TOWN OF FAIRFAX STAFF REPORT

Department of Planning and Building Services

TO:

Fairfax Planning Commission

DATE:

November 19, 2020

FROM:

Linda Neal, Principal Planner

LOCATION:

5 Woodland Road; Assessor's Parcel No. 003-053-10

PROJECT:

Single-family residence and garage

ACTION:

Hill Area Residential Development, Design Review, Excavation,

Encroachment, Tree Removal and Variance Permits; Application #

20-11

APPLICANT:

Jeff Kroot, Architect

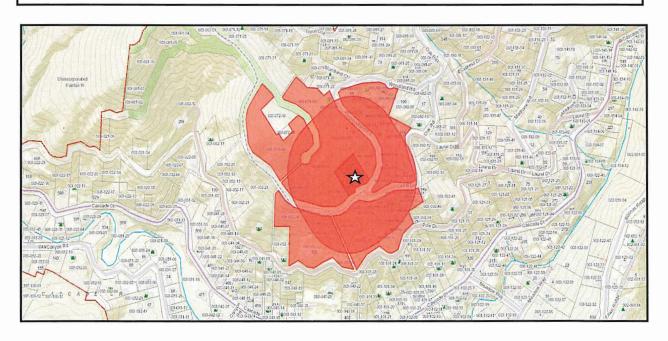
OWNER:

Chris and Lindsay Bolter

CEQA STATUS:

Categorically exempt, § 15303(a) and (e), 15305(a) and (b) and

15332



5 WOODLAND ROAD

DESCRIPTION

The project consists of the following: construction of a new 3 story, 28.5 foot tall, 2,588 square foot, 3 bedroom, 3 bathroom, single-family residence in the upper second and third floors, a 584 square foot accessory dwelling unit (ADU) on the first floor and a new 576 square foot, detached two car garage with a deck on top. The second story of the structure which is the first floor of the main residence provides a three bedrooms, 2 bathrooms and a laundry room while the third uppermost floor provides a dining room, living room, kitchen, pantry, bathroom and family room. A new 20-foot-wide driveway is proposed to access the garage and will provide an additional 2 uncovered parking spaces. Two new retaining walls are proposed which vary in height from 1 foot to 11.25 feet, to retain the hillside on either side of the driveway. The project includes a drainage system and construction of three retaining walls. The back two walls reach a maximum of 4 feet in height, and the wall immediately behind the house reaches a maximum of 9.5 feet in height.

Applications were submitted for Hill Area Residential Development, Design Review, Excavation, Encroachment, and Tree Removal permits, as well as a retaining wall height variance on June 18, 2019. At staff's direction, the project plans were subsequently redesigned to eliminate a detached 2-story garage from the project and to decrease the underutilized subfloor areas and were resubmitted on January 30, 2020. The project was declared complete on October 2, 2020 and placed on the October 15, 2020 Planning Commission meeting agenda.

The ADU unit is regulated by State ADU regulations and is not under the purview of the Planning Commission.

The project grading consists of roughly 381 cubic yards of cut material and 52 cubic yards of fill to create the garage, driveway, residence foundation and drainage improvements, with roughly 329 cubic yards of off-haul. Approximately 206 cubic yards of material is being excavated to create the required garage structure.

The house entryway is located on the east side of the structure, providing access to the second story of the structure (and first living level of the main house) from the garage and roof deck.

The project requires Commission approval of the following discretionary permits: A Hill Area Residential Development (HRD) permit, a Design Review Permit, Encroachment Permit, Excavation Permit, Retaining Wall Height Variance and a Tree Removal Permit.

For a further discussion of the project and required permits see the October 15, 2020 staff report and attachment from the October 15, 2020 Planning Commission meeting packet. The packet can be found under public meetings, Planning Commission, on the Town of Fairfax website at www.townoffairfax.org.

BACKGROUND

This item was continued from the October 15, 2020 Planning Commission so that the project story poles could be erected, and to provide staff and the applicants an opportunity to respond to the Commission's comments and questions. On October 15, the Commission heard a staff report and opened the public hearing and heard from the applicants and the public.

DISCUSSION

At the October 15, 2020 meeting the Commission commented and had the following questions about the project. Staff responses to the comments and questions are in bold copy.

The applicants were asked if they would consider dropping the height of the structure by a foot or two and the applicants indicated that the structure is nested into the hillside and is already a conservative height.

The structure only reaches the maximum 28.5 foot height above grade at one portion of the center of the structure where the roof eave and upper floor deck reaches 28.5 ft (page 5 of the Architectural plans- living room section) with most of the structure maintaining a height above grade of 26 1/2 ft. or less (Page 5 of the architectural plans, - family room sections and page 6- deck section).

The applicants were questioned about the chosen garage location and whether they had considered the alternative location to the west closer to the dilapidated cottage. The applicants indicated that the existing cottage is partially located in the public right-of-way and the garage has to be located on the private property.

The applicant is correct, relocating the garage to the west would move it into a "paper" unimproved portion of Laurel Drive.

The Commission was concerned about the lack of an arborist report.

The applicants have provided an arborist report dated 5/20/19 by Robert Morey, ISA Certified Arborist with Marin Tree Service, as Attachment B.

The Town's liability when granting encroachment permits to the private property owners for their exclusive use was questioned. The question was raised whether it might not be better to process a lot line adjustment and sell the encroached-upon area to the adjacent property owner.

The Revocable Encroachment Document, vetted by the Town Legal Counsel, includes the following language to protect the Town from liability for private improvements (Attachment C – Revocable Encroachment Permit):

Indemnification and Hold Harmless.

Licensee shall assume all risks of damage to the improvements and any appurtenances thereto and to any other property of Licensee or any property under the control of Licensee

while upon or near Licensor's right-of-way described at paragraph 1(b).

Licensee further agrees to indemnify and save harmless Licensor, its officers, employees,

agents, successors, and assigns, from any and all claims, liabilities, damages, failure to comply with any current or prospective laws, attorney's fees, for loss or damage to property and for injury to or death of any person arising out of the construction, maintenance, removal, replacement, rehabilitation, repair, or the location of the improvements or out of Licensee's activities on Licensor's right-of-way described hereinabove, except to the extent arising out of Licensor's sole negligence or willful misconduct.

<u>Insurance</u>. Licensee, at its sole cost, shall maintain homeowner's insurance in the minimum amount of \$500,000 combined single limit for bodily injury and property damage with an insurer that is reasonably acceptable to Licensor, insuring against all liability of Licensee and its authorized representatives arising out of and in connection with Licensee's use or occupancy of its property, including the construction of the improvements described in Section 1(a) above.

All general liability insurance and property damage insurance shall insure performance by Licensee of the indemnity provisions of paragraph 6.

Each policy, or a certificate of the policy, shall be deposited with Licensor at the commencement of the term of this agreement, and on renewal of the policy not less than twenty (20) days before expiration of the term of the policy. Licensee shall provide written documentation of said insurance, prior to commencement of construction of the improvements.

Licensee shall make arrangements with the insurers that the insurers shall provide Licensor with notice of cancellation or termination of the insurance at least thirty (30) days in advance of cancellation or termination.

Use of a portion of the right-of-way for the driveway or parking deck apron to access parking areas is standard practice. Doing otherwise – i.e., start transferring portions of the public right-of-way to adjacent private property owner – represents a policy decision that would have to be made by the Town Council. It would be a departure from how these types of parking and driveway improvements have been handled since the Town incorporation in 1931. Doing transferring public right-of-way would also eliminate the Town's ability in the future to use public roadway easements for the use of the public.

Comments were made about Commissioners seeing Northern Spotted Owls in the project vicinity.

The applicants have provided a report dated 10/15/20 by Senior Wildlife Biologist Jason Yakich of WRA Wildlife Consultants, indicating that the project should not have negative impacts on the Northern Spotted Owls even during nesting season (Attachment D).

The Commission was very concerned about the lack of an arborist report, the number of trees proposed for removal and the lack of all the trees to be removed being flagged.

The applicants have provided an arborist report that addresses the trees to be removed within the footprint and immediately adjacent to the structures, including measures to be put in place to protect the remaining trees. The report does not address the trees that

are being removed and which are approved for removal by the Ross Valley Fire Department in the Vegetative Management Plan.

The Fairfax Tree Committee (FTC) acted recommended that the Planning Commission approve tree removal permits for only the trees within the development footprint at their July 22, 2019 meeting.

The Ross Valley Fire Department has approved a vegetative management plan (VMP) (the VMP is sheet 20 of the project plans and is signed "approved" by the RVFD).

Staff spoke with the Ross Valley Department on 10/5/20 to try and gain some clarity on the removal of additional bay trees and other tree species outside the development footprint. We were told that the fire department does not require the removal of all Bay trees within 30 feet of structures but that there should be a minimum of 10 feet between tree crowns and that with each 10% increase in slope, that distance should increase 5 feet. Therefore, on a property with a 48% slope, such as 5 Woodland Road, the tree crowns should be a minimum of 30 feet apart.

Staff has determined that all but one of the Bays, Madrones and Oaks proposed for removal outside the construction zone are within 30 feet of the 5 larger Oak trees the project is proposing to preserve on the site. Only 1 unidentified tree species which we believe to be one of the oak/bay clusters is located 32 feet to the west of the large Oak at the rear northwest corner of the construction area but is also less than 4 feet from two of the retaining walls proposed at the rear of the house. Construction of the 9 foot-tall retaining wall directly behind the house and the second wall only 8 feet to the north are likely to require the removal of a significant number of roots from that tree cluster unless the walls can be redesigned/relocated.

Staff recommends that the Commission approve the Tree Permit to allow the removal of the 13 bays, 3 oak/bay clusters, 13 Oaks and 4 Madrones in accordance with the approved VMP by the Ross Valley Fire Department. Removal of those trees appears to either be necessary to protect the public health and safety, prevent damage to the property, assist the continued good health of the oak trees to remain and/or because they are within the construction area of the house, garage, retaining walls or front access stairway. However, staff has included the following condition in the Resolution to address the tree protection issue:

Prior to submittal of the building permit the applicants shall have the project arborist provide the Town with an assessment of the trees being removed for fire protection to determine if their removal is necessary for fire safety making every effort to retain as many healthy trees as possible outside the construction zone. If the report results in trees being preserved that are shown to be removed in the RVFD-approved VMP, the applicants shall obtain an approved revised VMP plan from RVFD prior to issuance of a building permit. The protection measures indicated in the existing report shall apply to all the trees being retained in the final assessment that may be impacted by the construction.

The Commission indicated that they would like a better representation of the color(s) proposed for the building.

The applicant has provided the following link directly to the manufacturer:

https://www.jameshardie.com/color-and-design/explore-house-siding-colors/evening-blue

Staff has also taken another photograph of the color board out in the natural light (see below).



RECOMMENDATION

Move to approve application # 12-11 by adopting Resolution No. 2020-10 setting forth

the findings and the conditions for the project approval.

ATTACHMENTS

Attachment A - Resolution No. 2020-10

Attachment B – Marin Tree Service Report

Attachment C - Revocable Encroachment Permit

Attachment D - Northern Spotted Owl Assessment

Attachment E - letters/e-mails from citizens

For a complete discussion and analysis of the project see the original staff report and attachments in the meeting packet for the October 15, 2020 Planning Commission meeting. The information can be found on the Town website under public meetings, Planning Commission, October 15, 2020 at www.townoffairfax.org.

RESOLUTION NO. 2020-10

A Resolution of the Fairfax Planning Commission Approving Application No. 20-11 for a Hill Area Residential Development Permit, Excavation Permit, Encroachment permit, Tree Permit, and Design Review Permit for a Residence at 5 Woodland Road

WHEREAS, the Town of Fairfax has received a revised project proposal for previously submitted planning applications for a new residence from Chris and Lindsay Bolter, to build a 3-story, 2,588 square-foot, 3 bedroom, 3 bathroom single-family residence with a detached, 1-story, 576 square-foot, 2-car, garage on January 30, 2020; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on October 15, 2020 and on November 19, 2020 at which time the Planning Commission determined that the project complies with the Hill Area Residential Development Overlay Ordinance, Excavation Ordinance, Encroachment Ordinance, Tree Removal regulations, and Design Review Regulations; 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, Encroachment, Tree Removal, and Design Review 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.



- 2. Vehicular access and parking are adequate.
- 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 one single-family residence and one accessory dwelling unit on this 24,297 square foot site shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.
- 5. The redevelopment 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 use permit.
- 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 City.
- 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:
 - a. Development plans, pages 1, 1A, 1B, 2 through 9 by Jeff Kroot, Architect, dated January 2020, the landscaping plan page L1 by Roseanne DaBello, dated January 2020, the boundary survey and topographic plan and the story pole plan by Stephen Flatland, Surveyor, dated January 2019, the Ross Valley Fire Department approved 7/30/20 vegetative management plan approved 7/30/20 and the Civil Engineering plans by Vlad Iojica, pages C1.0, C2.0, C2.1, C3.0, C4.0 and C4.1 dated August 10, 2020.
- 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.
- 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; and
- 17. Construction may not occur or must be minimized and/or monitored to be kept below certain noise levels to limit negative impacts to the Northern Spotted Owls during the nesting season which runs from February 1st through July 31st

Encroachment Permit

18. In accordance with Town Code § 12.32.010 the Commission has determined that the proposed driveway/retaining wall improvements proposed in the Woodland Road right-of-way are proposed in an area not being used by the public and therefore they grant approval of the revocable encroachment permit.

Tree Permit

19. After reviewing the directed considerations for approving a Tree Removal permit contained in Town Code § 8.36.060(B)(1) through (7) the Commission has determined that as conditioned the project design, including the requested tree removals depicted in the approved Vegetative Management plans, subject to an ISA certified consulting arborist deeming removals necessary to protect the public health and safety, prevent damage to property and maintain the health of the existing oaks to be retained will not substantially impact the aesthetics, shade, and property values in the immediate neighborhood, the removals are necessary to reasonably allow the owner to develop the property, and will not have a detrimental effect on erosion, soils retention or diversion or increased flow of surface water.

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

- 1. The project approval is limited to the project depicted and described in the following plans and reports: development plans, pages 1, 1A, 1B, and 2 through 9 by Jeff Kroot, Architect, revision date 8/3/20, the landscaping plan page L1 by Roseann DaBello, revision date 4/20, the boundary survey and topographic plan and the story pole plan by Stephen Flatland, Surveyor, pages S1 and SP and dated 01/19, the Ross Valley Fire Department approved vegetative management plan revision date 7/29/20 and the Civil Engineering plans by Vlad lojica, pages C1.0, C2.0, C2.1, C3.0, C4.0 and C4.1 revision date 8/5/20.
- Prior to issuance of any of the building permits for the project the applicant or his assigns shall submit a construction plan to the Public Works Department which may include but is not limited to the following:
 - A. Construction delivery routes approved by the Department of Public Works.
 - B. Construction schedule (deliveries, worker hours, etc.)
 - C. Notification to area residents
 - D. Emergency access routes
- 3. The applicant shall prepare, and file with the Public Works Director, a video recording of the roadway conditions on the public construction delivery routes (routes must be approved by Public Works Director).
 - A. 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.
 - B. 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.
 - C. 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.
 - D. 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.
 - E. Prior to submittal of the building permit the applicants shall provide the Town with tree removal/protection plan from an ISA certified consulting arborist. The arborist shall make every effort to retain as many healthy trees as possible outside the construction zone. If the report results in trees being

preserved that are shown to be removed in the RVFD-approved VMP, the applicants shall obtain an approved revised VMP plan from RVFD prior to issuance of a building permit. The report shall include recommendations for tree protection during and after construction, to be included as conditions of approval.

- F. Submit 3 copies of the record of survey with the building permit plans.
- 4. All retaining walls that are visible from the street and are constructed of concrete shall be heavily textured or colorized in a manner approved by planning staff prior to issuance of the building permit. This condition is intended to mitigate the visual impact of the proposed walls.
- 5. Prior to the removal of any trees not shown on the approved VMP Plan and/or 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.
- 6. 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.
- 7. During the construction process the following shall be required:
 - A. The geotechnical engineer and the project arborist shall be on-site during the grading process and both shall submit written certification to Town Staff that the grading and tree 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 always be situated off the travel lane of the adjacent public right(s)-of-way. 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.

- 8. 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.
- 10. The roadways shall be kept free of dust, gravel, and other construction materials by sweeping them, daily, if necessary.
- 11. Any changes, modifications, additions, or alterations made to the approved set of plans will require a modification of Application # 20-11. 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 20-11 will result in the job being immediately stopped and red tagged.
- 12. Any damages to the public portions of Cascade, Laurel or Woodland Road, or other public roadway used to access the site resulting from construction-related activities shall be the responsibility of the property owner.
- 13. 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.

- 14. 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.
- 15. 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.
- 16. Conditions placed upon the project by the project arborist may be amended or eliminated by the approval of the Planning Director after receiving a request for the elimination/amendment in writing from the project arborist.
- 17. 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

- 18. 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.
- 19. All vegetation and construction materials are to be maintained away from the residence during construction.
- 20. Hydrant flow and location are to be identified before construction begins and hydrant must no flow less than 500 gallons per minute at 20 pounds per square inch (psi).

- 21.A note shall be included on the building permit plans that fire apparatus access and water supply shall be in place and serviceable prior to delivery of combustibles to the site.
- 22. A fire sprinkler system shall be installed throughout the entire building in compliance with the requirements of the National Fire Protection Association 13-D and local standards (plans must be submitted to the fire department and be approved prior to issuance of the building permit).
- 23. Interconnected smoke detectors with AC power shall be installed throughout the structure in each bedroom, centrally located in the corridor and over the center of all stairways with a minimum of one detector per story.
- 24. Carbon monoxide alarms shall be installed throughout the building.
- 25. Back lit or internally illuminated address numbers at least 4 inches tall must be installed near the front door and controlled by a photocell that is switched off only by a breaker so the address remains illuminated all night.
- 26. No tree subject to regulation by the Fairfax Tree Ordinance shall be removed without obtaining a tree removal permit from the Town of Fairfax.
- 27. Vegetation within 30 feet of the structure shall be irrigated and no seasonal grasses shall be allowed.
- 28. Every effort shall be taken to ensure erosion control efforts are in compliance with standards established by Town regulations.
- 29. The approved VMP is in effect for the life of the property.
- 30. Vegetation shall be maintained to ensure address numbers are visible from the street from both angles of approach.
- 31. Minimum standards must be in place prior to final fire clearance which is required prior to the project final building inspection and issuance of the occupancy permit.

Ross Valley Sanitary District (FVSD)

- 32. A permit shall be obtained from the Sanitary District prior to the issuance of the building permit
- 33. The existing sewer lateral shall be tested in accordance with RVSD Ordinance 100 and Section 02735 and correction made if necessary.

34. A certificate of compliance shall be obtained from the district prior to the project final building inspection.

Marin Municipal Water District (MMWD)

- 35. Complete a High-Pressure Water Service application, submit a copy of the building permit, pay fees and complete structure foundation within 120 days of application.
- 36. Comply with District's rules and regulations in effect at the time service is requested.
- 37. Comply with all indoor and outdoor requirements of District Code 13 (Water Conservation).
- 38. Landscaping plans must be reviewed and approved by the district.
- 39. Project must comply with backflow prevention requirements.
- 40. Where possible, comply with Ordinance 429 requiring the installation of greywater recycling systems when practicable.

Fairfax Building and Public Works Departments

- 41. All large trucks with more than 2 axles accessing the site for construction will be limited to the hours of 9 AM to 3 PM.
- 42. Trucks removing off-haul will be limited to 10-yard dump trucks.
- 43. The driveway and garage improvements shall be completed and be signed off by the Town Engineer, the Building Official/Public Works Managers, and the Ross Valley Fire Department before construction on the house begins.
- 44. Road closures shall be noticed in the field a minimum of 5 days prior to the event and individual written notifications shall be delivered to each resident on Bay Road.
- 45. A flag person shall precede any vehicles accessing or leaving the site in reverse until they are positioned to proceed "front end" either down the private driveway or heading southeast down Scenic Road towards Sir Francis Drake Boulevard.

Miscellaneous

46. Construction shall be prohibited during the Northern Spotted Owl nesting season from February 1st through July 31st unless a plan for allowing construction activities during this period is submitted by a qualified spotted owl

biologist and approved by the State, with documentation of the approval provided to the Town, prior to initiating any construction activities. All requirements listed in the plan, including potential onsite monitoring, must always be met by the applicants.

- 47. All exterior fixtures be dark sky compliant (fully shielded and emit no light above the horizontal plane with no sag or drop lenses, side light panels or uplight panels) and the lighting plan shall be submitted with the building permit application and be approved by the Planning Department prior to issuance of the project building permit. The lighting shall no emit direct offsite illumination and shall be the minimum necessary for safety.
- 48. Prior to submittal of the building permit the applicants shall have the project arborist provide the Town with an assessment of the trees being removed for fire protection to determine if their removal is necessary for fire safety making every effort to retain as many healthy trees as possible outside the construction zone. If the report results in trees being preserved that are shown to be removed in the 7/30/20 RVFD-approved VMP, the applicants shall obtain an approved revised VMP plan from RVFD prior to issuance of a building permit. The protection measures indicated in the existing report shall apply to all the trees being retained in the final assessment that may be impacted by the construction.

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, and Design Review 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 19th day of November 2020 by the following vote:

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



Landscape Tree Inspection Report

5 Woodland Road Fairfax, CA

Prepared for:

Chris Bolter

Prepared on:

May 20, 2019

Prepared by:

Robert Morey

ISA Certified Arborist

WC-0167

Marin Tree Service, Inc. 34 DeLuca Place, Suite M San Rafael, CA 94901





Scope and Limitations

On May 17, 2019 I inspected the landscape trees at 5 Woodland Road, Fairfax, CA. The inspection of all trees was made from the ground and involved inspection of the external features only. No invasive, diagnostic or laboratory testing was carried out. The identification of these trees was based on broad features visible at the time of inspection.

I have also examined the existing site plan in order to assess the impact of the proposed construction on the trees. Where recommendations are made in this report including those recommendations contained in the Tree Protection Guidelines it is essential that these recommendations be able to be implemented. Any additional drawings, details or redesign that impact on the ability to do so may negate the conclusions made in this report.

Arborists are specialists who use their education, knowledge, experience, and training to provide proper care and professional evaluations and diagnosis of individual trees. Arborists attempt to minimize the risk of living near trees while enhancing and maintaining the overall beauty and health of the trees. Recommendations by the arborist may be accepted or disregarded by the client.

Trees inherently pose a certain degree of hazard and risk from breakage, failure, or other causes and conditions. Marin Tree Service makes recommendations, to minimize or reduce these hazardous conditions but cannot guarantee to eliminate them, especially in the event of a storm or other act of nature. While a detailed inspection normally results in the detection of hazardous conditions, there can be no guarantee or certainty that all hazardous conditions will be detected.

There always will be some risk involved with all trees. With proper monitoring and care, trees can be managed. The only way to eliminate all risks is to remove the trees.

If you have any questions, please do not hesitate to contact Marin Tree Service for assistance.

Observations and Tree Schedule

The trees in the following schedule are the trees that are near the construction of the new residence, retaining wall, pathway, and garage. There are other trees on this property which will not be affected by the construction. These trees are on a heavily wooded lot and the recommended removals will not affect the aesthetics of the property. The Tree Protection Guidelines in Appendix A should be followed to protect all of the trees on the property during construction.

Scientific Name	Condition	Location	DBH	Recommendation
Coast Live Oak	Normal vitality and structural integrity.	Located 6' from the new entry pathway to residence	8"	Because this is a young, vigorous Oak, there will be minimal root loss to the tree and only on one side. Follow the Tree Protection Guidelines in Appendix A.
Coast Live Oak	Normal vitality and structural integrity.	Located 6' from the new entry pathway to residence	8"	Because this is a young, vigorous Oak, there will be minimal root loss to the tree and only on one side. Follow the Tree Protection Guidelines in Appendix A.



Scientific Name	Condition	Location	DBH	Recommendation
Coast Live Oak (Quercus agrifolia)	Normal vitality and structural integrity.	Located 3' from new concrete hillside steps that are a continuation of the entry pathway. Above the Oak is a patio or permeable pavers that will be 2' from the trunk of the tree.	14"	Because this is a young, vigorous Oak, there will be minimal root loss to the tree and only on one side. Follow the Tree Protection Guidelines in Appendix A.
Acacia	Distorted growth pattern due to the shade provided by more mature adjacent trees.	The tree is in the building envelope for the garage and driveway.	16"	Removal
Acacia	Distorted growth pattern due to the shade provided by more mature adjacent trees.	The tree is in the building envelope for the garage and driveway.	14"	Removal
Acacia	Distorted growth pattern due to the shade provided by more mature adjacent trees.	The tree is in the building envelope for the garage and driveway.	14"	Removal
Coast Live Oak (Quercus agrifolia)	Normal vitality and structural integrity	Located in the building envelope for the new residence.	20"	Removal
Coast Live Oak (Quercus agrifolia)	Normal vitality and structural integrity.	Located in the building envelope for the new residence.	14"	Removal
Coast Live Oak (Quercus agrifolia)	This tree is tall and spindly on a crowded hillside and competing for light.	Located in the building envelope for the new residence.	8"	Removal
California Bay Laurel with 2 co- dominant leaders (Umbellularia californica)	The two leaders form an acute angle crotch with lends itself to structural issues.	Located in the building envelope for the new residence.	22", 13"	Removal
Coast Live Oak (Quercus agrifolia)	This tree is tall and spindly on a crowded hillside and competing for light.	Located in the building envelope for the new residence.	12"	Removal



Scientific Name	Condition	Location	DBH	Recommendation
Coast Live Oak (Quercus agrifolia)	This tree is tall and spindly on a crowded hillside and competing for light.	Located in the building envelope for the new residence.	12"	Removal
California Bay Laurel with 2 co- dominant leaders (Umbellularia californica)	This tree is tall and spindly on a crowded hillside and competing for light.	Located in the building envelope for the new residence.	8", 8"	Removal
Coast Live Oak (Quercus agrifolia)	This tree is tall and spindly on a crowded hillside and competing for light.	Located in the building envelope for the new residence.	10"	Removal
Coast Live Oak (Quercus agrifolia)	This tree is tall and spindly on a crowded hillside and competing for light.	Located in the building envelope for the new residence.	10"	Removal
California Bay Laurel (Umbellularia californica)	Normal vitality and structural integrity.	Located in the building envelope for the new residence.	12"	Removal
Coast Live Oak (Quercus agrifolia)	Normal vitality and structural integrity.	Located at the site of the new retaining wall	12"	Removal
California Bay Laurel (Umbellularia californica)	Normal vitality and structural integrity.	Located at the site of the new retaining wall	10"	Removal
Madrone (Arbutus menziesii)	Normal vitality and structural integrity.	Located at the site of the new retaining wall	8"	Removal
California Bay Laurel with 2 co- dominant leaders (Umbellularia californica)	Normal vitality and structural integrity.	Located at the site of the new retaining wall	8", 10"	Removal
Madrone with2 co- dominant leaders (Arbutus menziesii)	Dead	On the west side of the property	14", 14"	Remove since it represents a hazard

Scientific Name: Identification is made on the basis of visual features visible from ground level at the time of inspection.

DBH (Diameter at Breast Height): The trunk diameter at approximately 4 % above ground or at the point at which the trunk develops a constant diameter.



Appendix A -Tree Protection Guidelines

Before development, avoid tree damage during construction by protecting the root zone. The following should be considered:

- A) Physical protection of the trees can be accomplished in stages during the progression of work:
 - Installing an inexpensive chain link, wire mesh, or wood fence around the drip line of trees is the
 most effective way to protect trees and help with tree preservation. This fence should be
 installed at the drip line during the initial stages of development.
 - As development progresses, the fence can be moved to within 6 feet of the trunks.
 - If continued progress requires access closer than 6 feet to the trunk, other precautions can be
 taken, such as placing hay bales around the trunks so the bark is not struck with equipment or
 placing 8' lengths of 2' X 4' lumber around the tree and wrapping them with orange plastic
 fencing.
- B) Signage: all sections of fencing should be clearly marked with signs that the area within is a tree protection zone and no one is allowed to disturb the area.
- C) Root Pruning: Whenever roots over 1 inch (2.5 cm) in diameter must be severed, they should be cut flush to eliminate jagged edges. There are three methods of root pruning:
 - Soil excavation using supersonic air tools, pressurized water or hand tools, followed by selective root cutting.
 - Cutting through the soil along a determined line on the surface using a tool specifically designed to cut roots
 - Mechanically excavating (with trenching machine or backhoe) the soil and pruning what is left of the exposed roots.
- D) Irrigate the root zone with a soaker hose allowing water to penetrate the soil to the depth of the tree roots, generally the upper 6-18" (15-45 cm) of soil.
- E) Aerate the root zone: improve aeration and reduce compaction. Spread organic mulch or wood chips (2-4 inches) over the surface to reduce evaporation and conserve soil moisture and temperature.
- F) Fertilization of the preserved trees before construction is recommended if nutrient deficiencies exist to boost the trees vigor and tolerance.
- G) Preventive pesticide applications to reduce pest attacks should be initiated prior to construction and continued until trees have recovered from construction related stress.
- H) Alternative trenching methods are available to avoid unnecessary root damage. Boring machines that tunnel under root systems and allow the installation of pipes and wires without root severance are a good alternative to trenching. If digging trenches is unavoidable, dig trenches and tunnels by hand to avoid unnecessary root damage.
- 1) Avoid adding backfill over the root zones of existing trees to avoid root suffocation and die back.
- J) Avoid compacting soil over the root zones. Do not traffic with heavy equipment, pile debris or materials or leave equipment standing over the root zones of the trees.
- K) Crown cleaning before construction is recommended to reduce the risk of branch failures in areas where people, structures, and equipment are within striking distance. When removing large limbs, the final cut should not be flush with the trunk of the tree. This removes the branch collar that contains a chemical barrier zone that controls rotting organisms. Traditional surgery paint should not be used. It is of no value and may promote rot.
- L) Roots absorb oxygen from the atmosphere through the soil and in return release carbon dioxide (gas exchanges). Therefore, adding backfill, compressing soil, paving, etc. retards gas exchanges and limits water percolation through the soil to the roots, promoting root die back. This form of chronic stress may cause trees to die prematurely within five to twenty years after development, depending on the degree of impact. Compensation can be attempted through fertilizing, soil mulching and aerating the soil using high-pressure equipment.

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

Town of Fairfax Department of Public Works 142 Bolinas Road Fairfax, CA 94930

(SPACE ABOVE FOR RECORDER'S USE ONLY)

This document is exempt from the payment of a recording fee pursuant to Government Code § 27383 and §6103.

LICENSE AGREEMENT TO PERMIT REVOCABLE ENCROACHMENT ON TOWN PROPERTY

This License Agreement is entered into on between the Town of Fairfax, a municipal corporation, hereinafter referred to as "Licensor" and, hereinafter referred to as "Licensee," and is made with reference to the following facts:
RECITALS
A. Licensee is the owner of the real property located at, Fairfax, California.
B. Adjacent to the northeast property line of said real property owned by Licensee, there exists a right-of-way owned by Licensor, which is owned by Licensor for street improvement purposes.
C. Licensee desires to construct a certain development project on the real property and, as part of that construction, desires to include certain improvements which will encroach upon and be located in the above-referenced right-of-way owned by Licensor.
D. Licensor is agreeable to permitting said encroachment upon the terms and conditions expressed herein below.
<u>AGREEMENT</u>

In consideration of the foregoing, and subject to the terms and conditions set forth herein below, the parties agree as follows:

1. <u>Grant</u>. Licensor hereby grants to Licensee, subject to the terms and conditions contained herein, the right to construct, maintain and install the following described improvements on the following described right-of-way owned by Licensor and shown on the diagram attached hereto as <u>Exhibit A</u>.

- (a) The improvements permitted to be constructed, maintained and installed by this License are described as follows: drainage pipe, as shown in <u>Exhibit B</u>.
- (b) The right-of-way and/or property owned by the Licensor permitted to be burdened by said improvements is described as follows: Chester Avenue, as shown in Exhibit A.
- 2. <u>License Fee</u>. In consideration for the license herein granted, Licensee agrees to pay Licensor a one-time lump sum payment of Zero Dollars (\$-0-), payable upon execution of this license.
- 3. <u>Construction and Maintenance Expenses</u>. Licensee shall bear the cost and expense of constructing, reconstructing and maintaining the improvements described above. Licensee further agrees that all work upon or in connection with said improvements shall be done at such times and in such manner as is approved by Licensor and shall be done in accordance with plans and specifications approved by Licensor.
- (a) Licensee shall not modify or in any fashion change the improvements, once constructed, without the written permission of Licensor.
- (b) Licensee agrees to construct said improvements in a workmanlike fashion and to religiously maintain said improvements in a good and sound condition and in a condition that remains aesthetically and visually pleasing and acceptable to the Licensor. If Licensee fails to maintain said improvements in said condition, Licensee hereby grants to Licensor the right to either remove said improvements or to maintain them. If Licensor is required to remove and/or maintain said improvements, Licensee agrees to reimburse Licensor for the cost thereof within thirty (30) days after receipt of an invoice and, if such invoice is not so paid, the remaining balance shall accrue interest at the rate of ten percent (10%) per year until paid. Furthermore, if said invoice is not paid, Licensee agrees to permit Licensor to impose a lien upon the real property described in Exhibit B without notice to Licensee.
- 4. Removal of Improvements. Licensee expressly acknowledges that the improvements covered by this agreement are being allowed to be constructed in a public right-of-way and that, from time to time, said right-of-way may require improvement, relocation, destruction and/or removal. In the event of said events occurring, Licensee agrees to effect the removal and replacements at its cost within sixty (60) days of receipt of written notice to do so from Licensor or, in the event that Licensee declines or fails to effect said removal and/or replacement, Licensee grants to Licensor the right to remove and/or replace said improvements and the cost thereof shall be paid in accordance with the immediately preceding subparagraph.
- (a) Licensee hereby waives any/or all claims against Licensor for any and all damage or injury done to the real property described in Exhibit B and/or the structures located thereon caused as a result of the removal and/or replacement described in the immediately preceding paragraph and Licensee indemnifies and holds Licensor harmless for any and all such damages or injuries, irrespective of the passive or active negligence of Licensor.

5. Indemnification and Hold Harmless.

- (a) Licensee shall assume all risks of damage to the improvements and any appurtenances thereto and to any other property of Licensee or any property under the control of Licensee while upon or near Licensor's right-of-way described at paragraph 1(b).
- (b) Licensee further agrees to indemnify and save harmless Licensor, its officers, employees, agents, successors, and assigns, from any and all claims, liabilities, damages, failure to comply with any current or prospective laws, attorney's fees, for loss or damage to property and for injury to or death of any person arising out of the construction, maintenance, removal, replacement, rehabilitation, repair, or the location of the improvements or out of Licensee's activities on Licensor's right-of-way described hereinabove, except to the extent arising out of Licensor's sole negligence or willful misconduct.
- 6. <u>Insurance</u>. Licensee, at its sole cost, shall maintain homeowner's insurance in the minimum amount of \$500,000 combined single limit for bodily injury and property damage with an insurer that is reasonably acceptable to Licensor, insuring against all liability of Licensee and its authorized representatives arising out of and in connection with Licensee's use or occupancy of its property, including the construction of the improvements described in Section 1(a) above.

All general liability insurance and property damage insurance shall insure performance by Licensee of the indemnity provisions of paragraph 6.

Each policy, or a certificate of the policy, shall be deposited with Licensor at the commencement of the term of this agreement, and on renewal of the policy not less than twenty (20) days before expiration of the term of the policy. Licensee shall provide written documentation of said insurance, prior to commencement of construction of the improvements.

Licensee shall make arrangements with the insurers that the insurers shall provide Licensor with notice of cancellation or termination of the insurance at least thirty (30) days in advance of cancellation or termination.

- 7. <u>Term.</u> This agreement and the rights granted hereunder may be terminable by Licensor upon giving written notice to Licensee at least six (6) months prior to the termination.
- (a) Should Licensee, its successors and assigns, at any time abandon the use of the property described in Exhibit B, or any part thereof, or fail at any time for a continuous period of six (6) months to use the same for the purpose for which development of said property was approved, the rights and obligations hereby created shall cease to the extent of the use so abandoned and/or discontinued, and Licensor shall have the right to declare this license terminated to the extent of the use so abandoned or discontinued.
- (b) Upon termination of the rights and privileges hereby granted, Licensee, at its own cost and expense, agrees to remove said improvements for which this license is granted and to return the right-of-way to the condition it was in prior to the execution of this License. Should Licensee in such event fail, neglect, or refuse to remove said improvement or return the right-of-way to such condition, such removal and restoration may be performed by Licensor at the expense of Licensee, which expense, including any attorney's fees, Licensee agrees to pay

upon demand and, if not so paid, said expenses shall be paid in accordance with paragraph 3(b), above.

8. <u>Notices</u>. Any and all notices and demands required or permitted to be given hereunder shall be in writing and shall be served either personally or by certified mail, return receipt requested, to the following addresses:

If to Licensor, to:

Town of Fairfax

Attn: Public Works Director

142 Bolinas Road Fairfax, CA 94930

If to Licensee, to:

- 9. <u>Waiver</u>. The waiver by Licensor of any breach or any term, covenant, or condition herein, shall not be deemed to be a waiver of any subsequent breach of the same, or any other term, covenant or condition herein contained.
- 10. <u>Authority of Parties</u>. Each individual executing this agreement on behalf of a corporation or other private entity shall represent and warrant that he/she is duly authorized to execute this agreement on behalf of the corporation and/or entity, in accordance with the duly adopted resolution of the Board of Directors of such corporation and/or entity. A copy of said resolution shall be provided to Licensor, along with the executed original of this agreement.
- 11. <u>Attorney's Fees</u>. In the event that either party is required to bring an action to enforce or interpret terms and conditions of this agreement, the prevailing party shall be entitled to payment of its attorney's fees, as well as expert witness fees.
- 12. <u>Assigns and Successors</u>. This agreement shall inure to the benefit and be binding upon each party's assigns and successors, and it is the intent of the parties that this license and its terms and conditions shall run with the land and be binding upon all successors in interest to the real property described in Exhibit B attached hereto.

[Signatures appear on next page.]

IN WITNESS WHEREOF, the undersigned have executed this agreement the day and year first written above.

	TOWN O	F FAIRFAX
Date:		Garrett Toy Public Works Director
Date:	By: Name: Title:	
Date:	By: Name: _	Title:
ACK	(NOWLEDGMENT	-
A notary public or other officer co of the individual who signed the and not the truthfulness,	document to whic	h this certificate is attached,
State of California) County of Marin)		
On	, whose name(s) is he/she/they execuner/their signature	o proved to me on the basis of /are subscribed to the within uted the same in his/her/their (s) on the instrument the person(s),
I certify under penalty of perjury under foregoing paragraph is true and correct		State of California that the
Witness my hand and official seal,		
Michele Gardner, Town Clerk		



October 15, 2020

Lindsay and Chris Bolter 204 Scenic Road Fairfax, CA 94930 lindsayhowellrobinson@gmail.com – Sent via email

Re: Northern spotted owl assessment for 500 Woodland Road (003-053-10), Fairfax, California

Mr. and Mrs. Bolter:

This letter provides a habitat assessment and survey results for the federal and state listed northern spotted owl (NSO; *Strix occidentalis caurina*) at a residential property located at 5 Woodland Road (Study Area; APN: 003-053-10) in the Town of Fairfax, Marin County, California. This assessment was performed to address concerns regarding potential impacts to NSO raised by the Town of Fairfax Department of Planning and Building Services for the proposed construction of a new single-family residence on the property (letter to Jeff Kroot; February 28, 2020). It is WRA's understanding that the proposed action involves the necessary removal of approximately 30 on-site trees for fire safety purposes and to accommodate the development. Specifically, this letter will: 1) provide an NSO habitat assessment for the Study Area; 2) review local NSO occurrence information; and, 3) provide an impacts analysis and related conclusions.

Study Area Description

The Study Area consists of a largely undeveloped parcel situated on a steep, south-facing slope within the southwestern portion of the Town of Fairfax. It is bounded by residential development to north, east and south, and undeveloped woodland to the southwest and west. An existing dilapidated residential structure is present in the southernmost portion of the site along Woodland Road. Although most of the Study Area's surrounds are developed, tree canopy/woodland cover is relatively thick in the area as is typical of the greater vicinity. Within the Study Area, trees present are predominantly native species; California bay laurel (*Umbellularia californica*) and coast live oak (*Quercus agrifolia*) are most numerous, with smaller numbers of Pacific madrone (*Arbutus menziesii*) also present. The trees present vary in size but several moderately large and/or structurally-complex individuals are present, mostly coast live oaks. The western portion of the Study Area is more open with a relatively limited tree canopy. The understory throughout the site is dominated by non-native French broom (*Genista monspessulana*). The largest trees in the immediate vicinity (as visible from the Study Area) are planted (non-native) Monterey pines (*Pinus radiata*) on the adjacent property to the north.

Within a broader context, the Study Area is located on the western outskirts of developed Fairfax. The Cascade Canyon Preserve is located to the west, and features various natural land covers types (including forest) characteristic of much of undeveloped Marin County. A stand of lightly-developed mixed coniferous-hardwood forest on a north-facing slope is located on a north-facing slope approximately 0.2 mile to the south, adjacent to and south of Cascade Drive.



Northern Spotted Owl Background

Natural History

The NSO is the resident spotted owl subspecies found in cool temperate forests in the coastal portion of California, from Marin County northward. The natural history of this subspecies is summarized by the USFWS (2008) and Gutiérrez et al. (1995). Typical habitats consist of native old-growth or otherwise mature coniferous forest and mixed coniferous-hardwood forest; younger (second-growth) forest with stands of large/mature trees are also used, particularly in the southern portion of the range (e.g., Marin County). High-quality breeding habitat features a tall, multi-tiered, multi-species canopy dominated by big trees, trees with cavities and/or broken tops, and woody debris and space under the canopy. NSO breeding pairs are usually monogamous and also demonstrate site fidelity, maintaining nesting territories and home ranges across years. The general breeding season is February through August, and nesting occurs on platform-like substrates in the forest canopy. Substrates used as nest sites include tree cavities, epicormic branching (multiple branches forming from a single node), broken tree tops, large horizontal branches, and old nests built by other birds or squirrels. NSO young leave the nest (by gliding and climbing through the canopy) in late May through June, though they remain dependent on their parents for several weeks thereafter as they learn how to fly and forage independently. NSOs forage for nocturnal mammals; dusky-footed woodrats (Neotoma fuscipes) are the primary prey in the southern portion of the California range.

Local Occurrence Information

As per the California Department of Fish and Wildlife (CDFW) Spotted Owl Viewer database (CDFW 2020), the nearest documented NSO breeding territory center is located 0.25 mile (1,260 feet) south of the Study Area, in a forest stand located between Cascade Drive and Pine Mountain Tunnel Road. There are several documented nesting locations and observation points within this stand, with NSO nesting most recently confirmed in 2017 and a pair (male-female) observed in the same vicinity in 2019. The next nearest documented territory center is located approximately 0.34 mile (1,790 feet) northeast of the Study Area, east of the northern terminus of Cypress Drive; nesting was observed there in 2020. In the open lands of the Cascade Canyon Preserve west of the Study Area, the nearest nesting location is located approximately 0.9 mile to the west, with observations of pairs (not necessarily in association with nesting) located approximately 0.5 mile to the west.

Habitat Assessment and Survey

Methods

On October 12, 2020 from 3:00 PM to 4:10 PM, I performed a field investigation of the Study Area. The entirety of the subject property was examined directly, including the various trees present. I evaluated the potential for larger trees on-site trees (and those visible from the Study Area) to support NSO activity, most especially nesting. Using binoculars and the naked eye, trees were visually surveyed for NSO presence, as well as any potential nesting substrates (platform-like structures) or sign of the species, e.g., whitewash (feces stains) under the canopy. The overall level of disturbances in the area were also noted.

Results

The Study Area and its immediate vicinity provide some marginally suitable NSO habitat elements, namely some medium-sized native trees with suitable arboreal structure (e.g., large horizontal branches under a relatively closed section of canopy). However, these portions of canopy are highly localized, limited in extent and/or adjacent to more open zones and thus relatively exposed. On-site trees are smaller/shorter-statured than the more robust trees that would be abundant in typical NSO forest habitat, and tall, dense trees providing shade and vertical structure such as native conifers are not present. No arboreal substrates typical of NSO nesting (e.g., broken trees tops, large cavities) sites were observed, and the only platform-like substrate found was what appeared to be a small squirrel drey (nest structure made of sticks and foliage). The pine trees noted on the adjacent property, while relatively tall, are isolated in terms of upper canopy and hence exposed. The development of the area has also resulted in a generally patchy distribution of intact woodland stands, reducing the amount of contiguous habitat. Furthermore, the developed/residential character of the area also results in habitual anthropogenic disturbances, including cars (driving, parking), sounds from residences, and nearby construction sounds and activities, all of which were audible during the site visit. Finally, no NSOs or indication of the species' presence were observed.

While there is some potential for NSOs occupying nearby forested areas to occasionally move through or even roost within the Study Area and adjacent woodland (i.e., on other properties to the west), any utilization of this area is presumably rare at best and most likely to occur outside of the nesting season, when adults and most especially juveniles (recently fledged) disperse and move from core habitat through more marginal wooded areas.

Impacts Analysis

The USFWS uses the term "disturbance-only" to describe projects that will not impact NSO habitat directly, but will generate acoustic and/or visible disturbances potentially leading to nest abandonment or other forms or reduced reproductive success (which may be considered "take" under the federal Endangered Species Act). For such projects, potential NSO habitat areas within 0.25 mile of such disturbance point-sources are included in impact analyses (USFWS 2011). Because the Study Area is disturbed and located within a matrix of existing residential development, the current project is treated as "disturbance only."

The USFWS has published a guiding technical document regarding acoustic and visual disturbances and the potential for harassment of the NSO (USFWS 2006). Regarding visual disturbances, USFWS (2006) provides a general setback distance of 131 feet (40 meters) from active nests (i.e., those with eggs or young, or being attended by adults in preparation for breeding). For acoustic disturbances, using a conservative approach in which ambient/existing conditions in the Study Area are considered "natural ambient" (< 50 decibels [dB]; the lowest such category) and conditions during construction are considered "high" (averaging 81-90 dB), the estimated NSO harassment distance would be 500 feet. Given that 1) the two nearest documented NSO nest sites are both a minimum distance of 1,200 feet from the Study Area, and 2) in each case there are least two developed roads/streets and associated baseline disturbances between the Study Area and the respective sites, no adverse impacts to nesting NSO are anticipated as a result of project implementation.

Summary and Conclusions

While no NSOs or indication of their presence was observed during the site visit, these results should not be used to infer total absence in the general area given the limited scope of the

investigation. However, it is my professional opinion that the proposed residential project at 5 Woodland Road is unlikely to result in NSO harassment or other adverse impacts to this species, including during the breeding season. This includes the necessary removal of approximately 30 on-site trees (for fire safety purposes and to accommodate the footprint of the new residence). The rationale for this conclusion is as follows:

- The Study Area's immediate surrounds are largely developed, and on-site and adjacent
 woodland lacks fully mature hardwood trees, and conifers. As such, on-site NSO nesting
 is highly unlikely given the level of disturbance there and the presence of far more suitable
 (typical) habitat within areas of undeveloped open space, e.g., the substantially larger
 mixed forest stand to the south.
- Available data indicates that NSOs have been observed consistently in recent years in nearby areas that provide more typical forest habitat. The two nearest documented NSO territory centers there are both located a minimum distance of 1,200 feet from the Study Area (0.2 to 0.4 mile away).
- The necessary removal of some on-site trees is not anticipated to impact NSO. These
 trees are highly unlikely to be used for nesting, and the greater woodland stand on and
 adjacent to the Study Area will remain largely intact, and will not preclude potential
 occasional use (largely incidental) of the area by NSO.
- Using a technical guidance document from the USFWS, an analysis of anticipated projectrelated acoustic disturbances indicates that these disturbances are unlikely to harass NSOs that may be present in areas of documented observation and occupancy.

Please contact me with questions or comments.

Sincerely,

Jason Yakich

Senior Wildlife Biologist yakich@wra-ca.com

References

- [CDFW] California Department of Fish and Wildlife. 2020. Spotted Owl Database, Wildlife and Habitat Data Analysis Branch. Sacramento. Accessed: October.
- Gutiérrez, R. J., A. B. Franklin, and W. S. Lahaye. 1995. Spotted Owl (*Strix occidentalis*), The Birds of North America Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: http://bna.birds.cornell.edu/bna/species/179
- [USFWS] U. S. Fish and Wildlife Service. 2011. Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls. February. 38 + iv pp.
- [USFWS]. 2008. Final Recovery Plan for the Northern Spotted Owl, Strix occidentalis caurina. U.S. Fish and Wildlife Service, Portland, Oregon. xii + 142 pp.
- [USFWS]. 2006. Transmittal of Guidance: Estimating the Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California. U.S. Fish and Wildlife Service, Arcata, California. July. 12 pp.

Linda Neal

From:

Alexis Lynch <alexislynch@gmail.com>

Sent:

Thursday, October 15, 2020 12:44 PM

To:

Linda Neal

Subject:

Public Comment for Tonight's Town Planning Meeting - 5 Woodland Road

Hello. I am writing in support of 5 Woodland Road Application 20-11 to build a new single family residence. I have seen the plans and approve of their application.

The owners are preserving a large portion of the land to stay undeveloped. We need more owners like them preserving the beautiful nature in this town.

I fully support land purchasers who are trying to build modest single family homes instead of large ostentatious houses that take up too much of the natural land that makes Fairfax so special. I truly hope the Planning Commission shares the same values as the residents of Fairfax who appreciate the intentions of owners such as these who are trying to get their reasonable building plans approved. Thank you for your time.

~Alexis Lynch Muriel Place, Fairfax

Linda Neal

From:

Jessie Stuhl <jess.stuhl@gmail.com> Thursday, October 15, 2020 2:59 PM

Sent: To:

Linda Neal

Subject:

regarding 5 Woodland Road Application 20-11

Hello fellow Fairfax residents. I just wanted to take a little time to comment on the house plans for the Bolter's residence at 5 woodland road. We need more homes like this in Fairfax, small, mindfully built by locals, with attention to the surrounding natural land and a commitment to the environment and this community. Keeping mid-size homes and middle class families in our town is essential and this includes the Bolters and their family. We fully support this plan and these people!

Jessie Stuhl and Jeff Fitterman.

Residence at 95 Bothin Road, fairfax, Ca 94930

Linda Neal

From:

Jai Flicker <jaiflicker@gmail.com>

Sent:

Thursday, October 15, 2020 10:57 AM

To:

Linda Neal

Subject:

In Support of Project #20-11 - The Bolter Residence

Dear Planning Commission,

My name is Jai Flicker, a long time area local and current, extremely grateful Fairfax resident, and I am writing to voice my support for the approval of the Bolter Residence project (#20-11).

Having grown up next door, in Woodacre, I understand well the anti-building sentiment that exists in this area. When I was younger, in fact, I actively protested certain new housing projects, such as the French Ranch development. My main argument then had to do with how I believed growth should occur. To my mind, building a housing development did not fit with the existing character of The Valley. I argued then that allowing homes to be built one by one, by different owners, each with their own unique plan and vision, would allow for more organic growth. I still believe this today. And this is just one reason I support the Bolter Residence project. It is the vision of a single family wanting to build their "forever home" here in Fairfax.

This leads to my second reason for supporting this project. The Bolters already live in Fairfax and have chosen to raise their children here. This means this project is not an investment property that some outsider is hoping to turn a quick profit on. It is the dream project of a family that appreciates and understands how special this community is. This seems to be exactly the kind of growth we want here. We want to support people who intend to live here and raise their kids here, people who will invest in and care for this remarkable place, not take advantage of it for financial reasons.

In addition, this project is not only appropriate in its design, but seems to me extremely well thought out. Let's start with size. I currently live in a three bedroom, 1700 square foot home with my family of three. I love where I live and I have no complaints, but in this era in which so many of us are working from home our space is getting more use than ever. We were already using one bedroom as an office/guest bedroom before the pandemic. Now we have cordoned off part of our dining room to create a second home office space and are not sure what we will do if and when we get ready to welcome child number two. The Bolters are also a family of three, soon to be four. Building a home that will accomodate two children and leave enough room to work from home makes perfect sense. Adding an ADU, makes even more sense. Frankly, I wish we had one, whether to make it easier for grandparents to visit, to be used as a physically separate home office, or even to potentially host a live in au pair. We will not be living in a pandemic forever, but my sense is that this new work-from-home trend will continue long after the coronavirus has been tamed. Building with that in mind without going overboard seems to strike the right balance.

Finally, the design of this project is not only highly functional, it is also beautiful. This is what you get when two people pour their hearts into a project. This is what you get when people design a home that they intend to live in and raise their kids in. This is what you get when you have artists designing their home. This is what you get when you allow people to dream.

Fairfax, and really all of Marin, owes much of its character to the conservationist efforts of those who have come before. I have long been a supporter of those efforts, both ideologically and financially (for example, by donating to organizations like the Marin Agricultural Land Trust). However, I think a broader awareness of the shadow side of a near zero growth rate is starting to become more clear to more and more people. My wife and I still rent, for example. We are a two income household, but the cost to buy a home here is still too high for us. One major contributor to the price of homes, of course, is our shortage of housing. I am in no way in favor of rapid expansion to ameliorate this problem.

But I do now see that a near zero growth rate goes too far in the other direction. Ideally, we want to allow for gradual, responsible growth. And this, I believe, is exactly what this project represents.

Sincerely,

Jai Flicker 195 Bothin Rd. Fairfax, CA 94930

Linda Neal

From:

Kyle Miller <kyle.maclaren@gmail.com>

Sent:

Thursday, October 15, 2020 8:19 PM

To:

Linda Neal

Subject:

Planning Commission Meeting 10/15/20 - Agenda Item #2 - Public Comment

Hello,

I just wanted to express my support for the residence at 5 Woodland Road. It sounds like significant efforts were made to make this property blend into the surroundings, maximize defensible space, and minimize environmental impact. Thanks for your thorough review!

Regards,

Kyle Miller, Fairfax Resident and Neighbor

Linda Neal

From:

Annice Ormiston <annice.ormiston@gmail.com>

Sent:

Thursday, October 15, 2020 7:43 PM

To:

Linda Neal

Subject:

5 Woodland Road Application 20-11

Hello,

I am a Fairfax resident and have reviewed the plans for 5 Woodland Road (20-11). I think this would be a good addition to our community. More single family homes that are not obtrusive and preserve the most of that natural land add to our community's value.

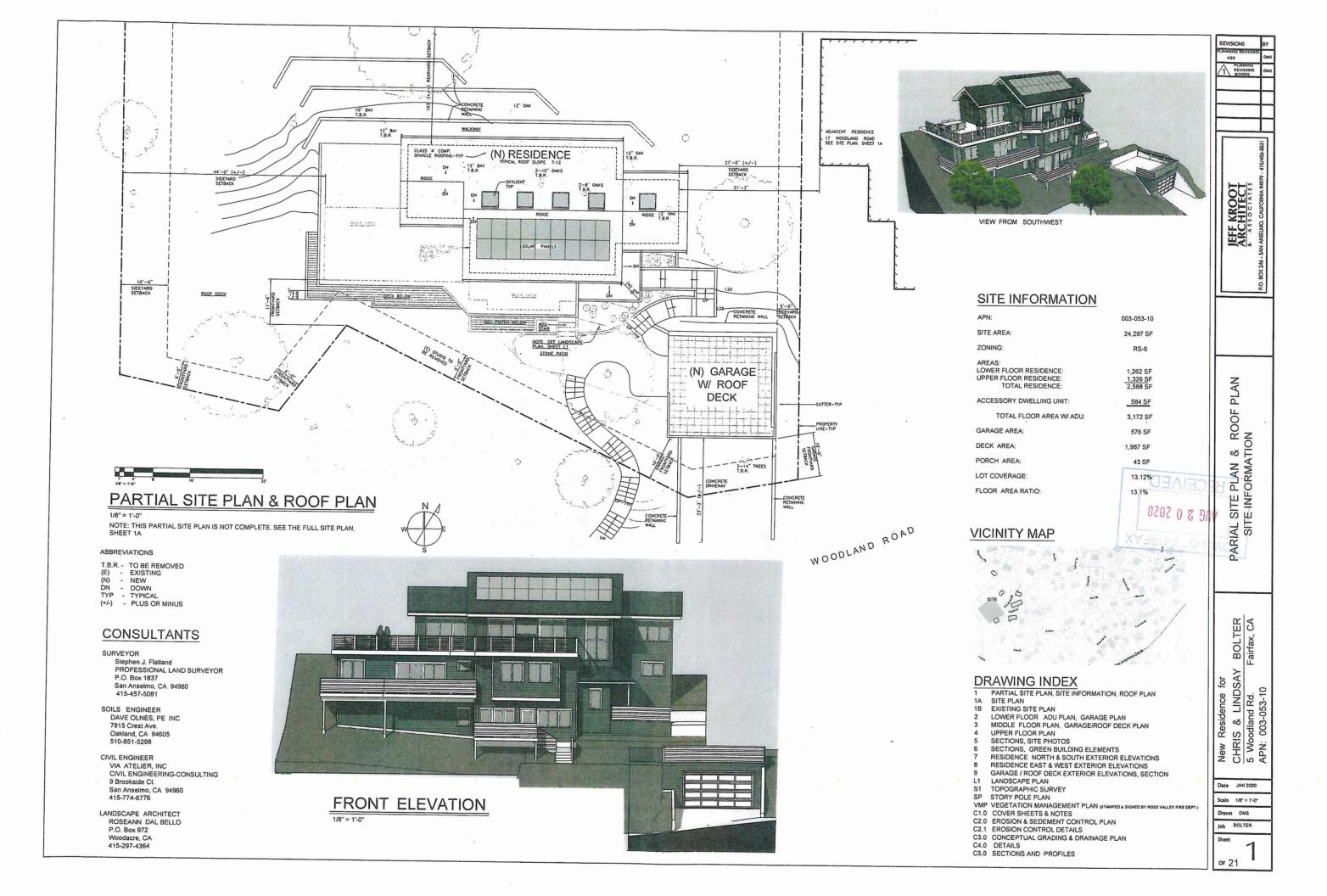
Thank you, Annice Ormiston-Fulwiler Fairfax resident, Oak Manor Drive

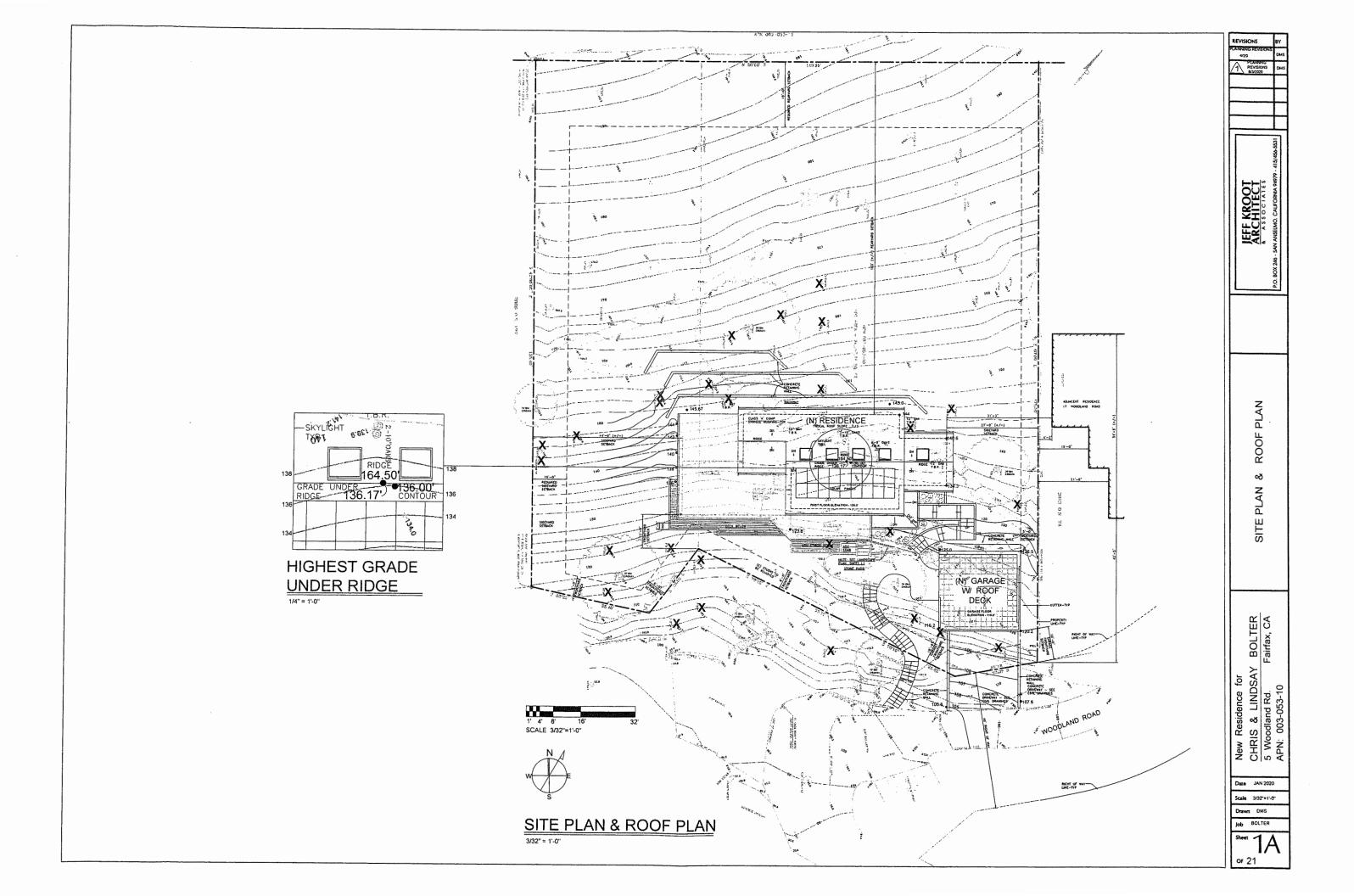
10/16/20 e-mail

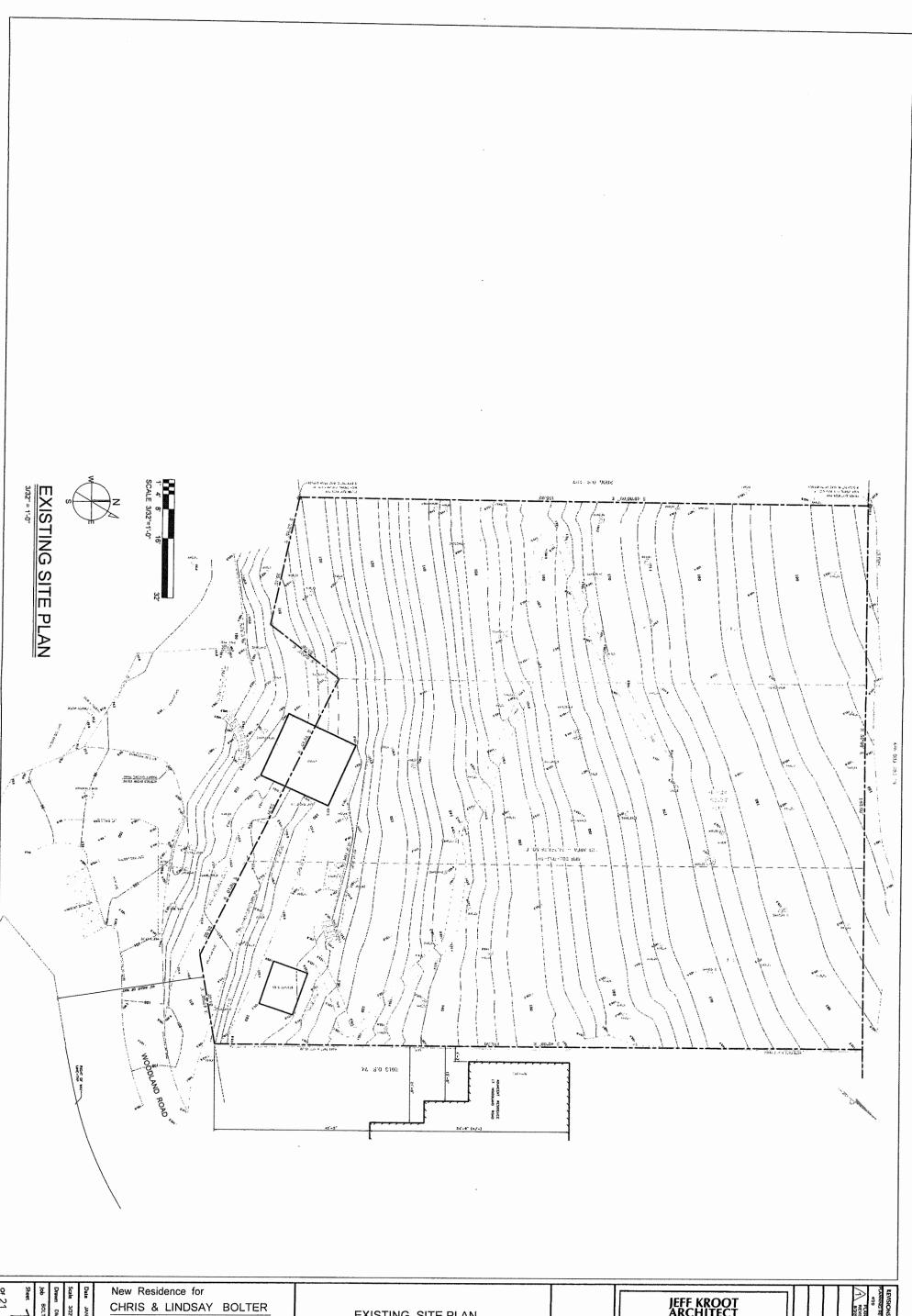
To whom it may concern:

I have reviewed the house plans for 5 Woodland Road, and I think this would be a good addition to Fairfax. My husband and I have been looking to buy a home for our family as we currently rent and we cannot afford anything on the market. The ability to own a home for your family in Fairfax without being a multimillionaire is important to keep wonderful members of our community who don't have millions for a home here.

I strongly believe that we need more single family homes that are not huge and obtrusive and take up a small part of the land, while preserving most of the natural land. This house meets both of those criteria Warmly, Yea and Jai Flicker Fairfax residents







Date JAN 2020
Scale 3/22 = 11-0*
Drawn DMS
Hob BOLTER
Sheet TB
OF 21

CHRIS & LINDSAY BOLTER

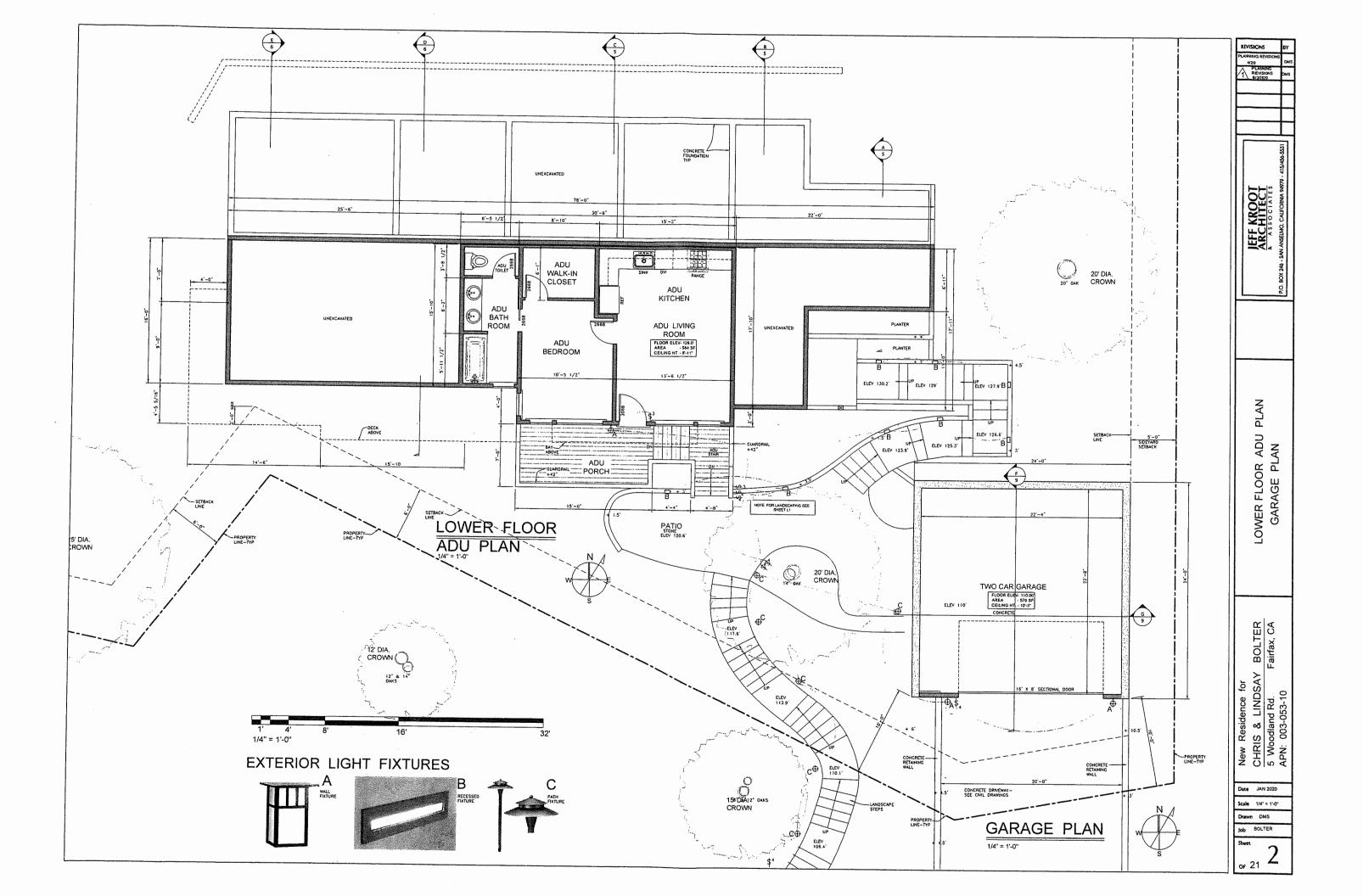
5 Woodland Rd. Fairfax, CA

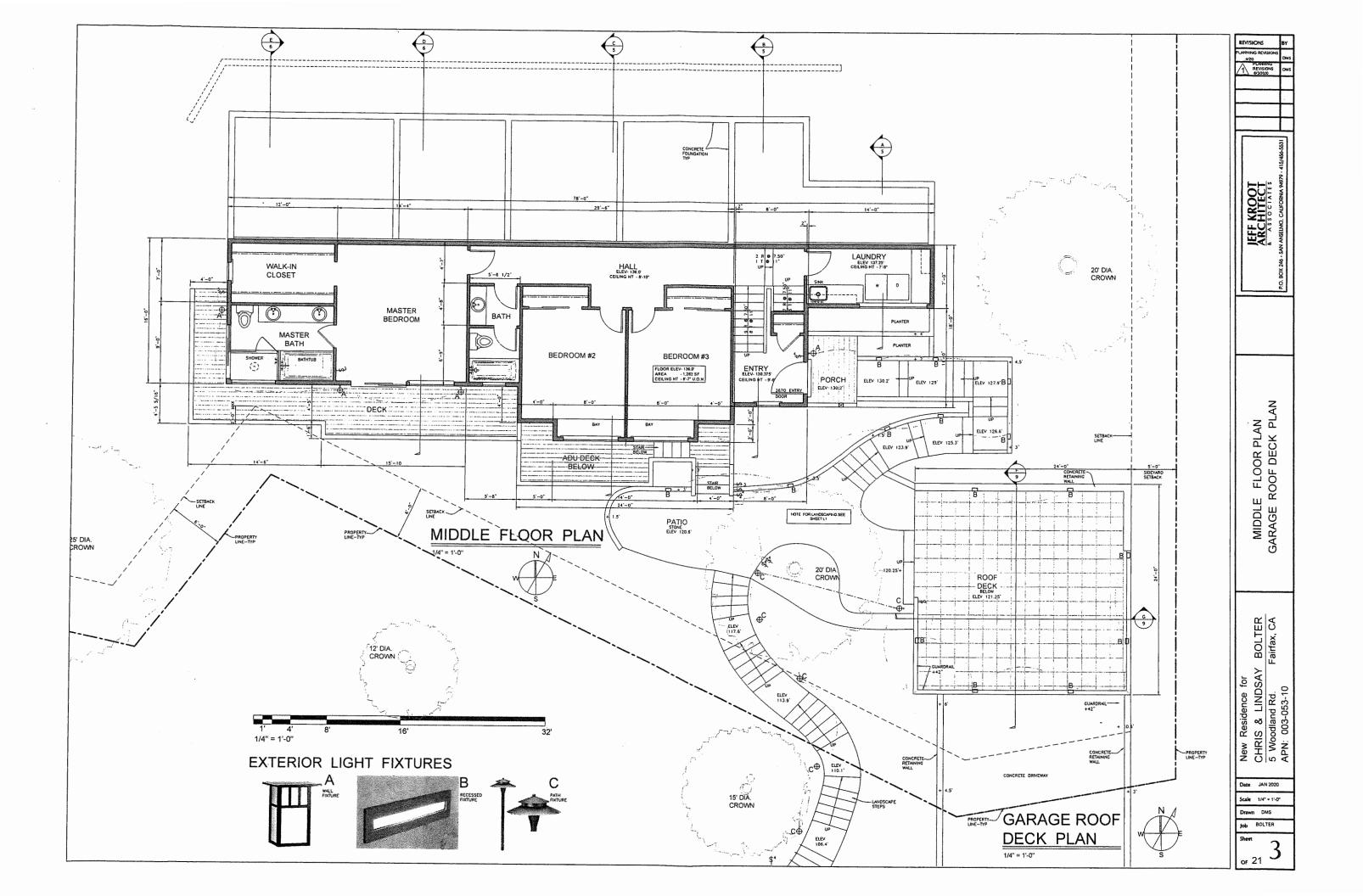
APN: 003-053-10

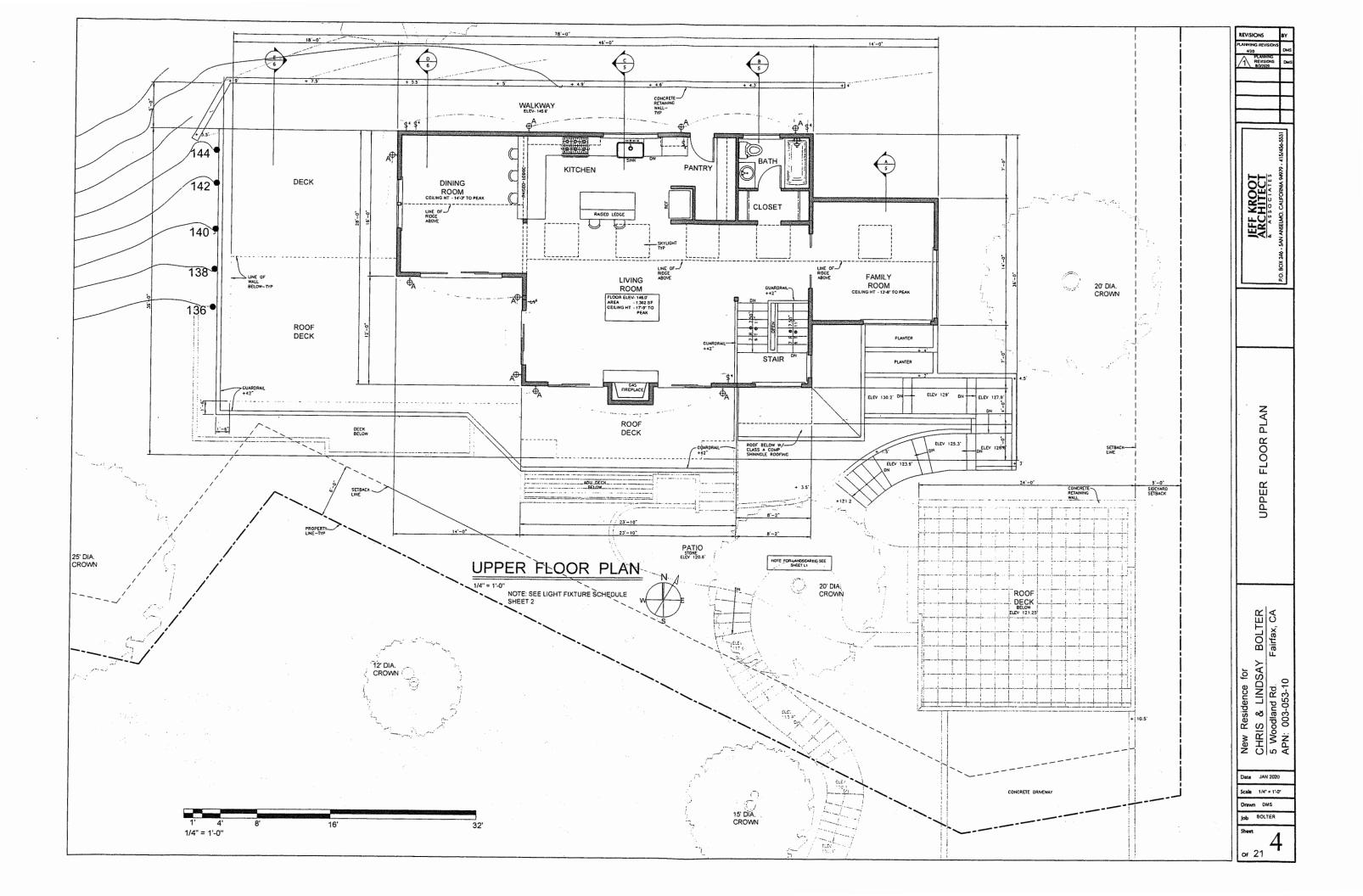
EXISTING SITE PLAN

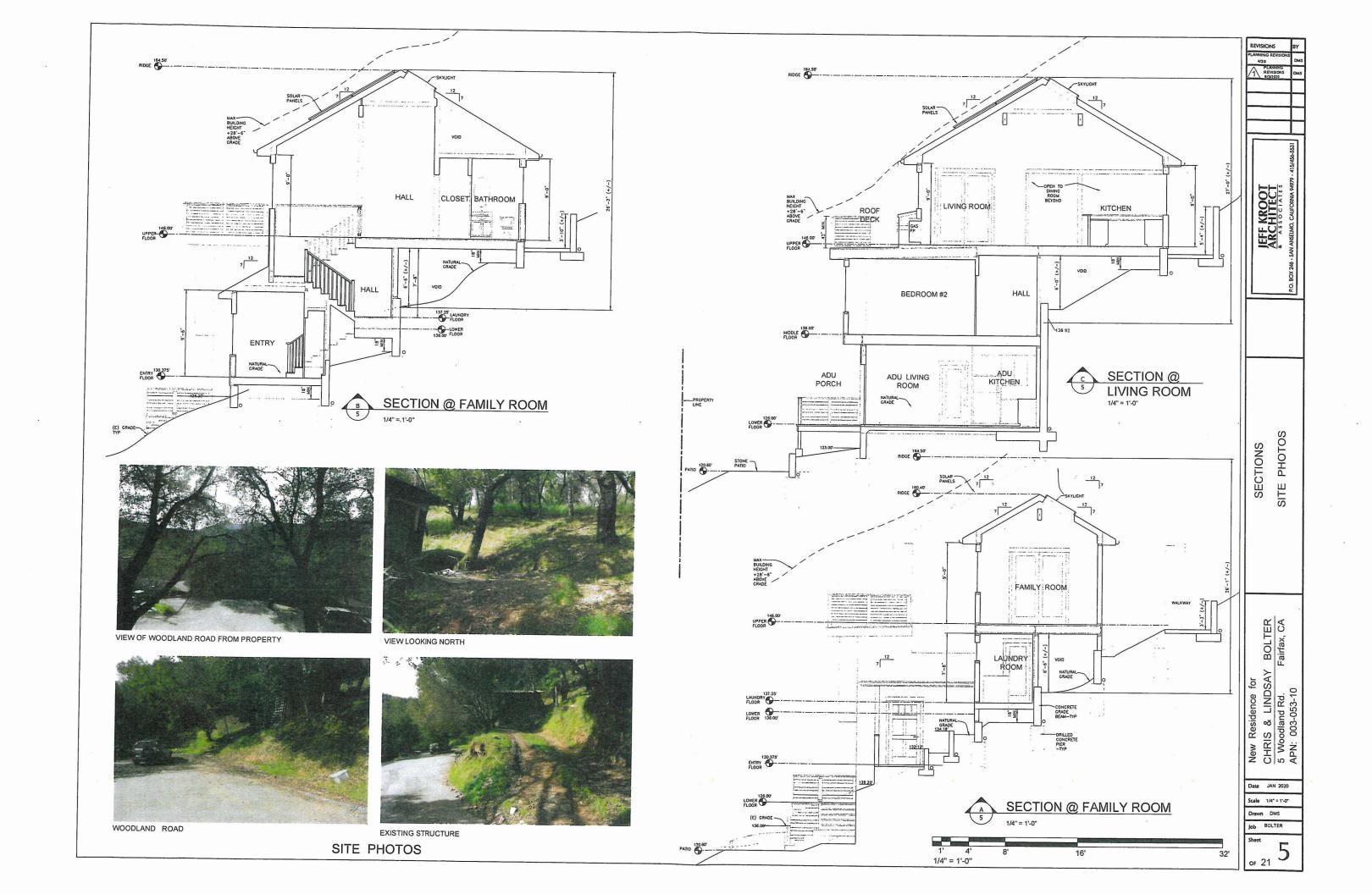
JEFF KROOT ARCHITECT & ASSOCIATES P.O. BOX 246 - SAN ANSELMO, CALIFORNIA 94979 - 415/456-5531

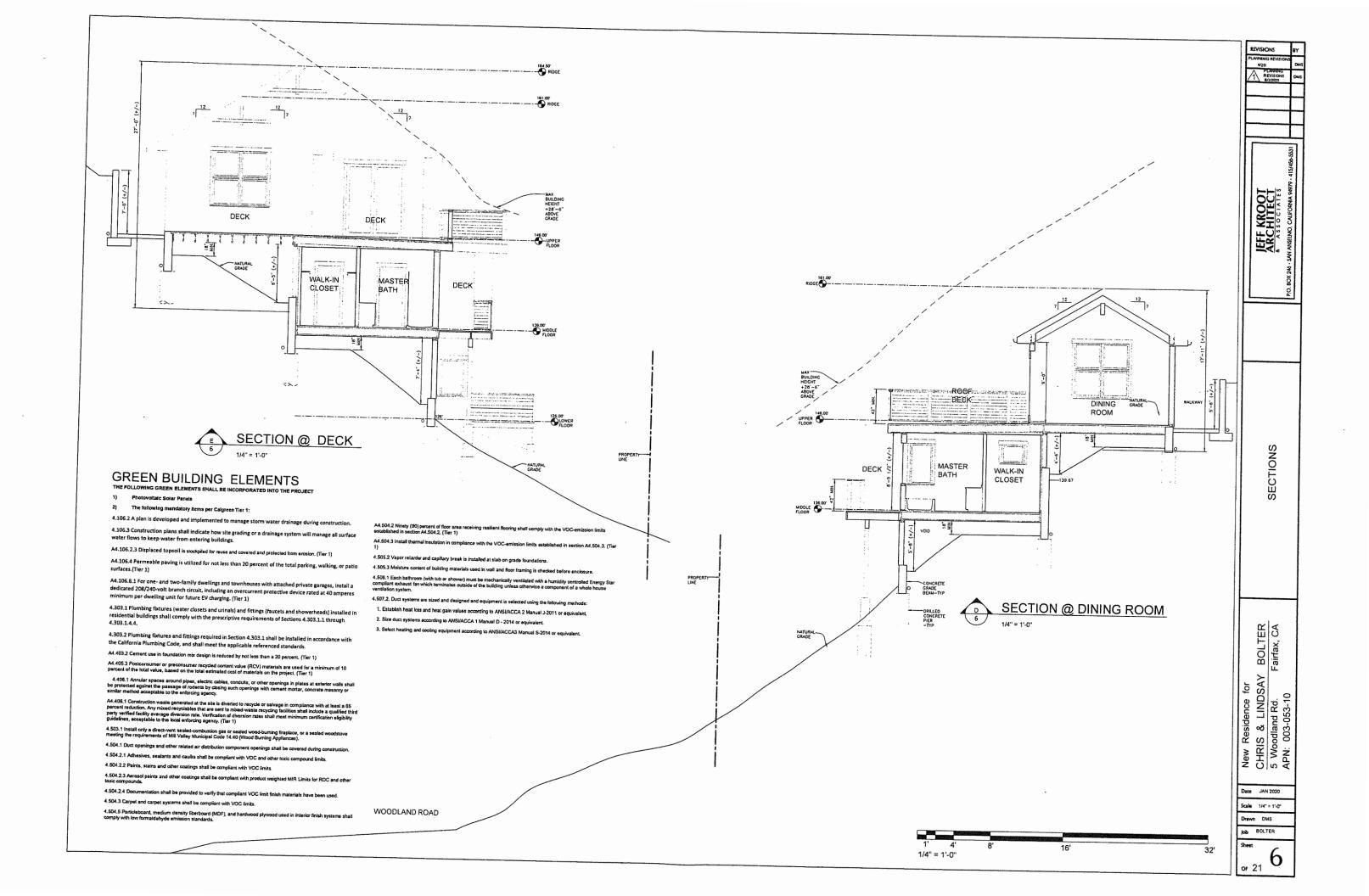


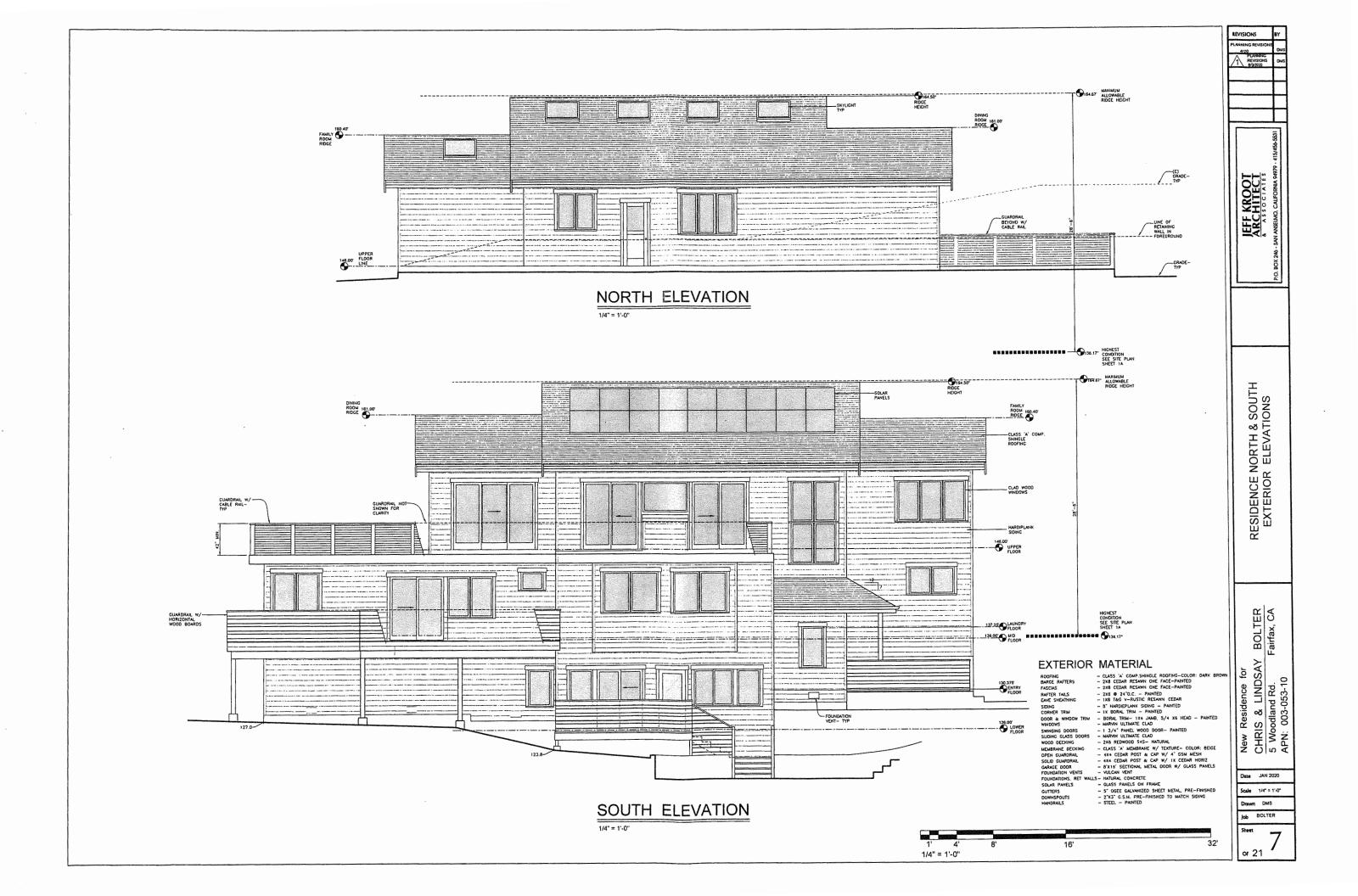


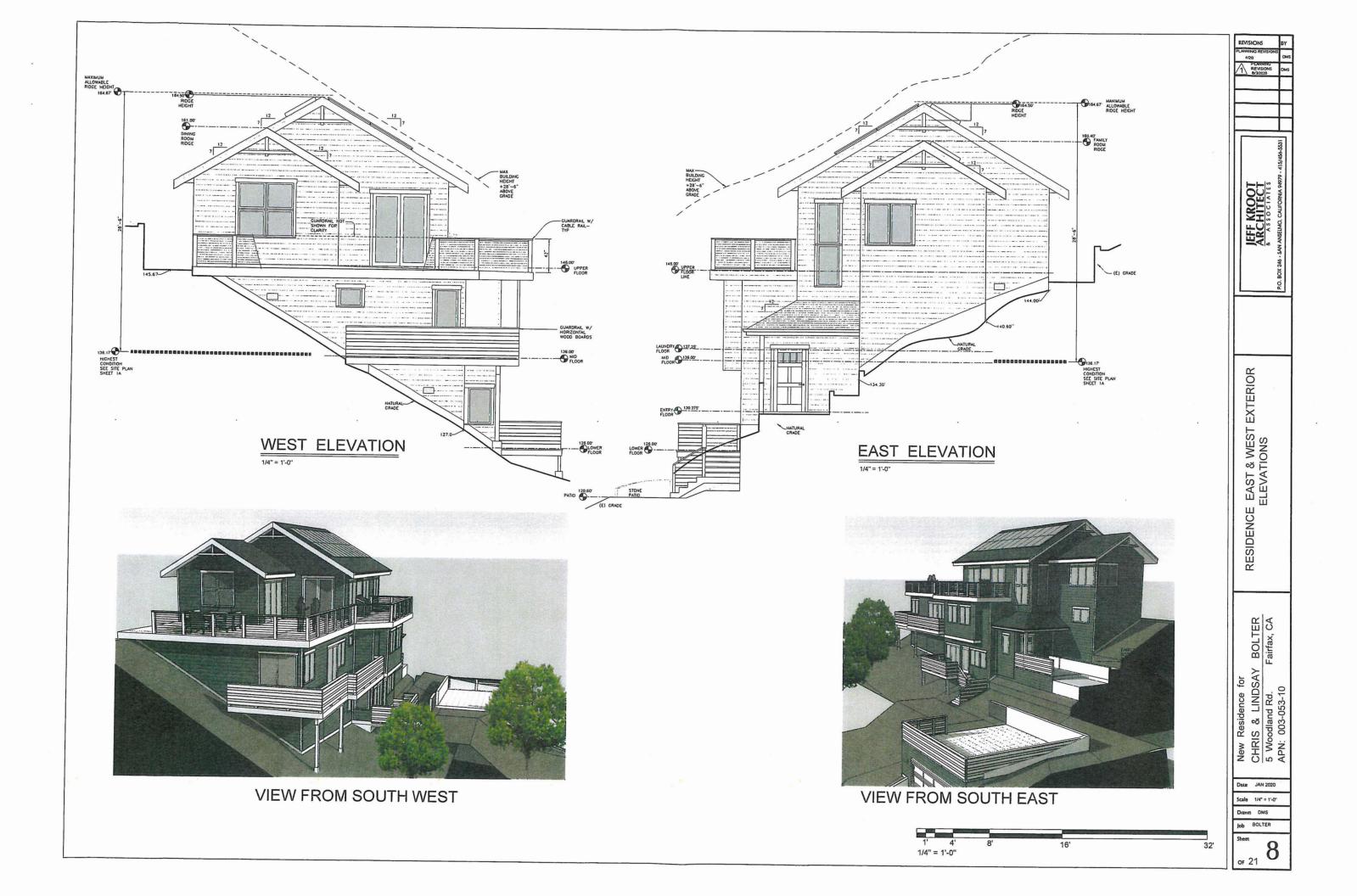


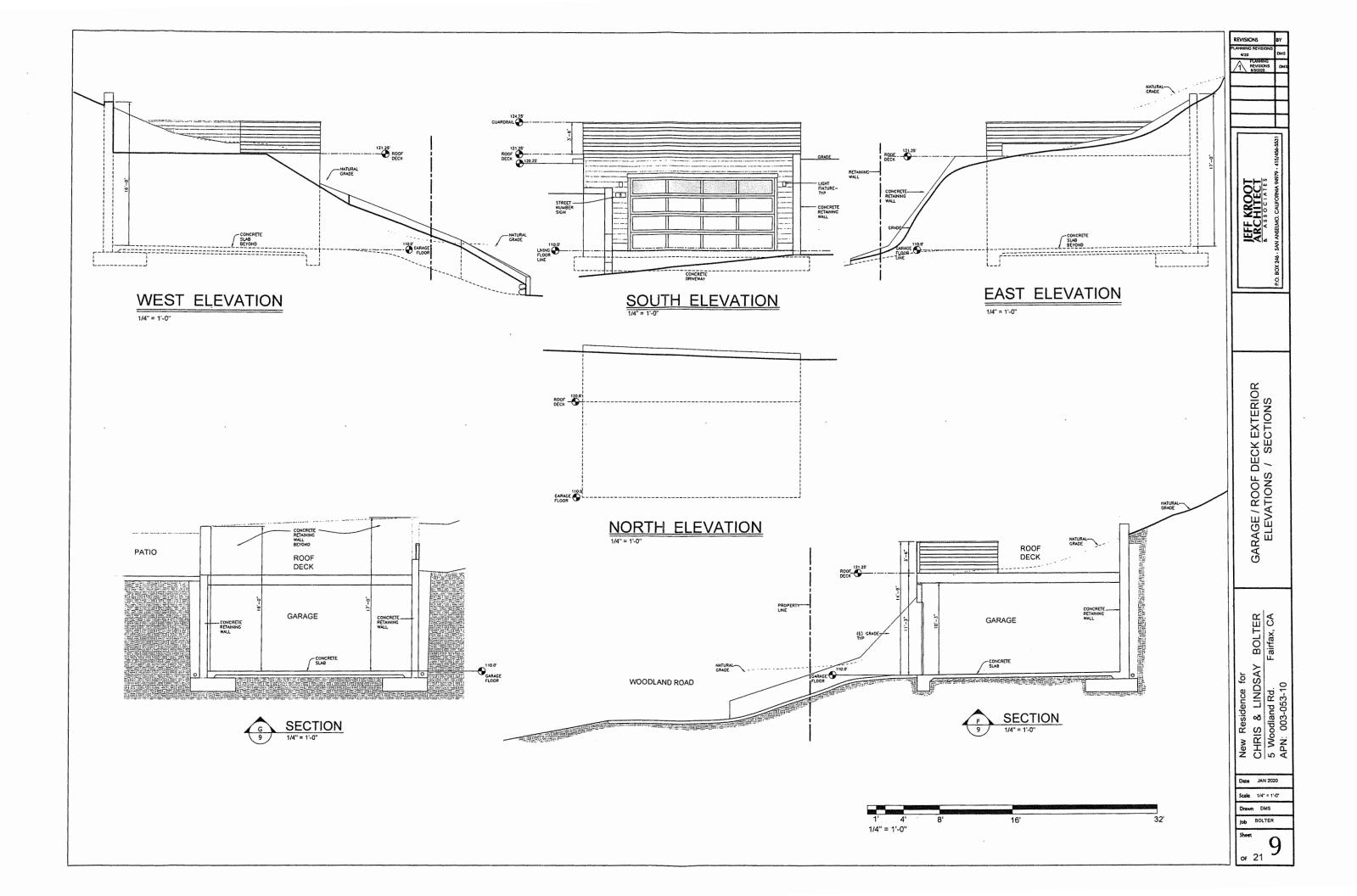


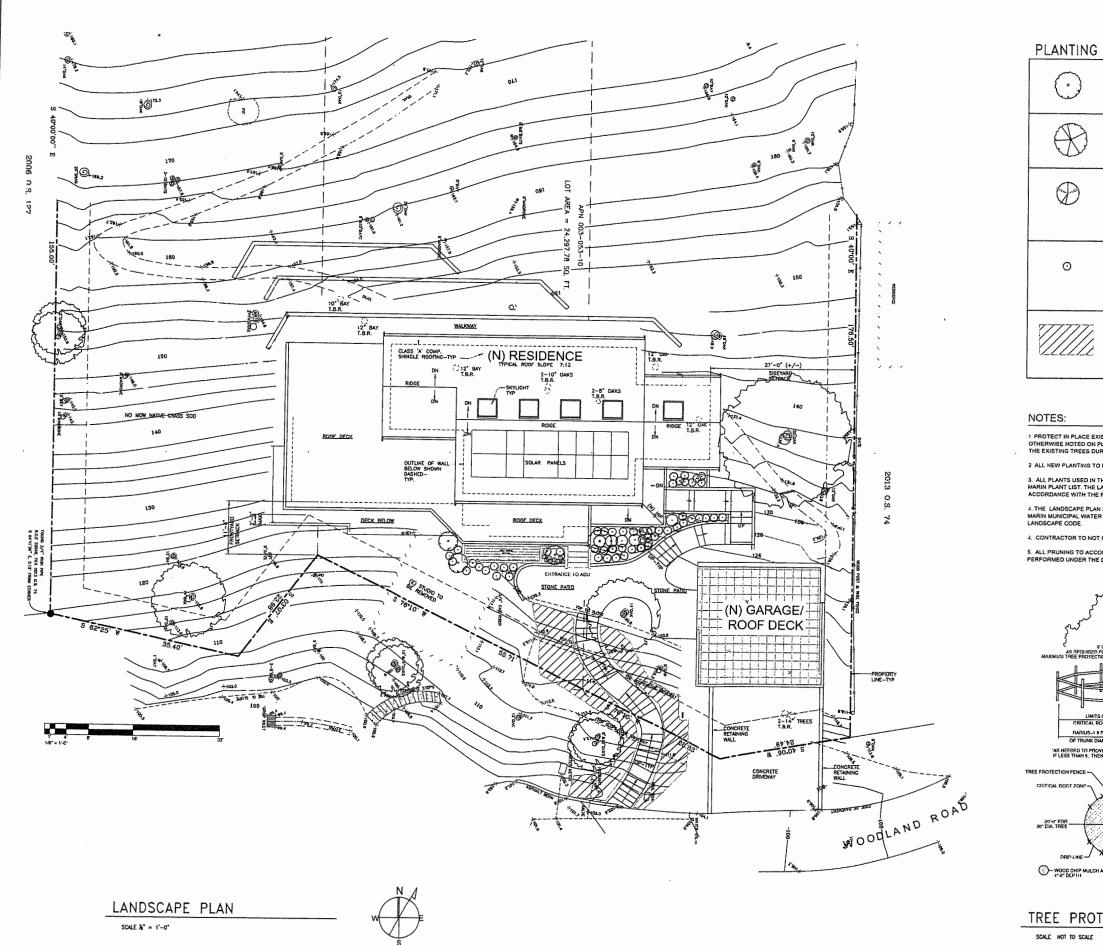








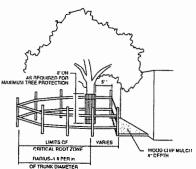




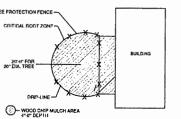
PLANTING LEGEND

LANTING	LEGEND	
\odot	EXISTING TREE TO REMAIN — REFER TO ARBORIST REPORT FOR ANY CORRECTIVE WORK	
	NEW NURSERY TREE— ARBUTUS MARINA QUERCUS AGRIFOLIA	
\oplus	EVERGREEN SCREEN-PLANT AT THE REQUIRED DISTANCE FROM THE HOUSE PER TIPE CODE PREMIES INDIFICUA STRICA CALIFORNICA	
0	SHRUBS AND PERDMIALS ADHLEA TOMENTOSA ERIGERON GLALOUS PRISTEMON SPECIES RHAINIS CALEFORNCA HEIJCHERA MAXIMA MIMILUS SPECIES	
	MIXED NATIVE GRASSES AND GROUNDCOVERS FESTUCA RUBRA NOHARDELLA VILLOSA	

- PROTECT IN PLACE EXISTING NATIVE SHRUBS AND TREES UNLESS OTHERWISE NOTEO ON PLANS. CONTRACTOR TO PROVIDE PROTECTIO THE EXISTING TREES DURING CONSTRUCTION.
- 2 ALL NEW PLANTING TO BE IRRIGATED BY AN AUTOMATIC DRIP SYSTEM
- 3. ALL PLANTS USED IN THIS LANDSCAPE ARE SELECTED FROM FIRESAFE MARIN PLANT LIST. THE LANDSCAPE PLAN SHALL BE DESIGNED IN ACCORDANCE WITH THE ROSS VALLEY FIRE DEPARTMENT
- J. THE LANDSCAPE PLAN SHALL BE DESIGNED IN ACCORDANCE WITH THE MARIN MUNICIPAL WATER DISTRICT (MMWD) WATER EFFICIENT LANDSCAPE CODE.
- 4. CONTRACTOR TO NOT FILL NEAR THE TRUNKS OF THE EXISTING TREES..
- 5. ALL PRUNING TO ACCOMMODATE THE CONSTRUCTION SHALL BE PERFORMED UNDER THE DIRECTION OF AN ARBORIST.



'AS NEFDED TO PROVIDE MINIMUM NECESSARY WORK SPACE. IF LESS THAN 5', THEN ADD BOARDS STRAPPED TO TRUNK.



TREE PROTECTION DETAIL

REVISIONS

> PLAN LANDSCAPE

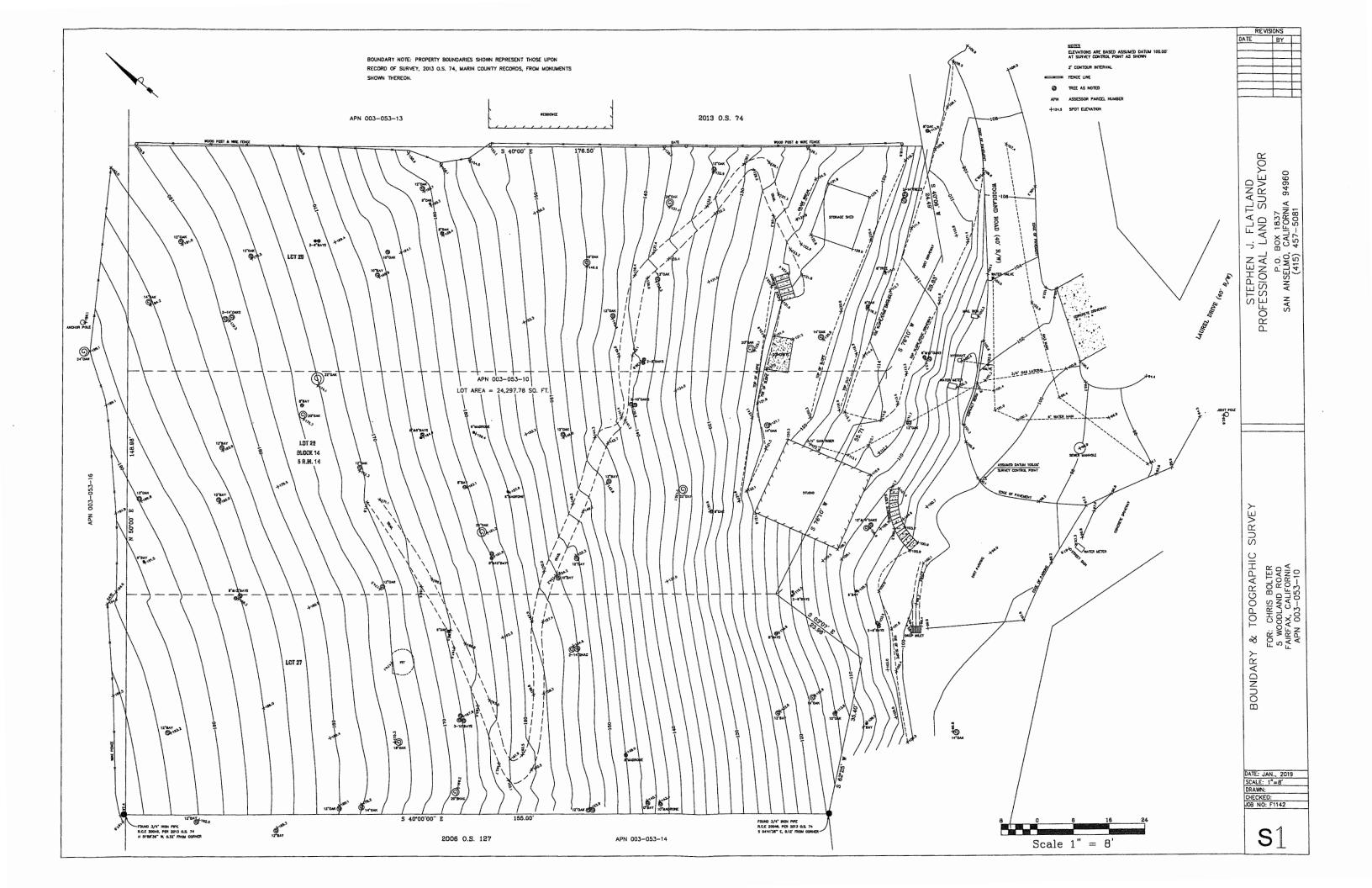
BOLTER Fairfax, CA

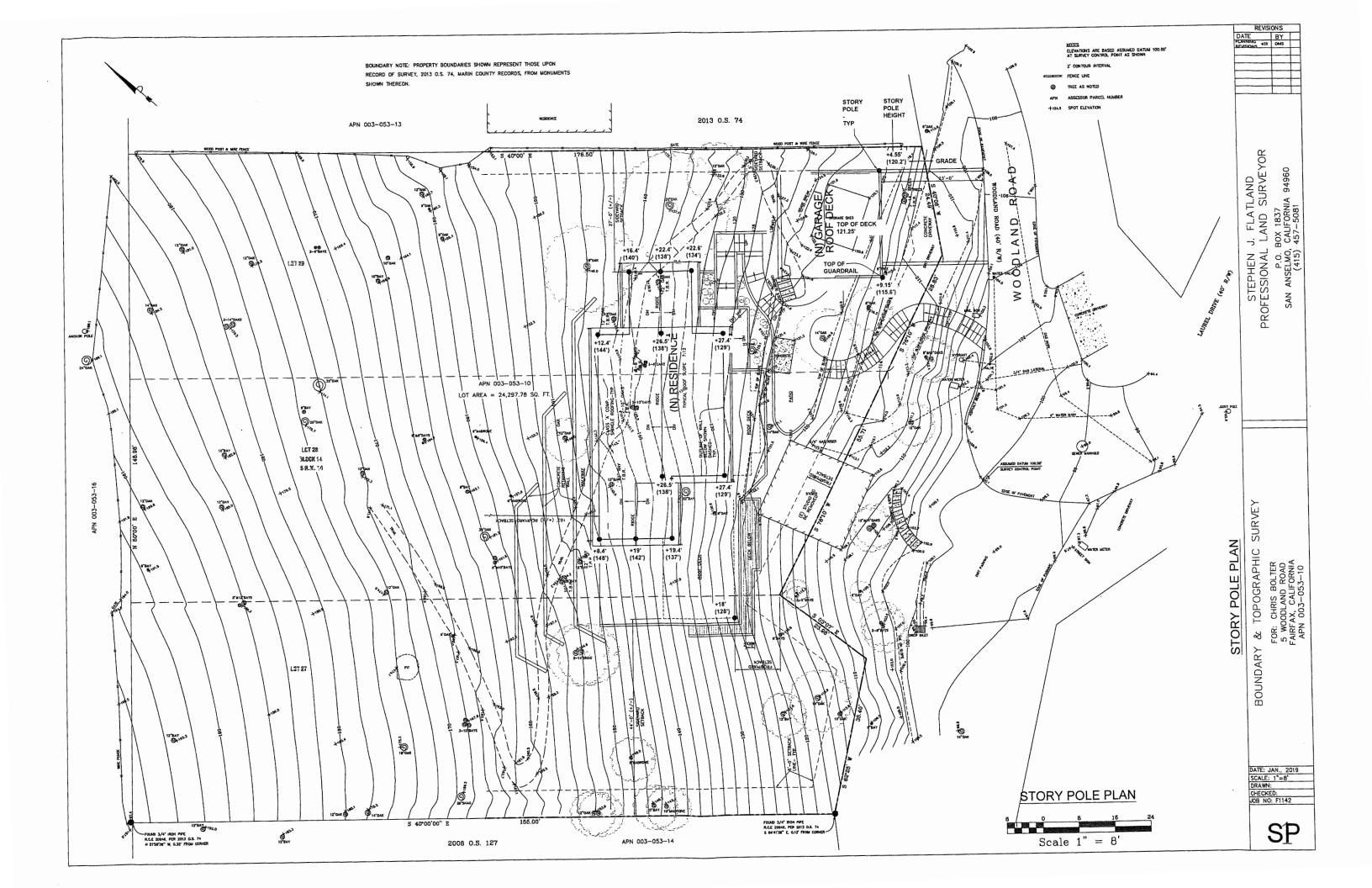
New Residence for CHRIS & LINDSAY 5 Woodland Rd. Fi APN: 003-053-10

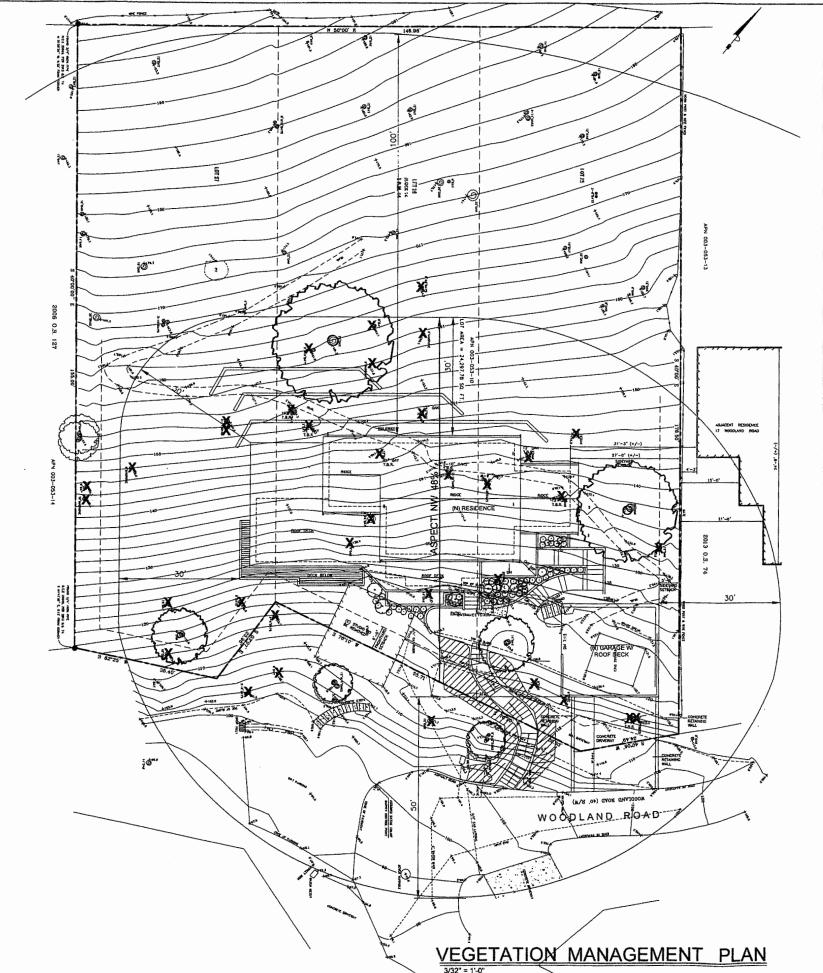
Date JAN 2020 Scale 1/8" = 1'-0"

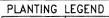
Job BOLTER

o≠ 19









\odot	DOSTING THEE TO REMAIN — REFER TO ARBORST REPORT FOR ANY CORRECTIVE WORK	
9	MEN MURSERY TREE— AFRUTUS MURINA QUIENCUS AGRIFOLIA	
₩	CVERGREDI SCRIZZI-PUNT AI THE RIZIANZI BOTANCE FROM THE NOUSE, PER FRE CODE PREMIS ENTATUA MITROA CALFORNICA	
0	SPRIES AND PERSONAL ACHILLA TOLORIUSA DEGESCH GALILIS PROSTRAM SPIELES BHANIS CALPUSCA PELOGERA MODRA MERILIS SPICIES	
	MICEL HAIM: CRASSES AND CROUNDOM/PS FESTICA RUBBN MONNEDELLA VILLOSA	

I PROTECT IN PLACE EXISTING NATIVE SHRUBS AND TREES UNLESS OTHERWISE NOTED ON PLANS, CONTRACTOR TO PROVIDE PROTECTION THE EXISTING TREES DURING CONSTRUCTION.

2 ALL I NEW PLANTING TO BE IRRIGATED BY AN ALITOMATIC DRIP SYSTEM

4. THE LANDSCAPE PLAN SHALL BE DISIGNED IN ACCORDANCE WITH THE MARIN MUNICIPAL WATER DISTRICT (MWVD) WATER EFFICIENT LANDSCAPE CODE.

5. CONTRACTOR TO NOT FILL NEAR THE TRUNKS OF THE EXISTING TREES 6. ALL PRUNING TO ACCOMMODATE THE CONSTRUCTION SHALL BE PERFORMED UNDER THE DIRECTION OF AN ARBORIST.

SYMBOL SCHEDULE



BETWEEN TREES

ANT GROWTH - GRASSES - PER COUNTY
OF MARIN DEFENSIBLE
SPACE 30'-100' GRASSES TO
BE KEPT MOWED

ROSS VALVEY FIRE DEPT Approved with Conditions

SCALE 3/32"=1'-0"

Fire Protection Standard 220

Figure I

			HAZA	RD ASSES	SMENT M	ATRIX			
Hazard Points	1	2	3	4	5	6	7	8	Points
Aspest	NE, E	NW, N	SE, W	S	SW				2
Slope		0-10		11-20		21-30		31+	8
Fuel 0-30	Specimen Garden	Hardwood	Grass	Mostly Grass	Mostly Brush	Pyrophoric Hardwoods Chaparral	Conifer	Conifer w/brush under story	3
Fael 31-100	Grass, Mostly Grass	Mostly Brush		Pyropheri c Hardwood f Chaparral	Consider with brush under story				1

Minimum Horizontal Modification Requirement in feet 50

Total Hazard Points 14

- Specimen Garden: a well-maintained ornamental garden, usually irrigated. Trees and shrubs are well spaced or clustered, thinned and free of deadwood. The lawn is mowed and clean. No pyrophytic plants within 10 ft. of house.
 Hardwood (Model 9): Broadleaf (non-pyrophytic) trees such as oaks, maples, ash, etc.
 C. Grass (Model 1): Wild field grass dominates; trees and shrubs occupy less than 1/3 of the area.
- area.

 D. Mostly Grass (Model 2): Brush and tree reproduction occupy more than 1/3 and less than
- 2/3 of the area.
 E. Mostly Brush (Model 5): Brush and tree reproduction occupies 2/3 of the area. Includes
- young chaparral, coastal scrub and broom stands. Pyrophytic Hardwoods (Model 12): Broadleaf t young teapurat, cossess seriou and oroom summer.

 Pyrophytic Hardwoods (Model 12): Broadleaf trees that is high in volatile oils, which produce heavy debris and burn intensely. May have some conifers mixed in but the flammable hardwoods dominate the fire behavior.
- G. Chaparral (Model 4): Six foot and taller old, pyrophytic brush with excessive deadwood. Includes mixed chaparral of Manzanita, scrub oak, chaparral pea, tall ceanothus, chamise,
- H. Conifer (Model 3): Needleleaf trees typically with heavy litter, low branches and plentiful deadwood. Often mixed with some hardwoods or even pyrophytic hardwoods, but conifers

The following report is the Vegetation Fuels Management Plan for Chris and Lindsay Bolter at their proposed new residence at 5 Woodland Road, Fairfax, Calif. The project is a two story residence and a one story garage at the bottom of the property that is cut into the hillside. This report describes the project and outline the measures being taken to provide effective fire hazard mitigation. The plan accompanying this report shows the property boundaries, existing trees, the residence and the driveway, patio, as well as the diagram of the defensible space and proposed treatments of the defensible space and plantings.

The 0.53-acre parcel fronts on and is above Woodland Road. The residence is shown being sited as close as possible to Woodland Road. The residence and garage are set 6 ft. from the south (front) and ease (side) property lines. The property slopes up from Woodland Road in a north to northwest aspect with a slope of approximately 46%. The property is a mixture of grasses and oak and bay trees. There are existing trees at the frontage which is town property. There are adjacent residences to the east of the property and two houses to the south across Woodland Road.

The southern property frontage is a steep earth/rock slope that levels out to a flat area below the proposed residence and then slopes up at a consistent slope to the rear of the property. It is proposed to remove approximately 35 oak, bay and madrone trees starting at the proposed garage and

Six oak trees are shown as remaining. Three at the east side of the property, one at the proposed patio space below the residence and next to the garage and two towards the west property line below the proposed residence. These trees would be cleaned, and the crowns reduced and a ce program will be created to manage the cleaning of the trees yearly.

Most of the property vegetation is natural grasses which will be cut yearly.

Any new landscaping will be in the form of irrigated ornamental planters between the front

Defensible spaces or fire fuel breaks are required around all residences to provide fire suppression personnel with adequate time to protect homes and neighborhoods during wildland fires. The size of these defensible spaces around the residence are determined by using the Hazard Assessment Matrix. The matrix uses factors of slope, aspect, vegetation fuel type to dictate the size of these defensible spaces. See the Hazard Assessment Matrix attached. The Boiter Residence scored a total of 14 points requiring a protection zone of 30 feet around on the north, east and west and 50° at the south of the residence as defined by the fire protection standards.

D. VEGETATION AND VEGETATION MANAGEMENT DEFENSIBLE SPACES A & B

1. Critical Zone A: 0' to 30' from the residence

The zone is the area surrounding the residence to a point approximately 30' from the residence. This area will have no pyrophytic trees, shrubs, groundcovers, or plants. The only plants in this zone will

The east frontage will have all vegetation removed to the property line. The Boltzers will initiate a dialog with the eastern neighbor to explore vegetation management on the neighboring property.

2. Zone B: 30' to 100' from the residence

Natural grasses between trees which are to be kept mowed

Due to the tight location and footprint of the property there is no control by the Bolters to the east and south of the proposed residence and garage.

REVISIONS

ARCHITECT

교 MANAGEMENT **GETATION**

BOLTER airfax, CA

New Residence for CHRIS & LINDSAY 5 Woodland Rd. F APN: 003-053-10

Date APRIL 2019

Scale 3/32" = 1'-0"

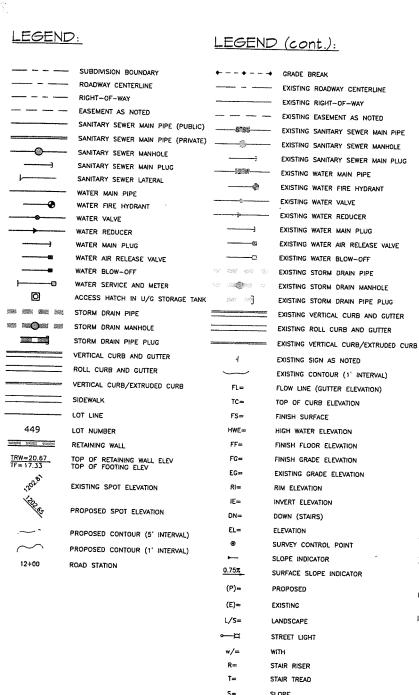
Drawn DMS Job BOLTER

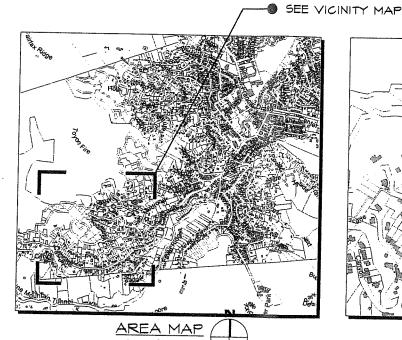
VMP of 20

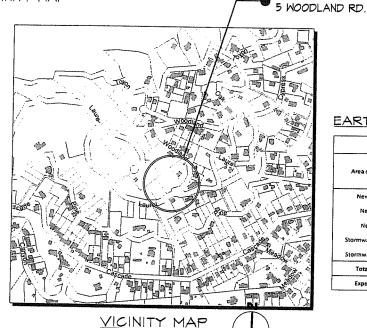
BOLTER RESIDENCE

5 WOODLAND ROAD, FAIRFAX, CA 94930

A.P.N. No: 003-053-10







EARTHWORK QUANTITIES:

Grading Quantities					
Area of the Project	Grading				
	cut	fill	total		
New Driveway	38.76				
New Garage	205.64				
New House	92.59	20.37			
Stormwater Treatment	35.16	31.39			
Stormwater Dissipater	8.43				
Totals [cu.yd.]:	380.58	51.76	432.34		
Export (cu.yd.):		328.82			

GENERAL NOTES

- DESIGN ENGINEER SHALL CERTIFY TO THE COUNTY IN MRITING UPON THE COMPLETION OF WORK THAT ALL GRADING AND DRAINAGE IMPROVEMENTS MERE INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS AND FIELD DIRECTION
- DIRECTION,

 2. ALL WORK SHALL CONFORM TO THE CURRENT UNIFORM

 CONSTRUCTION/DEVELOPMENT STANDARDS OF COUNTY OF MARIN.

 3. LOCATION OF UTILITIES SHOWN ON THESE PLANS IS APPROXIMATE. IT IS THE J. LUCATION OF HILTIES SHOWN ON THESE PLANS IS APPROXIMATE, IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY LOCATIONS AND DEPTHS OF UTILITIES WITH THE APPROPRIATE AGENCIES PRIOR TO STARTING WORK.

 4. RAINWATER LEADERS SHALL UTILIZE WITE CONNECTIONS.

 5. CORRUSTED OR FLEXIBLE DRAIN PIPES ARE NOT PERMITTED.

 6. DROP INLETS SHALL BE AS SHOWN ON PLANS OR APPROVED EQUIVALENT.

 1. ALL ROOF DOWNSPOUTS SHALL BE CONNECTED TO UNDERGROUND STORM DRAINS.

- DRAINS.

 DRAINS.

 NO GRADING SHALL BE COMMENCED PRIOR TO OBTAINING A GRADING PERMIT.

 FOR RAISED FOUNDATIONS, AT LEAST TWO INCHES 2-INCH DIAMETER HOLES SHALL BE PLACED IN THE FOUNDATION TO DRAIN THE SUBFLOOR AREA. SIMILAR DRAINS SHALL BE INSTALLED IN ANY INTERIOR FOUNDATIONS SO THAT WATER IS NOT TRAPPED UNDER THE BUILDINS.

 ID. TRAFFIC CONTROL SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIRENTS OF THE LATEST THANIAL OF TRAFFIC CONTROLS' PUBLISHED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION.

 II. ALL BMPS SHALL CONFORM TO THE CALIFORNIA STORMMATER QUALITY ASSOCIATION (CASGA) LATEST STORMMATER BEST MANAGEMENT PRACTICE HANDBOOK.

DESIGN TEAM:

OWNER:	ARCHITECT:	CIVIL ENGINEER:	SURVEY:
CHRIS & LINDSAY BOLTER	JETT KROOT ARCHITECT	VIA ATELIER, INC.	STEPHEN J. F
5 HOODLAND RD. FAIRFAX, CA 94930	P.O. BOX 246 SAN ANSELMO, CA 94960	9 BROOKSIDE CT. SAN ANSELMO, CA	Professional . P.O. Box 1837 San Anselmo, C
	T. (415) 454-5521	T: (415) T14-6T16	5/1//1CE 2,0

CONTACT: VLAD IOJICA STEPHEN FLATILAND

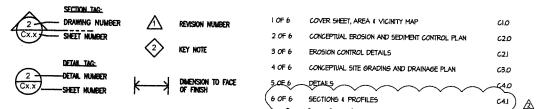
GEOTECHNICAL: FLATLAND DAVE OLNES, PELLAND SURVEYOR

SITE LOCATION

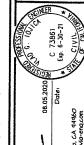
7915 CREST AVE. T: (510) 851-5298

SYMBOLS

CIVIL ENGINEERING SHEET INDEX



Ш O Ω

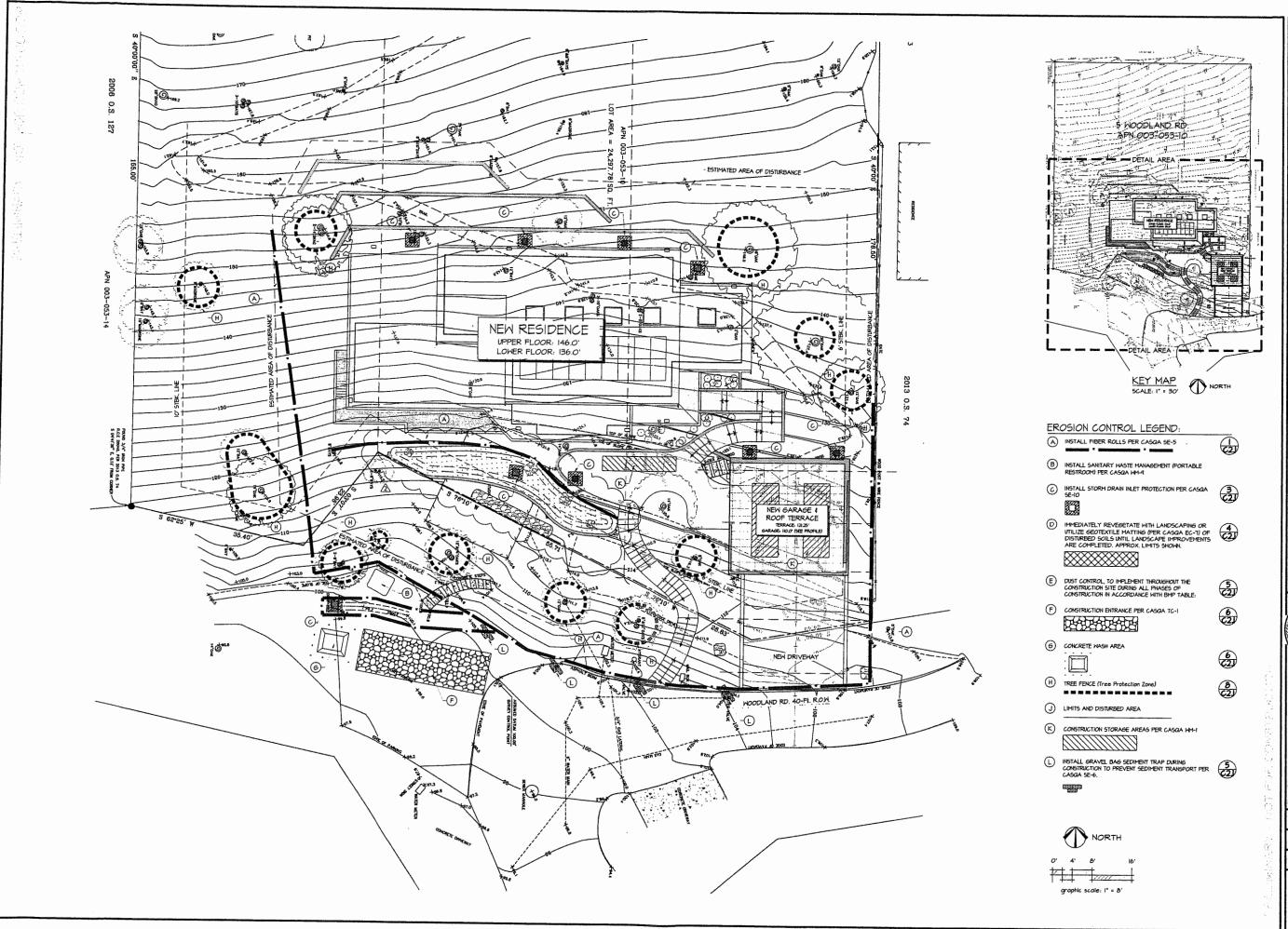


JOB NO: 1912.B

DATE: 8/10/20

хан Ву: Н.С. Reviewed: V.L SHEET:

C1.0 1 OF 6



\$ ⊲⊲

EROSION & SEDIMENT CONTROL PLAN SIDENCE OX III

LIR

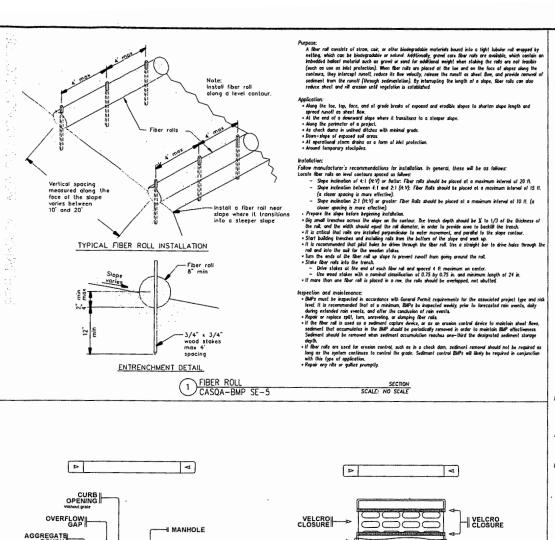
ပ်ရှိ

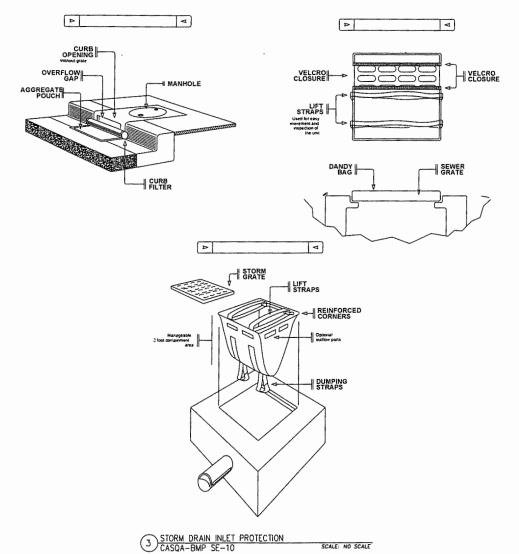
JOB NO: 1912.8

DATE: 8/10/20

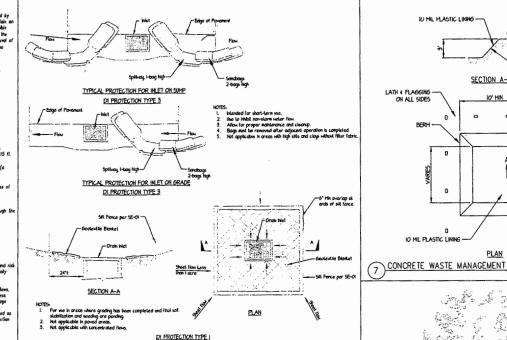
SHEET:

C2.0 2 OF 6





SCALE: NO SCALE



Jurgoss:
Siam drain left protection consists of a sediment filter or an impounding are in, around ar application of a starm drain, stop lakel, or carb intel. Starm
drain laid protection measures temperarily pood month before it enters the starm drain, allowing preferent to settle. Some filter configurations also
remove sediment by filtering, but usually the panding action results in the greatest sediment reduction. Improvery
geolecties atoms dain inserts atlacts undermeable starm drain greates to capture and filter starm senter.

Application:
Levy form dain intel receiving month from unabilitied or alternate scilor work areas should be protected, beel protection about be used in compaction with other wassion and sediment contrats to prevent sediment-looks elementer and non-alternative discharges from unlarising the starm drait services.

Inspection & Maintenance:

BiPP must be impected in occordance with Ceneral Permit requirements for the associated project type and risk level. It is recommended that at a minimum, BiPP be inspected weekly, prior to furecastled rain cents, doily during estended rain events, and offer the conclusion of rain cents.

Silf Fences. If the fabric become clogged from, or degredars, alsolad be repireded. Mate are the states are securely driven in the syacan and are recommended to permit the syacan permitted are to the up that it is the syacan dark or in the syacan and are in good shape (if, no) bether conclused or printered, and see recommended to the up the syacan permitted are to be rain height.

Crewel Filster, Ill the grant became clogged with referment, it should be certafy removed from the led and either closered or replaced. Since closuing great of a construction after may be difficult, consider using the section—looks since as 18 material and put them strong are constructed to the left of the construction and many the difficult, consider using the section. Section in the commendation is the Bill Manual be periodelity removed in order to maintain BiPl references. Sectioned in the commendation is the Bill Manual be periodelity removed in order to maintain BiPl references. Sectioned in the commendation is the project organ permitted or manufacturer's specifications.

Remove storm drain intellection since the develope are is stabilized.

- Ocen and regreate even around the intel and close the inside of the storm drain intellection.

NIERVAL, SEE DESIGN I LAYOUT HOTES

PLO9

A gravel bag barm is a series of gravel-filled bags placed on a level contact to intercept sheet flows. Gravel bags pand sheet flow runoff, allowing sediment to settle out, and release runoff slowly as sheet flow, preventing grasson.

Application:

- 8 dive the tee of stopes and another singers
- 8 dive the tee of stopes and another singers
- As a filters report large at clusterly per olders
- 8 dive with large at clusterly per olders
- 8 dive with a small closerd areas
- Along the primetur of a site
- Down stope of expects and ores
- Around Improvery stockpies and spul areas
- Fredde to a roothery to here sediment of point ores
- 8 diverse from the sediment of the sedimen

Now.
All the lap at alops: to divert nuncil away from disturbed slopes.
As chevrans (anoth check downs) outcas mildly aloped construction coods. For check down use in channels, see 55-4, Check

Design and Layout:

* When used for slope interruption, the following slope/sheet flow length combinations apply:

- Slope inclination of 4:1 (16.4) or fielder. Grand bogs should be placed at a maximum interval at 20 ft, with the first row near the slope foc.

near the stope loc.

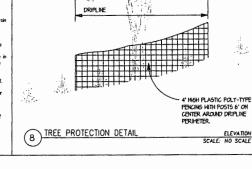
Slope inclination between 4:1 and 2:1 (H:V): Grovel bags should be placed at a maximum interval of 15 ft. (a claser spacing is more effective), with the first row near the slope loc.

specing or the second s

GRAVEL BAG FLOW DIVERSION
CASOA-BMP SE-6

2 STORM DRAIN INLET PROTECTION CASQA-BMP SE-10 SCALE: NO SCALE

SCALE: NO SCALE



IO MIL MLASTIC LINING -

IO MIL PLASTIC LINING -

--- SANDBAG

--- SANDBAG

PLAN/SECTION SCALE: NO SCALE

- Existing tree to be saved

SECTION A-A

Dust control BMP2 generally stabilize exposed surfaces and minimize activities that suspend or track dust particles. The following label presents dust control practices that can be applied to varying site conditions that could pelentially court dust. For heavy fravoided and faithbard array, set approximal (vertices), choicid stati supportation, gravel suphall surfacing, tempourly gravel construction entrances, explainment with rout crass, and had frust covers can be unployed of stat scravity adjustations. Permonent or Improving veglacions and multicling can be unployed for error of accessional or no construction traffic. Promotive necessite challe minimizing surface arrays to be defaulthed, limiting auxilit whick traffic to 15 mph or text, and controlling the number and scribity of whileter on a site of any given time.

\$12550VC	Duzt Control Practicus								
	Proprietors Trapping	Mathing	W.	Characterial Dept.	Concess Amplicab	Transpirary Depart Contribution Sales acres/Depápares Week Beers	Eyelforthi Chrossy	Extractor Extract of Discounters Serve	
III.	x	x		x	ĸ			ĸ	
텎			¥	x		r		ı	
Smith		1	×	r			-	r	
-			1			,	3		
Switzer Branchin			-					×	
Щí			x	I	x				
- 00/VIDG		_			1	1			

Chemical dust suppressants include: mulch and liber based dust pallialities (e.g. paper mulch with appsum binder), salts and brises (e.g. calcium chlaride, magnesium chloride), non-petroleum based organics (e.g. vegetable oil, lipnosulfanole), petroleum based organics (e.g. capitall emulsion, dust alls, petroleum ressus), synlethe polymers (e.g. polyvisy) actalle, whyth, exciple, loy oddiries (e.g. bentoutle, manimarillanite) and electrochemical products (e.g. enzymes, ionic products).

Additional preventive measures include:

Schedule construction activities to minimize expased area (see EC-1, Scheduling).

Quickly treat exposed soils using water, mulching, chemical dust suppressants, or stone/gravel layering.

identify and stabilize key access points prior to commencement of construction.

Minimize the impact of dust by anticipating the direction of prevailing winds.

Restrict construction traffic to stabilized roadways within the project site, as practicable

Moler should be applied by means of pressure—type distributors or pipelines equipped with a spray system or hoses and nozzles that will ensure even distribution.

All distribution equipment should be equipped with a positive means of shutoff.

Unless water is applied by means of pipelines, at least one mobile unit should be available of all lines to apply water or dust politicitie to the project. If reclaimed waste water is used, the sources and discharge must meet California Department of Health Services water reclamation criteria and the Regional Water Quality.

SCALE: NO SCALE

URBAN RUNOFF POLLUTION NOTES

- Stabilize all denuded areas and maintain erasion control measures continuously between October 1 and May 1. Remove off-houl materials promptly. Stockpied saids and other materials shall be tarped, at the request of the Building Department or Public Works.
- Store, hande and dispose of construction materials and wastes so as to prevent their entry to the starm drain system, contractor must not allow concrete, washwaters, sturies, point or other materials to enter cotch bosins the anxiet storm drain system, or anxiet or affisite surface flow runofit.
- Use filtration or other measures to remove sediment from devotering efficient.
- No cleaning, fueling or maintaining vehicles on site shall be permitted in any manner that allows deleterious materials from entering color basins or to enter site runoff.
- Use of pesticides and/or fertilizers shall be reduced and shall be controlled to prevent polition nunoff.

EROSION & SEDIMENT CONTROL NOTES

- Erosion, sedimentation and pollution controls shall be provided in accordance with CASQA's Best Management Practices, current edition and with the CA RMQCB's erosion and sediment control field manual, current edition.
- Ensign control measures shall be installed prior to October 15 and shall be mointened by the control or installed prior to October 15 and shall be mointened by the control or in proper weeking order throughout the first white. This projections shall conside of oppoprior filter factors, diversion bearms, store bade diker, etc. These devices shall be placed in order to minimize resions and to codels establined promoted by the construction of this project. Except for proved and londscoped areas circady completed, oil graded areas shall be hydrosected in order to pervent ordinate of the analysis of the confined or responsible for events of a sediment control of year long during at least work.
- All banks and all graded areas shall be hydroseeded to control erosion or the approved groundcover installed by October 15.
- The contractor shall maintain a clean site of all times which in tree of debris, hazardous wastes, or stockpled material unless approved by the project engineer. All approved stockples shall be covered and projected to prevent storm water publichs.
- Stabilize all denuded areas and maintain erasion control measures continuously between October 1 and April 15.
- Remove spoils promptly, and avoid stockpiling of III materials when rain is forecast. If rain threatens, stockpiled sails and other materials should be larged, at the request of the city engineer.
- Store, handle and dispose of construction materials and wastes so as to avoid their entry to the storm system. Contractor must not allow concrete, washvolers, sturries, point or other materials to enter catch basins or to enter site runoff.
- Install filter fabric bags inside all catch basins and maintain during winter starms.
- No cleaning, fueling, or maintaining vehicles on-site, except in an area designed to contain and treat runoff.
- Use of pesticides and/or fertilizers, when applied, shall be controlled to prevent poliution runoff.
- 12. All oreas of cut, fill and ungraded areas disturbed by the grading operation shall be hydromulahed or and approved landscoping groundcover planted after oil work has been completed. The cantifactor shall be responsible for funnishin labor and material to accomplish a dense plant cover for erasion control.
- Devoter basement and excevotions with tank and filtration device prior to discharge into 50 system. Provide effivent zamples for testing hourly per regional water standards.
- Per the Federal and State Water Quality Acts, the owner is solely responsible for controlling construction water discharge.

Project is subject to the requirements of the winter grading moratorium as per the Town of Fairfax Municipal Code.

ENCINE 30 (APN. 出 CONTROL $\mathbf{\Omega}$ O O OV EROSION HIE Ø

2 2 2

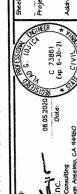
SITE PLAN

弄頭

 $\S \triangleleft \P$

TAILS

Ш



VIA

JOB NO: 1912.B

DATE: 8/10/20

Dran By: N.C. Reviewed: V.I.

SHEET:

C2.1 3 OF 6

