ANGLE AND STANCE.		FOUND 17	HUB & TACK (R1)	LOT L	
O.S. OFFICIAL SURVEY (R#) MAP REFERENCE DOCUMENTS D1	DRD REFERENCES: BOOK 2003 OF MAPS, PAGE 60 (MARCH D.N.: 2019-0034566	17, 2003)	LANDS OF RILEY A.P.N. 003–19	16 70' (R1)	UNRECORDED MAP OF FAIRFAX PARK	65.00. (47)
R&M RECORD AND MEASURED D2	D.N.: 2009-0062167 D.N.: 2010-0061671 D.N.: 2003-0000918				∼WALSH AVENUE	6
(T) TOTAL DISTANCE GENERAL NOTES:				e de la companya de l	(10' R/W)	
ALL DISTANCES SHOWN HEREON ARE GROUND U.S. SURVEY FEET AND DECIMALS THEREOF.				`\	RECORD	OF SURVEY
 THIS RECORD OF SURVEY IS BEING FILED IN COMPLIANCE WITH SECTION 8762, PARAGRAPHS <u>a. b.1. b.2. b.3. b.4. & b.5.</u> OF THE PROFESSIONAL LAND SURVEYOR'S ACT (8764 PLSA). DATE OF FIELD SURVEY: OCTOBER 8, 2019 			FOUND 3/4" BEARS NO7-39	IRON PIPE OPEN (R1) 2'29"W 0.81' FROM C POSITION	OF THE LANDS OF MARITSA B. C PANAGOULIAS SURVIVORS TRUST 2019-0034566, IN THE OFFICE CITY OF FAIRFAX. COUNTY OF	HEW, TRUSTEE OF THE IRENE PAN AS DESCRIBED IN DOCUMENT NO. OF THE MARIN COUNTY RECORDER. F MARIN, STATE OF CALIFORNIA AREA=0.16 ACRES±
BASIS OF BEARINGS: THE BASIS OF BEARINGS FOR THIS SURVEY IS \$24'12'18"W		20' 40'			OBERKAMPER	& ASSOCIATES
BETWEEN THE FOUND MONUMENTS, SET PER RS 2003 OF MAPS AT PAGE 60, LANDS OF NORWOOD (R1).	SCALE: 1"=	20°			7200 REDWOOD BLVD SI	GINEERS INC. JITE 308 NOVATO, CA 94945 15) 897-2800
					A.P.N. 003-192-20	SHEET 1 OF 1 SHEETS







Q

DECK ABOVE

MOTE. SHRUBS SINCE BE SPACED SO THAT HO COMMINITY EASITS BETWEEN THE CHANNED FUCES AND TREE CHOMMS, SUCH THAT A CHUND FREE WILL HOT EXTEND INTO THE TREE CANOPY

NOTE: TREES SHALL BE PLANTED SUCH THAN TRICE MATURE,
THERE OCHING WE EXPANATED SUCH THAN TRICE MATURE,
THERE OCHING WE TELT FOR DURIN THE PRECEDING TOOL
NOTIFICATION FROM THE TELT FOR THE PRECEDING TOOL
NOTIFICATION THAT DEPOCRATION THESE SHALL BE REQUIRED TO BE
THANKED AND/OR REMOVED DEPOCRATION THESE CONSIGNATION
AND DISTANCE FROM THE STRUCTURE(S).

NOTE: SEPARATE INDOMODIA: SHEND EXCHANGES BY AT LEAST INDOM
TIMES THE RECORT, OH CLUMP SHRINGS WITD GRANDS OF NO
GREATER THAN 18 FEET DAMPETER. SEPARATE THE SDAYOS BY
A DISTANCE OF NO LESS THAN THO TIMES THE CAMPON RECORT.

VBOAE

RESIDENCE

LACE PAL (1)

EXISTING CONDITIONS 0-30' ZONE

- Existing hardscape pales and did parking area to be removed to accommodate residence building expansion and new concrete driveway at South side yard.
- Easting properly regulation consists of soveral established dails and bay trees, and native grasses and brush. Properly fronting along Wash Lane has no easting speciation. Multiply enstang small diameter and sorub trees are to be removed from the sides and rear yard strees.

EXISTING CONDITIONS 31-100 ZONE

- Native grasses and scotch bloom exist inside the property/site boundary within the 311-100 toxic, with like exist and small buy trees to remain at the South-Southeast corner of the property/site boundary.
- The tribling vecolation outside the property/site boundaries within the 31'-100' zone consists of native grasses, brush and hardwood sees.

PROPOSED MANAGEMENT 0-30" ZONE

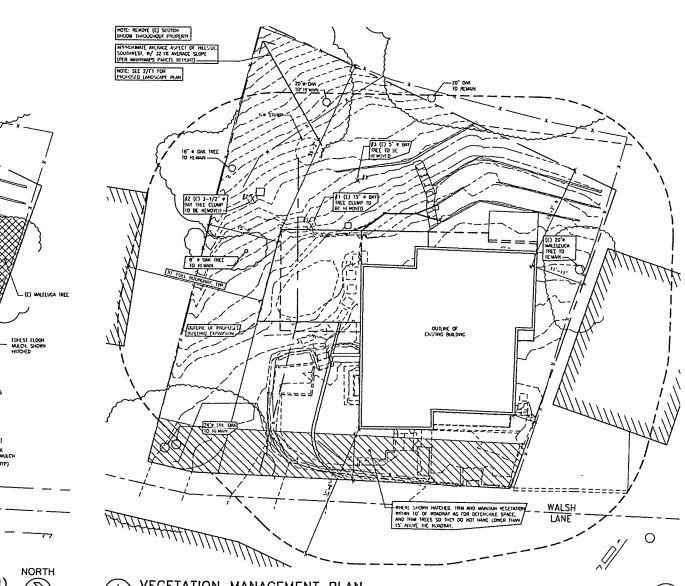
- All shrubs will be thinned or removed. Planted preas will be weeded and dead leaves removed.
- B. Trees will be limbed up to 10" and fend wood removed. Any tree limbs touching house or chimney will be limbed up to 10".
- New landscaping will be placed adjacent to the house and along driveway as shown on the landscaping plan.

PROPOSED MANAGEMENT 31-100' ZONE

All native grasses within the property/site boundaries are to be maintained and out.

PROPOSED MANAGEMENT ADJACENT TO ROADWAYS AND DRIVEWAYS

Time and maintain segmention within 10 feet of roadways as for defensible space. Time trees so they do not hang lower than 15 feet above the roadway.



PROPOSED LANDSCAPE PLAN (EXISTING PLANTINGS NOT SHOWN)

CONC DRIVEWAY

VEGETATION MANAGEMENT PLAN

DYINE

10-31-19 As Noted

JWK

19046.00

DIVINE ASSOCIATES

DIVINE ASSOCIATES

N RAFAEL, CA. 94901

0220 Fax: (415) 454 - 9:

R C H FREDRIC C. [FOURTH ST., SAN I

A 1924 Phone

REMODEL

RESIDENTIAL ADDITION / F 6 WLSH LANE FARFXX, CA 94930 FOR: PAWAGGULKS SHRAMPR

MANAGEMENT PLAN, LANDSCAPE PLAN

VEGETATION PROPOSED 1

FIRE DEPT. NOTES

- THIS PROJECT IS SUBJECT TO THE REGULATIONS COVERNING
 "WILDLAND-URBAN-INTERFACE AREAS" AND/OR "FIRE HAZARD SEVERITY ZONES"
 IN CHAPTER 7A OF THE 2016 EDITION OF THE CALIFORNIA BUILDING CODE
 (CBC), CHAPTER R337 OF THE CALIFORNIA RESIDENTIAL CODE (CRC), AND LOCAL
 ORDINANCES.
- THE CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 7A OF THE 2016 CALIFORNIA BUILDING CODE.

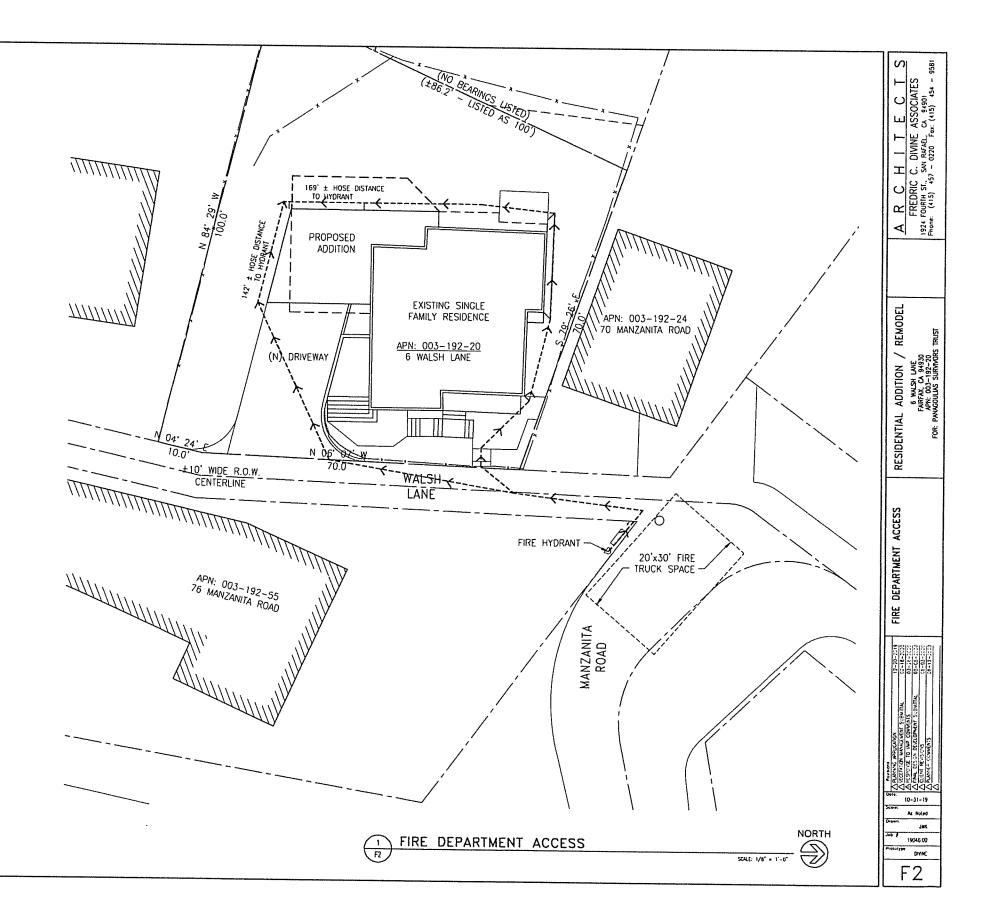
PER THE REQUIREMENTS OF THE ABOVEMENTIONED CODE STANDARDS, A CLASS-'A' ROOF ASSEMBLY IS REQUIRED.

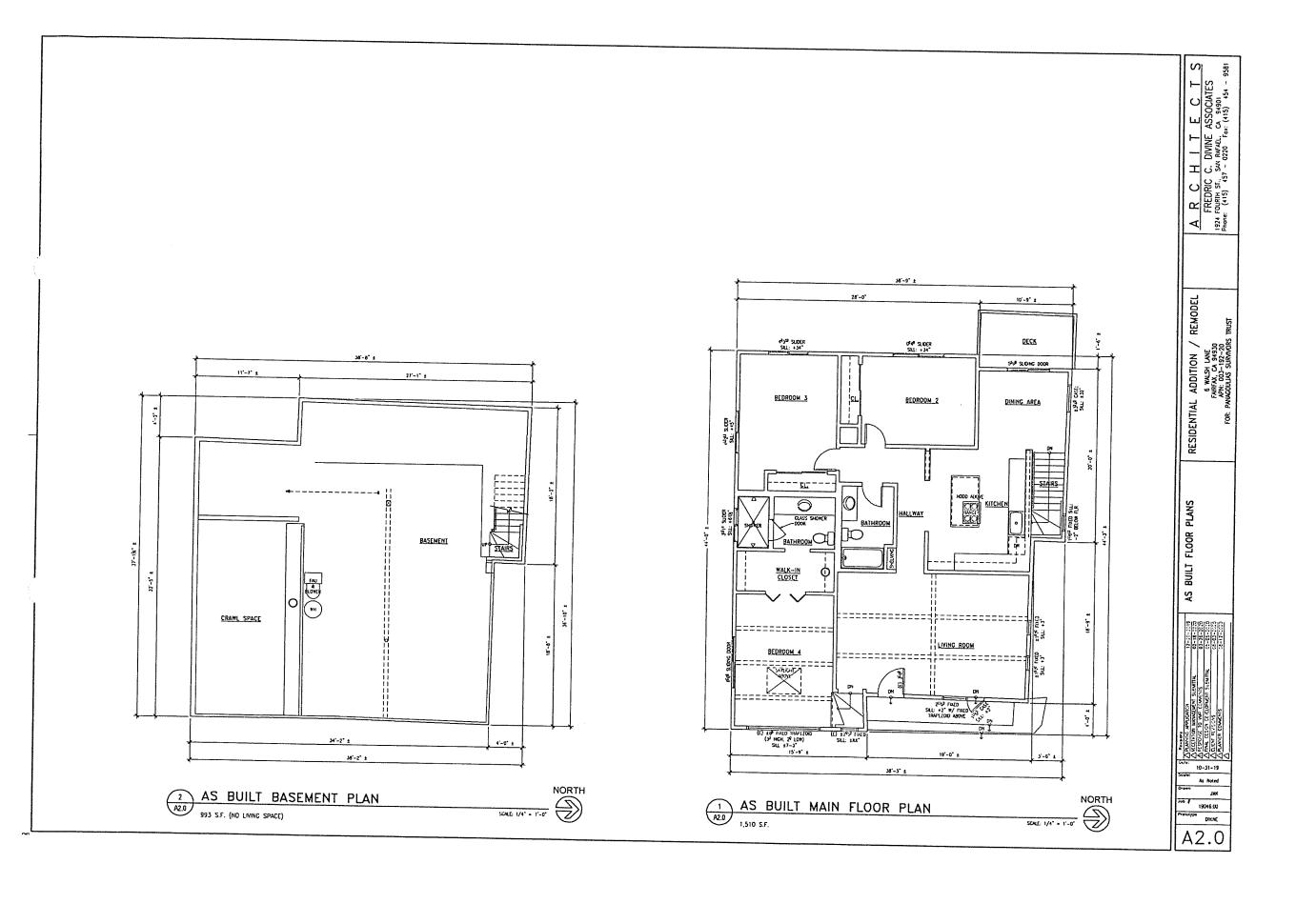
 A FIRE SPRINKLER SYSTEM SHALL BE INSTALLED THROUGHOUT THE ENTIRE BUILDING WHICH COMPLIES WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 13-D AND LOCAL STANDARDS.

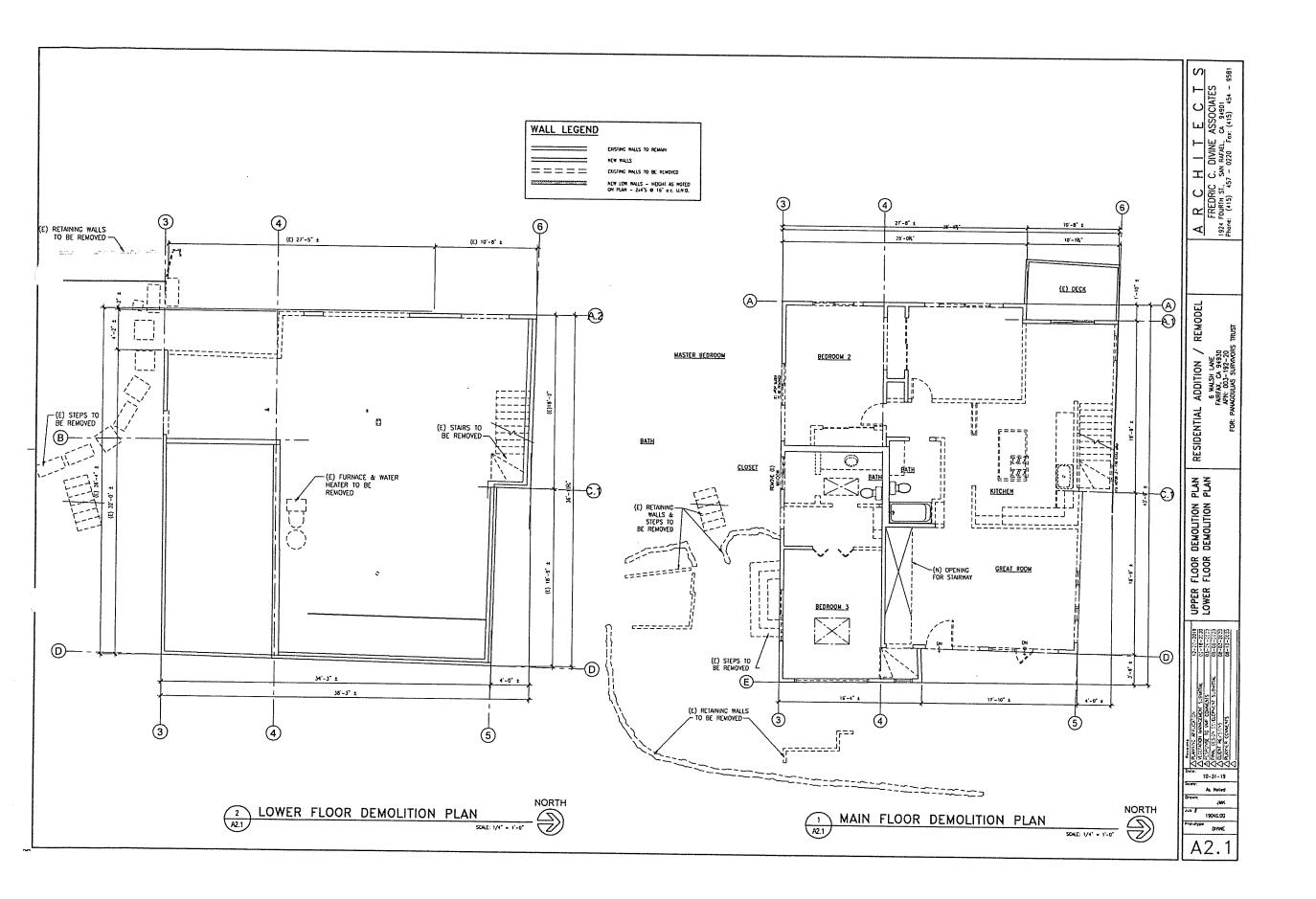
A SEPARATE DEFERRED PERMIT SHALL BE REQUIRED FOR THIS SYSTEM THROUGH ROSS VALLEY FIRE DEPARTMENT. PLANS AND SPECIFICATIONS FOR THE SYSTEM SHALL BE SUBMITTED BY AN INDIVIDUAL OR FIRM LICENSED TO DESIGN AND/OR DESIGN-BUILD SPRINKLER SYSTEMS.

- 4. ALL SMOKE DETECTORS SHALL BE PROVIDED WITH AC POWER AND BE INTERCONNECTED FOR SIMULTANEOUS ALARM. DETECTORS SHALL BE LOCATED IN EACH SLEEPING ROOM, OUTSIDE OF SLEEPING ROOMS CENTRALLY LOCATED IN THE CORRIDOR, AND OVER THE CENTER OF ALL STARWAYS WITH A MINIMUM OF ONE DETECTOR PER STORY OF THE OCCUPIED PORTION OF THE RESIDENCE. SEE SHEET AZ.2 FOR LOCATIONS AND ELECTRICAL/MECHANICAL/PLUMBING NOTES 6 & 6 FOR REQUIREMENTS.
- 5. CARBON MONOXIDE ALARMS SHALL BE PROVIDED IN EXISTING DWELLING WHEN A PERMIT IS REQUIRED FOR ALTERATIONS, REPARS, OR ADDITION EXCEEDS ONE THOUSAND DOLLARS. CO ALARMS SHALL BE LOCATED DUTSIDE EACH DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S) AND ON EYERY LEYEL OF A DWELLING UNIT, INCLUDING BASEMENTS. SEE SHEET A2.2 FOR LOCATIONS AN ELECTRICAL/MECHANICAL/PLUMBING NOTE 5 FOR REQUIREMENTS.
- 6. ADDRESS NUMBERS AT LEAST 4" TALL MUST BE PLACED ADJACENT TO FRONT DOOR. IF NOT CLEARLY YISIBLE FROM THE STREET, ADDITIONAL NUMBERS ARE REQUIRED. RESIDENTIAL NUMBERS MUST BE INTERNALLY ILLUMINATED (BACKUT) OR ILLUMINATED BY AN ADJACENT LICHT CONTROLLED BY A PHOTOCELL AND SWITCHED ONLY BY A BREAKER SO IT WILL REMAIN ILLUMINATED ALL NIGHT.
- DEFENSIBLE SPACE SHALL BE MAINTAINED AROUND CONSTRUCTION. ALL DEBRIS, VECETATION, AND CONSTRUCTION MATERIALS ARE TO BE CLEARED TO NOT LESS THAN 30 FEET FROM CONSTRUCTION AREA.
- B. A VEGETATION MANAGEMENT PLAN (VMP) SHALL BE SUBMITTED FOR REVIEW TO ROSS VALLEY FIRE DEPARTMENT IN COMPLIANCE WITH STD. 220 OF THE RVFD. A REVIEW FEE IS REQUIRED FOR THIS SUBMITTAL.

THIS VECETATION MANAGEMENT PLAN (VMP) SHALL BE PROVIDED AS A DEFERRED SUBMITTAL.







Hinks Lovery Etvillo 4.75 or in Dorson Eter ze Dork Dry Gw16 Hin Mass were provided at



Product havenusing

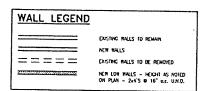
The state of the s

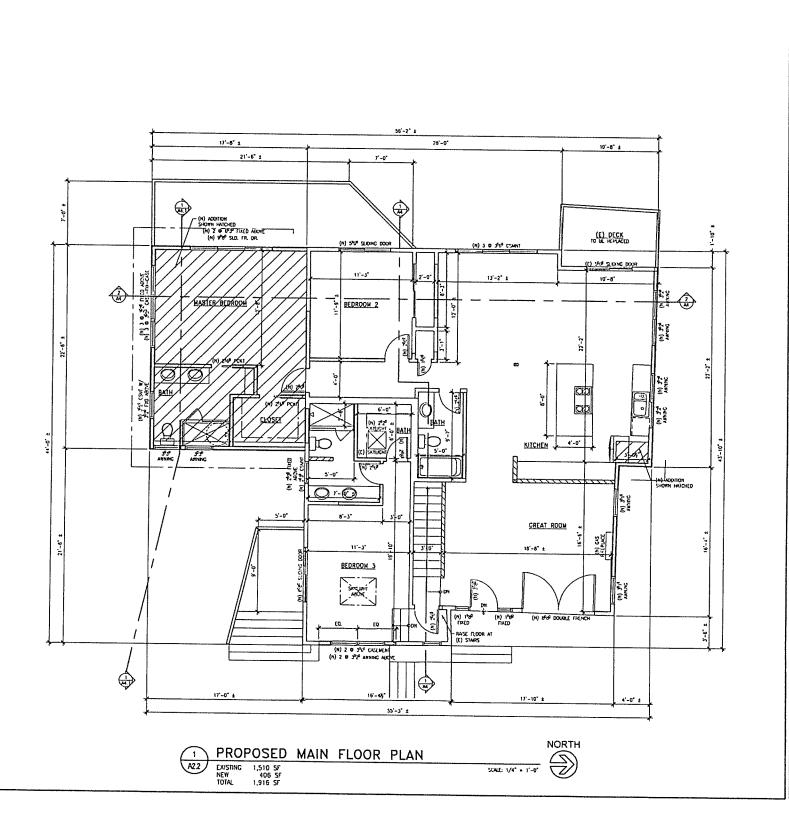
Addition Consider in Consider the County of County of Consideration (Consideration Consideration Cons

Cale or minimum state state

	****	Comment Comments	2
\$50	CHANAGOVERS	There was	4.50
PM.	franchista (m. 2)	First that	Niger
Participa disperse	•	Nuk	DAYGEN OF
faces Taxes	State .	Jeon \$0,0	
between his final year the winds	2	institutes incorpay	/
Butasi muunna		income they seem	
fall variances of Light Stone burner	w/%	Markey	
	611. A	magraphs :	to
Ver lave	1975.765	Lefabli for Luture	
Name and Address of the Owner, where the Owner, which is	15 QX	Louistenance	A
CORPORATE AND ADMINISTRA		Water,	1469.40
hidri sweet triber;		La Resignant connect statements	***
history Copper Courses,	10 .	adeq Using	A Conference
laterar courses	un envare		4
heat is of fund	www.	- IF1:	Consess.
Carried Carrier	44.6	Matter, seriese	
On the state of th			

PROPOSED EXTERIOR WALL LIGHT





A R C H I T E C T FREDRIC C. DIVINE ASSOCIATES 1924 FOURTH ST., SAN RAFAL, CA. 91901 Phone: (415) 457 - 0220 Fox; (415) 454 - 9

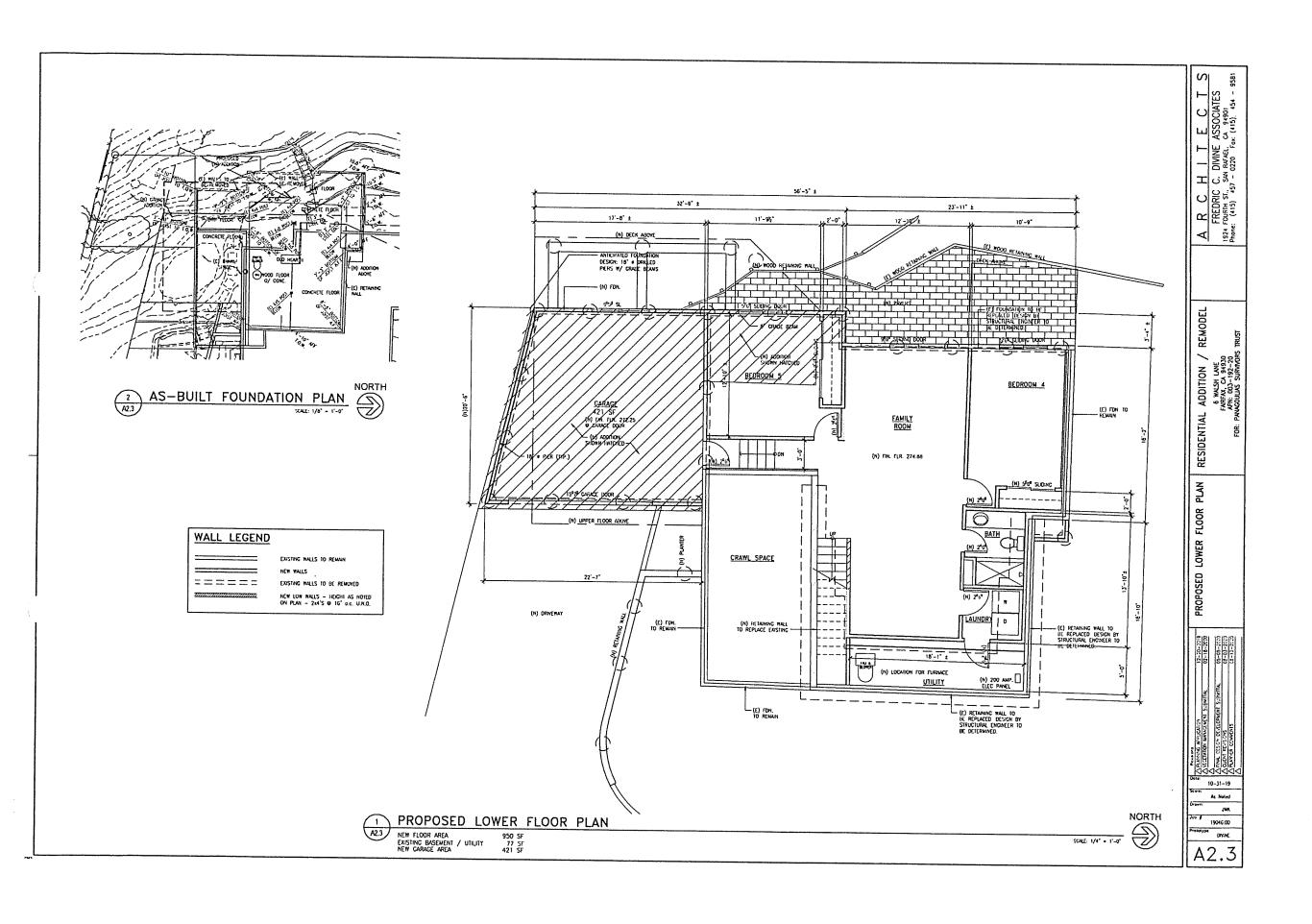
RESIDENTIAL ADDITION / REMODEL
6 WASH LANE
FARENCE, CA 94930
POR: 003-192-20
FOR: PANGOULNS SURMORS RUST

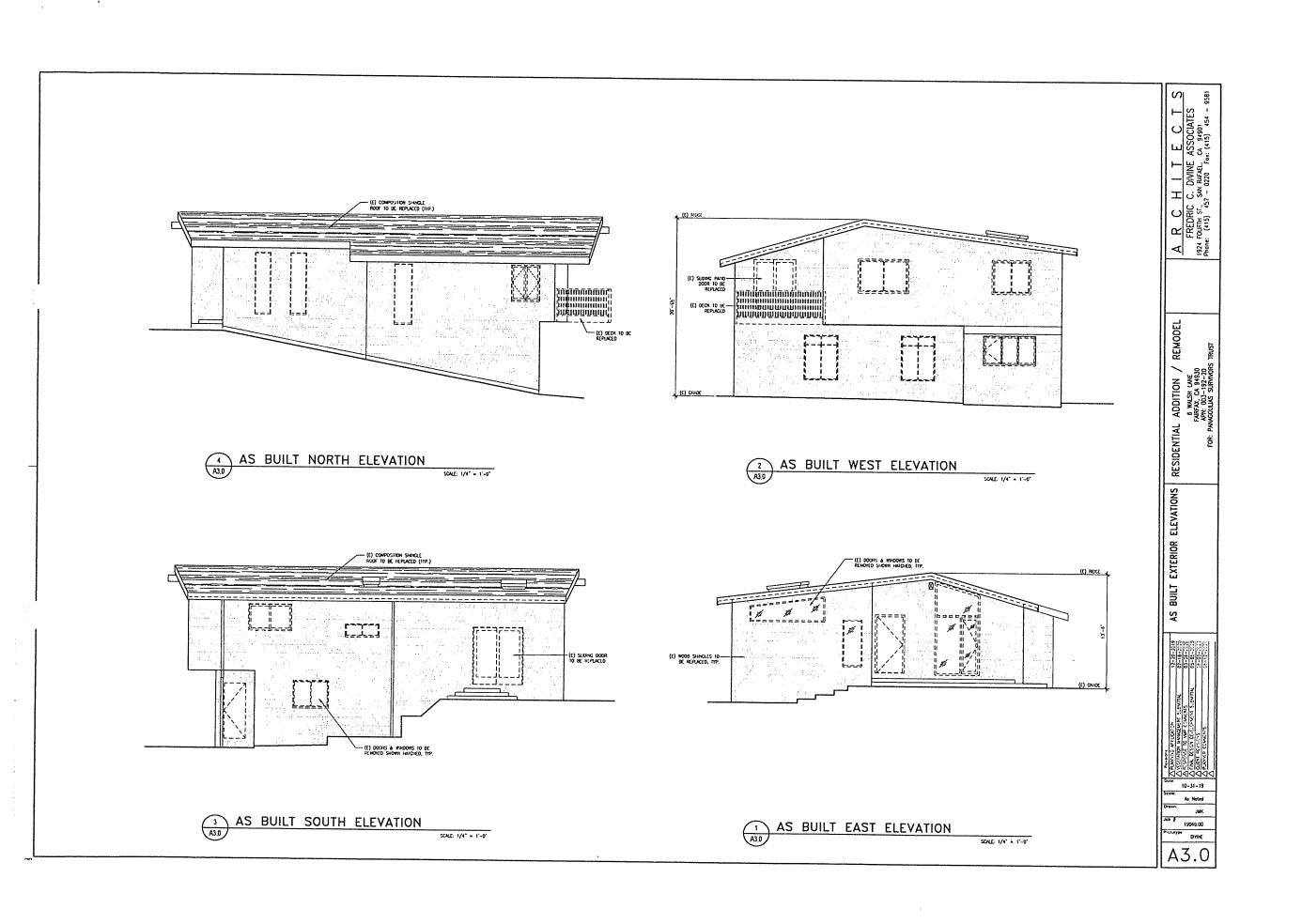
FLOOR

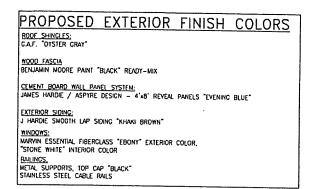
MAIN

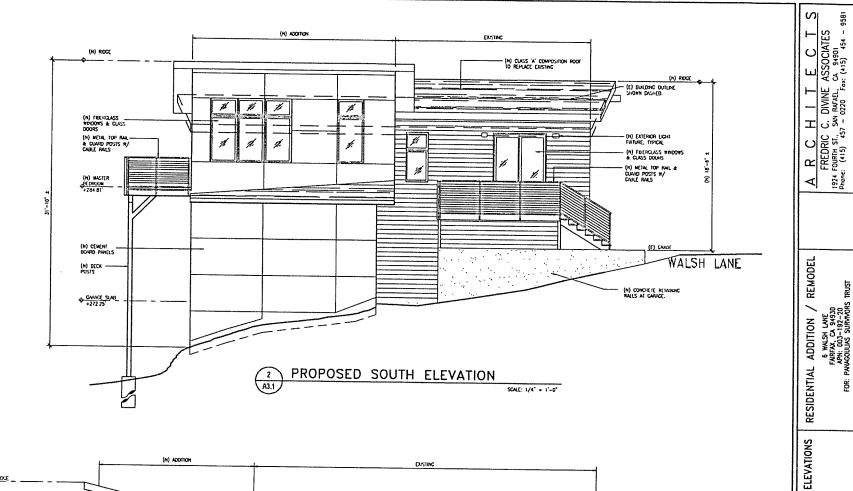
10-31-19
Score:
As Hoted
Drawn
JMK

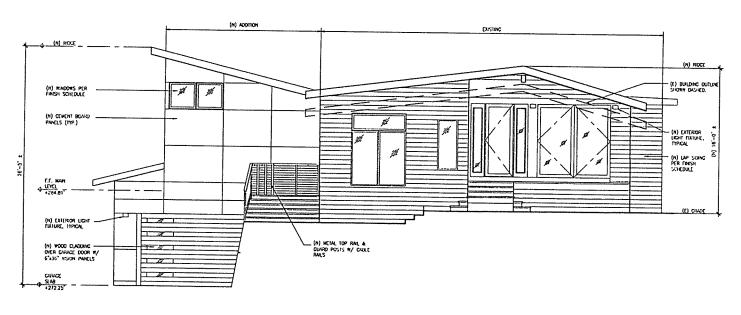
19046.00
Prototype DMNE
A 2.2











PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0"

19046.00
Prototype DYNE

A 3.1

10-31-19

EXTERIOR

PROPOSED

