



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning
Division

Meeting Date: May 12, 2020

Agenda Item: 2

Case Numbers: ED19-099; EX20-001

Project Planner: Sean Kennings (415) 533-2111

REPORT TO PLANNING COMMISSION

SUBJECT: **1499 Lucas Valley Road** – Environmental and Design Review Permit and Exception to allow the construction of a new 901 square foot bathroom/closet addition to an existing 8,592 square foot single-family residence (including 562 sq ft garage). The property is currently developed with a single-family residence and several accessory structures. Approval of an Exception is required to allow the single-family residence to exceed the maximum allowed 6,500 sq. ft. (9,493 sq. ft. proposed) on an approximately 8.9-acre lot with an average 9.4% slope; APN: 165-010-89; Planned Development District (PD-H); Michael Stone, owner; Maureen Jochum, applicant; File No: ED19-099, EX20-001; Terra Linda Neighborhood.

EXECUTIVE SUMMARY

The proposed project is a request to approve an Environmental and Design Review Permit and an Exception to add site and design improvements for a 901 sq. ft. addition to an existing single-family residence located on an 8.9-acre hillside lot. The project also requires an Exception to the Planned Development Ordinance (PD1701-H) for the existing single-family residence to exceed 6,500 sq. ft. as allowed in the development plan for the project. The Commission's recommendation will be forwarded to the City Council for final approval. Based on review of the applicable design criteria, which is discussed in detail below, staff has concluded that the project adequately addresses the applicable criteria. Staff requests that the Board review this report and provide a recommendation on compliance with all pertinent design criteria and whether an Exception to the maximum allowed size of 6,500 sq. ft. single family residence is warranted for this large, hillside designated property. The current proposal would increase the residence size to 9,493 sq. ft. Under the Hillside property's current Planned Development (PD1701-H) zoning, an Exception to the PD1701 is required for any addition that would result in the single-family home exceeding 6,500 sq. ft.

In order to grant an Exception, findings would need to be made that the design meets the objectives of the hillside design guidelines, minimizes grading, retains more of the project site in its natural state, minimizes visual impacts, protects significant trees, or protects natural resources and results in a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to nearby structures. The above findings can be made by the City Council, upon the recommendation of the Design Review Board and the Planning Commission. Staff believes based on the project design, the above findings can be made since the proposal would add only minimal visibility and mass to the already developed area on the property. Due to the Hillside zoning of the property the proposed addition also

requires an Environmental and Design Review Permit. The proposal complies with these standards. Public Works Department, Building and Fire Prevention and Marin County Parks Department have reviewed the project, did not express any concern and recommended approval of the project without any special conditions or requirements. Due to the COVID-19 Shelter-in-Place restrictions, a convening of a Design Review Board subcommittee reviewed the project on March 25, 2020 and unanimously recommended approval of the project.

RECOMMENDATION

It is recommended that the Planning Commission adopt the attached resolution recommending conditional approval of the project application to the City Council.

PROPERTY FACTS

| | | | |
|--------------------------|-----------------------------|--------------------------|--------------|
| Address/Location: | 1499 Lucas Valley Road | Parcel Number(s): | 165-010-89 |
| Property Size: | 8.9 acres (387,684 sq. ft.) | Neighborhood: | Lucas Valley |

| Site Characteristics | | | |
|----------------------|--------------------------|----------------------------------|----------------------------------|
| | General Plan Designation | Zoning Designation | Existing Land-Use |
| Project Site: | Hillside Residential | PD(1701)-H (Planned District) | Single Family Residential Estate |
| North: | Unincorporated area | Unincorporated area | Single Family Residence |
| South: | OS (Open Space) | P/OS (Parks/Open Space District) | Open Space |
| East: | OS | P/OS | Open Space |
| West: | OS | P/OS | Open Space |

Site Description & Setting:

The subject parcel is located on Lucas Valley Road, south of the Lucas Valley Road and Mount Muir Court intersection (Exhibit 1: Vicinity Map). Lucas Valley Road is a County road with a 48-ft. right-of-way in this area and is improved with one lane and a bicycle lane in each direction. Of all the properties located on Lucas Valley Road, the site is the only property within the City of San Rafael jurisdiction. There are two adjoining properties which are large lots. The one to the north of the property contains a single family residence. The other is a County open space lot which wraps around the property along north (partial length), south and east property lines.

The project site is an upsloping property with an average slope of 9.4%. Although the property does not have an average slope of 25% or over, it is considered as Hillside property since the property is designated Hillside Residential by General Plan 2020. The front 400 feet of the property is gently upsloping. From that point on, the property has a steeper upslope with the eastern portion of the property sloping more than the driveway (western) side. A long driveway is located along the western side of the property. The driveway provides access to an open equestrian arena and 3,700 sq. ft. barn located towards the front of the property, and to the existing single family residence with a pool, two-car attached garage, and a two-car detached garage with second story exercise room located towards the rear of the property. The front of the property does not contain a lot of trees whereas the steeper area in middle of the property contains a large number of trees which screen the existing development at the rear of the property.

BACKGROUND

The existing development on the property was approved by the City Council in accord with a Planned Development Ordinance (PD1701-H) adopted for the development on August 5, 1996 (Exhibit 3). Under the Hillside Resource Residential General Plan designation, the property could have been divided into four

(4) separate single family lots. However the applicant at that time proposed to maintain the site as a single family estate. Therefore, in consideration of the size of the site and the fact that subdivision into 4 lots was not proposed, the PD was ultimately adopted to allow more development on one single family than is typically allowed for hillside properties. This allowance was based on the fact that the property was large (8.9 acres), only had a 9.4% average slope, located in a rural area where the proposed development would be either far removed from any public right of way or screened behind existing landscape and the project did not propose to subdivide the property. The PD1701-H Zoning established the following standards for development on this property:

| | |
|--|-----------------------|
| Minimum Site Area | 8.9 acre parcel |
| Front Setback | 100 ft. |
| Side Setback | 20 ft. |
| Rear Setback | 25 ft. |
| Lot Coverage | 20% |
| Natural State | 34.4% |
| Single Family Residence with 2-car garage | 6,500 sq. ft. |
| Detached 2-car garage with upper story second residential unit/exercise room | 1,100 sq. ft. |
| Pool and Cabana with bathrooms, equipment room and patio | 500 sq. ft. |
| Barn with caretakers quarters | 3,700 sq. ft. |
| Covered riding arena | 7,000 sq. ft. |
| Total | 18,800 sq. ft. |

The adopted PD limited the single-family residence size at 6,500 sq. ft., however, allowing its expansion with an exception to be granted by the City Council consistent with the Hillside Design Guidelines and without amendment to the PD. The existing single-family residence received an exception to the original PD development standards in 2012 with amendments/extensions in 2014. The last Environmental and Design Review Permit and Exception added a 268 sq. ft. crafts room, 1,214 sq. ft. theater room, 535 sq. ft. attached covered courtyard and a 622 sq. ft. detached garage. The proposal in 2012 also included new construction accessory to the residence and two structures that were approved in 1996 but were never constructed: covering of an existing 7,000 sq. ft. arena and a 500 sq. ft. cabana with bathrooms and equipment room.

PROJECT DESCRIPTION

Use: The applicant is proposing to add a single story addition of 901 sq. ft. bathroom and closet space to the existing 8,592 sq. ft. single-family residence.

Site Plan: The property is accessed with a long driveway off Lucas Valley Road. The proposed project would not modify the existing driveway. The arena structure and barn have a front setback of 250 ft. All other accessory structures along with the existing residence are screened from public view from Lucas Valley Road.

Architecture: The proposed additions would have hip roofs and materials and colors would match the existing residence as follows:

- Concrete tile roofing
- Fascia and gutter painted to match existing
- Cement plaster siding to match existing
- Dual pane, Low E windows, prefinished aluminum clad window frames, frames to match existing

Landscaping: None proposed (although native drought tolerant plantings are indicated for retaining walls adjacent to the new addition). Three new terraced retaining walls, with a maximum height of 4-feet in the middle of the upper wall are proposed opposite the southeast corner of the new addition.

Lighting: No external lighting is proposed at this time.

Grading/Drainage: Approximately 275 cu yds of cut is required to prepare the building addition. Material removed for grading requirements will be placed on a low slope hill adjacent and east of the existing residence per recommendations in the geotechnical report. Increase in drainage due to new additions would be added to the existing drainage pattern.

ANALYSIS

San Rafael General Plan 2020 Consistency:

The property is designated Hillside Residential under the General Plan 2020. A single-family residence is a permitted use under the Hillside Residential designation. The General Plan 2020 contains a number of design related policies. These policies are implemented through various provisions of the Zoning Ordinance, Planned Development Ordinance (PD1701-H) and *Hillside Design Guidelines*, which are established to ensure proper hillside design of homes on lots with an average slope greater than 25%. Compliance with the Zoning standards and *Hillside Design Guidelines* would assure development that is consistent with the property's hillside designation and related policies. The proposed project is consistent with the applicable San Rafael General Plan policies as follows:

LU-10 (Planned Development Zoning) in that the subject property is already zoned Planned Development (PD1701-H). The PD1701-H Section II.J. Additions/Modifications allows additions to the existing 6,500 sq. ft. Single Family Residence through an Exception. The proposed project is requesting approval of an Exception to the existing PD District to allow for an increase in the square footage of the single family residence from 6,500 sq. ft. to 8,517 sq. ft.

LU-12 (Building Heights) in that the existing and proposed 19¾-ft. building height is well within the 30-ft. allowed maximum height.

LU-23 (Land Use Map and Categories), in that residential uses (among other uses) are allowed uses under the Hillside Residential designation of the property.

CD-15 (Participation in Project Review) in that notice for the project hearings were mailed to all property owners, residents, neighborhood groups and interested parties within 300 feet of the project site.

S-26 (Fire and Police Services) in that the existing and proposed development complies with Fire Codes.

S-31 (New Development in Fire Hazard Areas) in that the proposed additions would be required to comply with the applicable standards for fire protection.

Zoning Ordinance Consistency:

Planned District (1701-H)

As stated in the Background section above, the PD1701-H was adopted in 1996 to allow more development on this single family lot than is typically allowed for hillside properties, due to the large size

(8.9 acres) of the project site and the fact that could have otherwise been divided into four (4) lots. A typical hillside property is allowed a maximum of 6,500 sq. ft. floor area, regardless of the size of the lot, which would result in total development of approximately 26,000 sq. ft.. The PD1701-H Zoning established the single-family residence size at 6,500 sq. ft., allowed two second dwelling units (but did not restrict the size or number of accessory structures) and set the overall development footprint at 18,000 sq. ft.. Further, the PD1701-H zoning also established large setbacks and reduced lot coverage of 20%.

According to the PD1701-H subsection J. Additions/Modifications of Section II. Development Standards, an Exception would be required for the single family home to exceed 6,500 sq ft (currently proposed to be 8,517 sq. ft.). Pursuant to SRMC 14.12.040 Exceptions to Property Development Standards, approval of an Exception to the maximum 6,500 sq. ft. allowed for the single-family residence would require the following findings:

- A. *The project design alternative meets the stated objectives of the hillside design guidelines to preserve the inherent characteristics of hillside sites, display sensitivity to the natural hillside setting and compatibility with nearby hillside neighborhoods, and maintain a strong relationship to the natural setting; and*
- B. *Alternative design solutions which minimize grading, retain more of the project site in its natural state, minimize visual impacts, protect significant trees, or protect natural resources result in a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to nearby structures.*

The above findings can be made by the City Council, upon the recommendation of the Design Review Board and the Planning Commission, when the applicant has demonstrated that the proposed design carries out the objectives of this chapter. Staff believes the proposed project carries out the objectives of hillside development in that the proposed project would provide a lot coverage of 5.618% where 20% is allowed, maintain the existing natural state of 84.8% where 34.4% is required, protect significant trees and the project would not be visible from public right of way; the project would not need any grading or tree removal; the addition would mainly infill the area around the existing residence and would minimally change the developed footprint. Furthermore, the proposed addition and maximum floor area would be significantly less floor area than would be possible with a four-lot subdivision. Finally, the Design Review Board supported the project.

Chapter 12 - Hillside Development Overlay District

The PD1701-H zoning district for the property establishes all other development standards of Chapter 12, except gross building square footage, stepback height and Ridgeline Development. The project is consistent with Chapter 12 of the Zoning Ordinance in terms of stepback height and Ridgeline Development. Consistency with gross building square footage criteria is discussed above. The PD1701-H zoning establishes the single family residence size to be a maximum of 6,500 sq. ft. unless an Exception is granted by the City Council consistent with Hillside Design Guidelines.

Chapter 25 Environmental and Design Review Permits

The project is consistent with design criteria of Chapter 25 of the Zoning Ordinance in that the project design, including its building scale, materials and colors, is consistent with the existing residence. Due to the rural nature of the area, there is no neighborhood development to compare the proposed project with. The Design Review Board subcommittee reviewed the project for consistency with Hillside Design Standards as discussed below and recommended approval of the design as presented.

San Rafael Design Guidelines:

As discussed above, the project is generally consistent with the San Rafael Residential Design Guidelines criteria regarding building design, building scale, building height, front landscaping, roof shapes, windows, driveways and parking areas, and lighting.

Hillside Design Guidelines:

The Hillside Design Guidelines Checklist prepared for this project is attached (Exhibit 4). The project complies with maximum building height, required natural state, stepback height, preservation of significant trees, hillside grading and drainage, driveway and parking design, reduction of building bulk, hillside architectural character and site lighting. However, as stated earlier the project does not comply with the maximum allowed 6,500 sq. ft. for a single family residence, for which an Exception request is being processed and discussed previously.

DESIGN REVIEW BOARD RECOMMENDATION

Due to the COVID-19 Shelter-in-Place restrictions, the project was reviewed by the Design Review Board (DRB) subcommittee on March 25, 2020. No one addressed the DRB regarding this project. There are no written minutes from the DRB meeting and no recorded video due to the emergency status.

In summary, by a unanimous vote of 2-0, the DRB recommended approval of the addition, including the Exception to the gross building square footage limit, to the Planning Commission and City Council. The Board supported the project as presented, finding that due to the large size of the property and the screened location of the proposed additions, the project would not impact any other surrounding private property or the public vantage points and the proposed additions would not be visible from Lucas Valley Road.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301(e).1) of the CEQA Guidelines which exempts additions to existing structures less than 10,000 square feet.

NEIGHBORHOOD MEETING / CORRESPONDENCE

Notice of hearing for the project was conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. A Notice of Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the subject site, and all other interested parties, 15 calendar days prior to the date of all meetings, including this hearing. Public notice was also posted on the subject site 15 calendar days prior to the date of all meetings, including this hearing.

No phone calls or written public correspondence was received regarding the proposed project during the DRB stage of the project processing and during the current Planning Commission process by April 19, 2012.

OPTIONS

The Planning Commission has the following options:

1. Approve the application as presented. (*staff recommendation*)
2. Approve the application with certain modifications, changes or additional conditions of approval.
3. Continue the applications to allow the applicant to address any of the Commission's comments or concerns.
4. Recommend denial of the project and direct staff to return with revised Resolution.

EXHIBITS

1. Vicinity/Location Map

2. Draft Resolution
3. Planned Development (PD1701-H)
4. Hillside Design Guidelines Checklist

Plans – 11x17 sets have been distributed to the Planning Commission only but can be viewed on the City's Major Projects Website: <https://www.cityofsanrafael.org/major-planning-projects/>



City of San Rafael

While we strive to produce maps with good accuracy and with current accompanying data, the accuracy of the information herein cannot be guaranteed. This map was prepared using programmatic computer aided drafting techniques, and it does not represent legal boundary survey data.

Legend

Marin Cities

Marin Cities

Bay Waters

Bay Waters

Parcels

Parcels

ROW

ROW

Other Easements

EASEMENTS

MMWD Easements

EASEMENTS

Boat Docks

Boat Docks

Street Centerline

Street Centerline

Street Names

Street Names

San Rafael Sphere of Influence

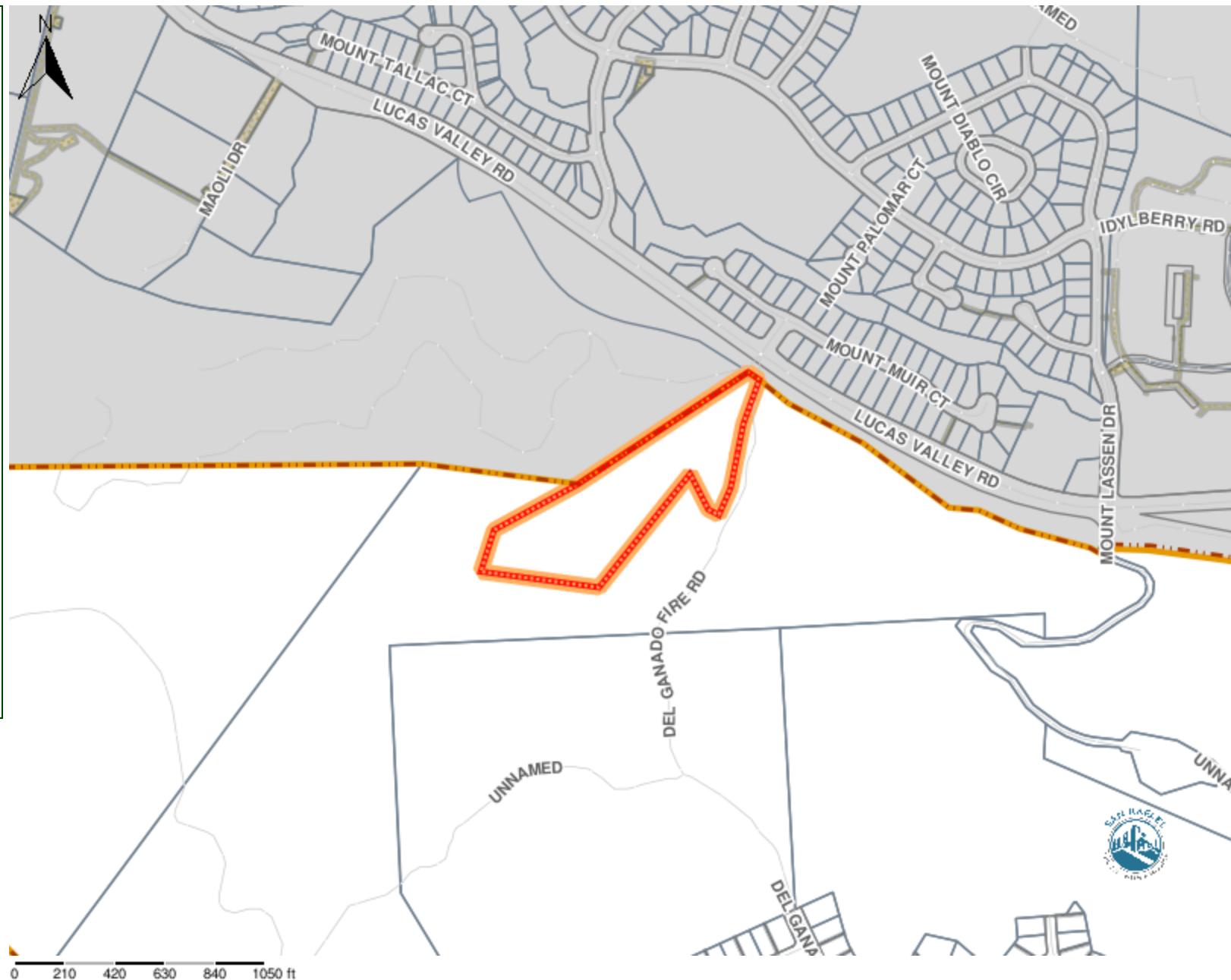
San Rafael Sphere of Influence

San Rafael City Limit

City Limit Line

Query Results

Results



RESOLUTION NO. 20-XX

**RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION RECOMMENDING TO
THE SAN RAFAEL CITY COUNCIL APPROVAL OF AN ENVIRONMENTAL AND DESIGN
REVIEW PERMIT (ED19-099), INCLUDING AN EXCEPTION (EX20-001) TO THE GROSS
BUILDING SQUARE FOOTAGE STANDARDS FOR HILLSIDE PROPERTIES, TO ALLOW A
901 SQ. FT. BATHROOM ADDITION TO AN EXISTING 8,592 SQ. FT. SINGLE FAMILY
RESIDENCE ON AN APPROXIMATELY 8.9-ACRE HILLSIDE-DESIGNATED PLANNED
DEVELOPMENT LOT (PD1701-H) AT 1499 LUCAS VALLEY ROAD (APN: 165-010-89)**

WHEREAS, on August 5, 1996, the City Council adopted Ordinance 1701 to reclassify (ZC96-04) the subject property from Planned Development – Hillside Overlay District (PD-H) to a revised PD (PD1701-H), adopted a Resolution certifying a Mitigated Negative Declaration for the project and adopted a Resolution approving a Master Use Permit (UP96-29) and an Environmental Design Review Permit (ED96-48). These approvals approved the development of a single-family residential estate proposed at 1499 Lucas Valley Road; and

WHEREAS, in 2011, the Community Development Department determined that the PD zoning (PD1701-H) for the property allows deviations to the gross building square footage limit for the single-family home and thus a PD Rezoning would not be required for new application. The adopted PD for this site (PD1701-H) states “The single-family residence shall be limited to a maximum 6,500 sq. ft. unless an Exception is granted by the City Council consistent with the Hillside Guidelines. New applications require an Environmental and Design Review Permit, including and an Exception to Hillside Standards, but a PD Rezoning would not be required for proposed additions; and

WHEREAS, on December 17, 2019, an application for an Environmental and Design Review Permit, including an Exception to the Hillside Standards (ED19-099), was filed with the Community Development Department, requesting approval for a 901 sq. ft. bathroom addition to the existing 8,592 sq. ft. residence; and

WHEREAS, on February 6, 2020, the project application was deemed complete for processing; and

WHEREAS, on March 25, 2020, a special subcommittee of the San Rafael Design Review Board (DRB), formed due to the COVID-19 pandemic, reviewed the proposed project. The DRB subcommittee unanimously recommended approval of the project design (by a vote of 2-0) as proposed; and

WHEREAS, upon review of the application, the project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301.e.2 which exempts additions to existing structures provided the expansion will not result in an increase of more than 10,000 sq. ft. if the project is in an area where all public services and facilities are available and the area in which the project is located is not environmentally sensitive; and

WHEREAS, on May 12, 2020, the Planning Commission held a duly-noticed public hearing on the project, Environmental and Design Review Permit (ED19-099) and Exception (EX20-001), and accepting all oral and written public testimony and the written report of the Community Development Department Planning staff and closed said hearing on that date; and

WHEREAS, the Planning Commission of the City of San Rafael does hereby make the following findings related to the applications for the Environmental and Design Review Permit (ED19-099) and Exception (EX20-001);

Environmental and Design Review Permit (ED19-099)
Findings of Fact

1. The proposed project to allow an Environmental and Design Review Permit and Exception to the Hillside Overlay District's property development standards for a 901 sq. ft. addition to existing 8,592 sq. ft. (the maximum allowed 6,500 sq. ft. for an existing single-family residence) is in accord with the following General Plan Policies:
 - a. Land Use Policy **LU-10** (*Planned Development Zoning*) in that the subject property is already zoned Planned Development (PD1701-H);
 - b. Land Use Policy **LU-12** (*Building Heights*) in that the existing and proposed 16 $\frac{3}{4}$ -ft. building height is well within the 30-ft. allowed maximum height;
 - c. Land Use Policy **LU-23** (*Land Use Map and Categories*) in that residential uses (among other uses) are allowed uses under the Hillside Residential designation of the property;
 - d. Community Design Policy **CD-15** (*Participation in Project Review*) in that notice for the project hearings were mailed to all property owners, residents, neighborhood groups and interested parties within 300 feet of the project site;
 - e. Safety Policy **S-26** (*Fire and Police Services*) in that the existing and proposed development complies with Fire Codes;
 - f. Safety Policy **S-31** (*New Development in Fire Hazard Areas*) in that the proposed additions would be required to comply with the applicable standards for fire protection.
2. The proposed project meets the objectives of the Zoning Ordinance, and the purposes of Chapter 12 *Hillside Development Overlay District* and Chapter 25 *Design Review* given that the project has been reviewed by the Design Review Board and Planning Commission for compliance with the Hillside Property Development Standards and design criteria in Chapter 25 to ensure that the design is compatible with the neighborhood and hillside design criteria, as required by the General Plan. The proposed 901 sq. ft. addition to the maximum allowed 6,500 sq. ft. single-family residence is not consistent with the gross building square footage limitation of the Hillside Property Development Standards and PD Zoning. In accordance with the PD Zoning, a deviation to the gross square footage limit is allowed subject to the review and approval of an Exception. The application included a request for an Exception and findings to approve the Exception are provided below. The project is consistent with the remaining PD standards regarding setbacks (front 100 ft., sides 20 ft., rear 25 ft.), 20% lot coverage (5.38% proposed), 34.4% natural state (84.8% proposed) and maximum building height 30 ft. (16 $\frac{3}{4}$ ft. proposed).
3. The project design is consistent with applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located given that the proposed addition complies with Planned Development District (PD1701-H) requirements and has been reviewed by the City's Design Review Board and recommended for approval. Separate findings have been made below to grant Exception to the single-family residence size. The project is consistent with the remaining PD standards regarding setbacks (front 100 ft., sides 20 ft., rear 25 ft.), 20% lot coverage (5.38% proposed), 34.4% natural state (84.8% proposed) and maximum building height 30 ft. (16 $\frac{3}{4}$ ft. proposed).
4. The project design is not detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity, given that the project has been reviewed by the appropriate agencies. The approval of the requested Environmental and Design Review Permit will

not in any way increase visibility of the house and consists of addition directly around the existing home and would not increase mass or bulk and has minimal visibility from off site vantage points and surrounding properties.

Exception (E20-001) Findings of Fact

Exceptions to the property development standards of this chapter may be approved by the City Council, upon the recommendation of the Design Review Board and the Planning Commission, when the applicant has demonstrated that alternative design concepts carry out the objectives of this chapter and are consistent with the general plan based on the following criteria:

- A. The project design is in keeping with the surrounding development because the adjoining properties are large undeveloped open space or sparsely developed agricultural properties. The proposed additions would not have any visual impacts on the adjoining properties, would not be visible from any public right of way and would result only in minimal addition to the footprint of the existing development. The project would minimally change the currently existing natural state of 84.8% compared with the required natural state of 34.4% due to the property being an 8.9-acre single family residential estate; and
- B. The proposed exterior color and materials are not visible from any public right of way due to the proposed additions being very well screened by existing vegetation. The project does not require removal of any other existing native trees. The project's design meets the stated objectives of the Hillside Guidelines to preserve the inherent characteristics of the hillside site, displays sensitivity to the natural hillside setting and compatibility with nearby hillside neighborhoods, and maintains a strong relationship to the natural setting by minimizing grading and retaining existing on-site trees. The project's design minimizes grading, retains a majority of the project site in its natural state, minimizes visual impacts, protects significant trees and natural resources, and the DRB has recommended that the project is a demonstrably superior project with greater sensitivity to the natural setting and compatibility with and sensitivity to, nearby structures..

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission does hereby recommend that the City Council **approve** an Environmental and Design Review Permit and Exception for the project, subject to the following conditions of approval:

Environmental and Design Review Permit (ED19-099), including Exception Conditions of Approval

General and ongoing

Community Development Department, Planning Division

1. This Environmental and Design Review Permit and Exception to the Hillside Overlay District's property development standards is approved to exceed the maximum allowed 8,592 sq. ft. size for a single-family residence size by 901 sq. ft. for an existing residence. The building techniques, materials, elevations and appearance of the project, as presented for approval on plans prepared by Yochum Architects, Approved on May 12, 2020, shall be the same as required for the issuance of a building permit. Minor modifications or revisions to the project shall be subject to review and approval of the Planning Division. Modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body.
2. This Environmental and Design Review Permit (ED19-099) shall be valid for a period of **two (2) year** from the date of final approval, or May 12, 2022, and shall become null and void if a building permit is not issued or a time extension not granted by that date.

3. Contractor Contact Information Posting: Prior to the issuance of building permits, the project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street.
4. Construction Hours: Construction hours shall be limited to 7 a.m. to 5 p.m., Monday through Friday and Saturday from 9:00 a.m. to 5:00 p.m. Construction shall not be permitted on Sundays or City-observed holidays. Construction activities shall include delivery of materials, arrival of construction workers, start up of construction equipment engines, playing of radios and other noises caused by equipment and/or construction workers arriving at or on the site.
5. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
6. Archeological Features: In the event that archaeological features, such as concentrations of artifacts or culturally modified soil deposits including trash pits older than fifty years of age, are discovered at any time during grading, scraping, or excavation within the property, all work shall be halted in the vicinity of the find, the Planning Division shall be notified, and a qualified archaeologist shall be contacted immediately to make an evaluation. If warranted by the concentration of artifacts or soils deposits, an archaeologist shall monitor further work in the discovery area.

If human remains are encountered during grading and construction, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. The Coroner shall contact the Native American Heritage Commission, if the remains are deemed to be Native American and prehistoric, so the “most likely descendant” can be designated.

Prior to issuance of a Building Permit

Community Development Department, Planning Division

9. Plans submitted for a Building Permit shall include a plan sheet, which incorporates these conditions of approval.
10. All mechanical equipment (i.e., air conditioning units, meters and transformers) and appurtenances not entirely enclosed within the structure (on side of building or roof) shall be screened from public view. The method used to accomplish the screening shall be indicated on the building plans and approved by the Planning Division.

Community Development Department, Building Division

11. The design and construction of all site alterations shall comply with the 2016 California Residential Code (CRC), 2016 California Building Code (CBC), 2016 California Plumbing Code (CPC), 2016 California Electrical Code (CEC), 2016 California Mechanical Code CCMC), 2016 California Fire Code (CFC), 2016 California Energy Code, 2016 California Green Building Standards Code and City of San Rafael Ordinances and Amendments.
11. A building permit is required for the proposed work. Applications shall be accompanied by four (4) complete sets of construction drawings to include:
 - a. Architectural plans

- b. Structural plans
 - c. Electrical plans
 - d. Plumbing plans
 - e. Mechanical plans
 - f. Site/civil plans (clearly identifying grade plane and height of the building)
 - g. Structural Calculations
 - h. Truss Calculations
 - i. Soils reports
 - j. Green Building documentation
 - k. Title-24 energy documentation
12. School fees will be required for the project. Calculations are done by the San Rafael City Schools, and those fees are paid directly to them prior to issuance of the building permit.
- Fire Department
13. The design and construction of all site alterations shall comply with the 2019 California Fire Code, current NFPA Standards, and all applicable City of San Rafael Ordinances and Amendments.
14. If the project remodel and addition exceeds 50% of the existing square footage of the residence, it will be defined as a “substantial remodel” as defined in Municipal Code Chapter 4.08.120 Section 202. Therefore, fire sprinklers may be required throughout the building. Determination for fire sprinklers will be conducted during the Building Permit review, so indicate which room are to be altered, and/or added, this will include areas within the home where sheet rock is removed to access for electrical or structural changes. A Separate deferred application by a fire protection engineer or C-16 contractor would be required. Refer to our web site for the definition of a substantial remodel.
15. If a fire sprinkler system is required, deferred Submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems:
- a. Fire Sprinkler plans (Deferred Submittal to the Fire Prevention Bureau)
16. A Knox key switch is required for driveway or access road automatic gates.
<https://www.knoxbox.com/gate-keys-and-padlocks/>

Public Works Department

17. A grading permit shall be required from the Department of Public Works, located at 111 Morphew St.
18. An encroachment permit is required for any work within the Right-of-Way, from the Department of Public Works located at 111 Morphew St. More information and a copy of the application is available at: <https://www.cityofsanrafael.org/grading-permits/>
19. A construction vehicle impact fee shall be required at the time of building permit issuance; which is calculated at 1% of the valuation, with the first \$10,000 of valuation exempt.

Marin Municipal Water District

20. The proposed 901-square-foot bathroom and closet addition will not impair the District's ability to continue service to the property. However, our records indicate that although water service is provided to the property it is outside of the District's current boundaries. The property owner shall take the appropriate steps with the Marin Local Agency Formation Commission to complete annexation into the Marin Municipal Water District.

21. Compliance with all indoor and outdoor requirements of District Code Title 13 -Water Conservation is a condition of water service. Indoor plumbing fixtures must meet specific efficiency requirements.
22. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at 415-945-1558.

Las Gallinas Valley Sanitary District

23. The proposed project is within the Sphere of Influence and District facilities boundary.
24. The proposed project has received an allocation of sewer capacity; however, the proposed building alteration/addition needs District staff review for possible additional load on sewer system. Please download the application form at: http://www.lgvsd.org/docs/application_allocation.pdf
25. The proposed project must make satisfactory arrangements with this District for the construction of any off-site or on-site sewers which may be required.
26. If sewer lateral work is included in this project, please submit utility plan showing location of backwater prevention devices, sanitary sewer, cleanouts, manholes, and other relevant sanitary sewer details or information that may be applicable. Sewer design must comply with LGVSD standard specifications.
27. Complete and submit Application for Allocation of Capacity to LGVSD along with application fee of \$250. Application is available at <http://www.lgvsd.org/wp-content/uploads/APPL-LOCATION-fillable.pdf>.
28. Provide a plumbing fixture unit (PFU) table for the project showing both existing and proposed plumbing fixture unit counts per current edition of the California Plumbing Code. The table will be used for determination of the connection fee. Applicant may use the Plumbing Fixture Count Worksheet available at <http://www.lgvsd.org/wp-content/uploads/PFU-Worksheet-R1.pdf>. PFU count shall be subjected to field verification before and after construction. The connection fee may be adjusted for actual number of additional plumbing fixture units.
29. Note: Applicant is required to obtain a sewer permit from LGVSD for any sewer lateral and/or main work. The permit application is available at <http://www.lgvsd.org/wp-content/uploads/NEW-LATERAL-PERMIT-FORM-2018-updatedFillable.pdf>. Submit the permit application to the District office and call 24 hours in advance of backfill for lateral inspections.
30. Based on District Ordinance adopted on June 20, 2019 preliminary cost estimates are:
 - a. For new buildings, structures, and developments:
 - i. \$6,224 per Equivalent Sewer Unit
 - ii. Actual fees may be adjusted according to specific conditions outlined in the Ordinance.
 - b. For existing buildings, structures, and developments:
 - i. \$311 per Plumbing Fixture Unit (PFU)
 - ii. Credit may be given to existing plumbing fixtures.
 - c. Applicant shall reimburse the District for all plan review, field verification before and after construction, and inspection fees accrued associated with this project. The estimate cost is \$7,500. Actual fees may be adjusted according to project specific conditions.

- d. For more information about District Ordinance and permitting process, please visit <http://www.lgvsd.org/>.
- e. District Standard Details/Specifications are available upon request.
- f. Applicant shall submit plans electronically to LGVSD for review.

Prior to Occupancy

Community Development Department, Planning Division

- 24. Prior to occupancy, the applicants shall contact the Community Development Department, Planning Division, to request a final inspection. This inspection shall require a minimum of 48-hour advance notice.
- 25. All exterior lighting shall be shielded down. Following the issuance of a certificate of occupancy, all exterior lighting shall be subject to a 30-day lighting level review by the Police Department and Planning Division to ensure compatibility with the surrounding area.

The foregoing Resolution was adopted at the regular meeting of the City of San Rafael Planning Commission held on the 12th day of May 2020.

Moved by Commissioner _____ and seconded by Commissioner _____ as follows:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

SAN RAFAEL PLANNING COMMISSION

ATTEST: _____
Paul A. Jensen, Secretary

BY: _____
Aldo Mercado, Chair

ORDINANCE NO. 1701

AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING THE ZONING MAP OF THE CITY OF SAN RAFAEL, CALIFORNIA, ADOPTED BY REFERENCE BY SECTION 14.01.020 OF THE MUNICIPAL CODE OF SAN RAFAEL, CALIFORNIA, SO AS TO RECLASSIFY CERTAIN REAL PROPERTY FROM PD (PLANNED DEVELOPMENT) DISTRICT TO THE PD (PLANNED DEVELOPMENT) DISTRICT
(RE: ZC96-4, 1499 Lucas Valley Road, AP NO. 165-010-89)
(Single-Family Estate)

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES ORDAIN AS FOLLOWS:

WHEREAS, the existing Planned Development District does not contain development standards and the property owner has requested a zone change to a Planned Development District that would permit a single family residential estate; and,

WHEREAS, on July 23, 1996 the San Rafael Planning Commission has held a duly noticed public hearing on the proposed amendment to the zoning map as required by State law and has considered all written correspondence, verbal testimony and the staff report relevant to the proposed amendment, and recommended to the City Council approval of the proposed zone amendment; and,

WHEREAS, the San Rafael City Council has held a duly noticed hearing on the proposed amendment to the zoning map as required by State law and has considered written correspondence, verbal testimony and the staff reports relevant to the proposed amendment; and,

WHEREAS, the San Rafael City Council finds that the Development Plan is consistent with the General Plan, adopted neighborhood plans and other applicable City plans or policies because the project is consistent with the following General Plan Policies: LU-9a, Hillside Resource Residential, LU-19, Design Approach, LU-21, Building Height, LU-22, Bay and Hillside Views, LU-29, Tree Preservation, LU34, Residential Site Design, LU-35, Project Design Considerations, LU-36, Additional Community Design Map Considerations, C-1, Level of Service, Circulation Policy C-4, Trip Allocation, C-18 Area Transportation Improvement Programs, S-3, Use of Hazard Maps in Development Review, S-4, Geologic Review, S-5, Soils and Geologic Review, S-11, Seismic Safety of New Buildings, S-21, Fire Safety of New Development, and S-23, Safety Review of Development Projects; and,

WHEREAS, the San Rafael City Council finds that the residential development will constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood, and where applicable, adequate open space shall be provided

because development standards are incorporated in the planned district and the proposed nine residential units have been reviewed by the City's Design Review Board and through project revisions, the development is a design compatible with the surrounding neighborhood; and,

WHEREAS, the San Rafael City Council finds that the applicant demonstrates that public facilities are provided to serve the anticipated population because the site is located in an area that is developed and public facilities are available and will be installed as part of the project; and,

WHEREAS, the San Rafael City Council finds that the development is improved by deviations from typical Zoning Ordinance property development standards because the development has been reviewed by the City's Design Review Board and through revisions the project has developed standards and designs that are compatible with the neighborhood; and,

WHEREAS, the San Rafael City Council finds that the auto, bicycle and pedestrian traffic system is adequately designed for circulation needs and public safety. Emergency vehicle access is provided to serve the proposed development because the project has been reviewed and conditioned by the appropriate agencies and the auto, bicycle and pedestrian traffic system has met circulation needs and public safety and emergency vehicle access is provided.

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES FURTHER ORDAIN AS FOLLOWS:

DIVISION 1. The Zoning Map of the City of San Rafael, California, adopted by reference by Section 14.01.020 of the Municipal Code is amended by reclassifying the following real property from PD (Planned Development) District to PD (Planned Development) District. Said property so reclassified is located at 1499 Lucas Valley Road, San Rafael, as shown on County Assessor's Parcel Number 165-010-89, per legal description attached as Exhibit "B".

DIVISION 2. Any development of this property shall be subject to the conditions outlined in Exhibit "A", Single Family Residential Estate Planned District, which is attached hereto and made a part hereof.

DIVISION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

DIVISION 4. This ordinance shall be published once in full before its final passage in a newspaper of general circulation, published and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage.



ALBERT J. BORO, Mayor

Attest:



JEANNE M. LEONCINI, City Clerk

The foregoing Ordinance Number 1701 was read and introduced at a regular meeting of the City Council of the City of San Rafael on the 5th day of August, 1996, and ordered passed to print by the following vote, to wit:

AYES: COUNCILMEMBERS: Heller, Miller, Phillips and Mayor Boro

NOES: COUNCILMEMBERS None

ABSENT: COUNCILMEMBERS Cohen

and will come up for adoption as an ordinance of the City of San Rafael at a regular meeting of the Council to be held on the 19th day of August, 1996.



JEANNE M. LEONCINI, City Clerk

EXHIBIT "A"

SINGLE-FAMILY RESIDENTIAL ESTATE PLANNED DEVELOPMENT DISTRICT PROPERTY DEVELOPMENT STANDARDS

I. Purpose of the Planned District

The purpose of establishing this Planned District (PD-H) Hillside Development Overlay District for a Single-Family Residential Estate is to regulate the development of an approximately 8.9 acre parcel located at 1499 Lucas Valley Road. The intent of this PD-H District accomplishes the following:

- A. To promote clustered development within appropriate areas, avoiding the most sensitive areas.
- B. To encourage innovative design and site planning for the estate and to establish flexible property development standards that will provide an integrated approach to a functional and aesthetically pleasing development plan.
- C. To establish open space areas within the property as identified within the development plan.
- D. To accommodate a variety of uses and structures within the site that may be phased over time.

The PD-H District zoning classification will ensure the development of the site in accordance with the provisions of these property development regulations. The project development plan and property development regulations may be modified by the City Council and project sponsor in the future to reflect changes in uses and additions of structures within the site.

II. Development Standards

The Single-Family Residential Estate Planned District shall be developed in conformance with the Hillside Design Guidelines and the development plans, associated drawings submitted with the PD as listed in the Exhibits section, and the development standards set forth below. Minor modifications to the development plan, residence and accessory structure location and design, and landscape plans shall be allowed subject to approval by the Planning Director.

- A. Minimum Site Area - The single-family residential estate is to be retained as one 8.9 acre parcel.
- B. Residential Density - Maximum density is 0.5 du/acre for a maximum of 4 units which may consist of the following uses and structures with a corresponding approximate area.

| | |
|--|----------------------|
| Single-family residence with two car garage | 6,500 sq. ft. |
| Detached two car garage with upper story second residential unit/exercise room | 1,100 sq. ft. |
| Pool and cabana with bathrooms, equipment room and patio | 500 sq. ft. |
| Barn with caretakers quarters | 3,700 sq. ft. |
| Covered riding arena | <u>7,000 sq. ft.</u> |
| Total | 18,800 sq. ft. |

One additional second residential unit may be permitted as needed in the future subject to a Conditional Use Permit approved by the Planning Commission.

- C. Maximum Lot Coverage - 20% for the Planned District
- D. Maximum Building Height - 30 feet or as per approved plans listed in the Exhibit section

E. Setbacks

All development shall provide the following minimum setbacks from the property line as shown by the Planned District Development Plan. Front, rear and side setbacks exclude minor plane extensions such as chimneys, bay windows etc.

Front - 100 feet
Side - 20 feet
Rear - 25 feet

Entrance monuments, gates, and associated structures have no minimum setback requirement. Padlock enclosures have a five (5) foot minimum setback.

F. Natural State - The natural state requirement shall be the same as required by the Hillside Design Guidelines.

G. Off-street Parking - Off-street parking shall be the same as required by the Hillside Design Guidelines and Zoning Ordinance

H. Trip Allocations

The Planned District site is allocated four (4) trips as per General Plan 2000, Appendix B. Trip generation shall be calculated based on the following rates:

| | |
|-------------------------------|-----------------|
| Single-Family Residence | 1.00 trips/unit |
| Dwelling units <1,000 sq. ft. | 0.85 trips/unit |
| Dwelling units >1,000 sq. ft. | 1.00 trips/unit |

I. Fencing - Fencing shall be installed in accordance with the development plan and elevation drawings attached to this PD.

J. Additions/Modifications

All additions or modifications shall be subject to design review by the City and shall conform to the Hillside Design Guidelines. The single-family residence shall be limited to a maximum of 6,500 sq. ft. unless an exception is granted by the City Council consistent with the Hillside Design Guidelines.

III. Permitted Uses

Permitted uses consist of the following primary uses and accessory uses. Uses not specified below shall be subject to determination by the City of San Rafael.

A. Primary Uses

1. One single-family estate home

B. Accessory uses

1. Detached two car garage with upper story second unit/exercise room
2. Pool and cabana with bathrooms, equipment room and patio
3. Barn with caretakers quarters, office, horse stalls, tack room, hay storage area, grooming area, pasture area and other accessory uses and facilities customarily appurtenant to private equestrian structures and operations
4. Covered riding arena with other accessory uses and facilities customarily appurtenant to private equestrian structures and operations.
5. Patio, deck and balcony covers.
6. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, in accordance with the provisions of the Zoning Ordinance.

7. Temporary construction offices in a construction trailer or building on the site until the completion of construction. There may also be a temporary workshop and storage facility onsite.

C. Conditional Uses

1. Any additional second residential units beyond the above permitted accessory uses.

IV. Exhibits

Exhibits on file with the Planning Department include the following:

- A. House and Accessory Structure elevations, floor plans and sections prepared by Farrell•Faber & Associates, as shown on Sheets 1 through 4, dated April 1996.
- B. Barn floor plan and elevations and covered riding arena elevations and section plans prepared by Jeffrey H. Waterman, as shown on Sheets A1 and A3, dated May 1996.
- C. Landscape plans prepared by Lufkin Landscape Architects, as shown on Sheets L1 and L2, dated May 1996.
- D. Site, grading and driveway plans and driveway profile prepared by I. L. Schwartz Associates, Inc., as shown on Sheets 1 and 2, dated May 1996.

EXHIBIT "B"

LEGAL DESCRIPTION

All that certain property situate in the City of San Rafael, County of Marin, State of California, described below as follows:

Beginning at the Westerly terminus of that certain course described in the deed from Thomas A. Nunes et ux, to the County of Marin, recorded on January 5, 1981, as Instrument No. 8100259 Marin County Records, having bearing of North 48° 59' 32" West and a length of 116.12 feet being the Southerly boundary line of the Old Lucas Valley Road and the Easterly boundary line of that certain parcel of land conveyed to Horatio R. Molone, et ux, by deed dated July 24, 1959 and recorded July 28, 1959 in Book 1298 of Official Records at Page 208, Marin County Records; and running thence along the said Easterly line of Horatio R. Molone parcel South 56° 20' 21" West (called South 54° 36' West in said deed dated July 24, 1959), 842.98 feet to the Southeasterly corner of said Molone parcel; thence leaving said Molone boundary line South 61° 09' 22" West 396.09 feet; thence South 19° 08' 22" West 182.53 feet; thence South 81° 52' 36" East 494.31 feet; thence North 39° 48' 22" East 634.22 feet; thence South 23° 31' 01" East 149.30 feet; thence South 55° 56' 12" East 48.83 feet; thence North 36° 58' 33" East 27.70 feet; thence North 22° 06' 17" East 75.95 feet; thence 10° 18' 47" East 279.64 feet; thence North 20° 28' 10" East 181.68 feet to the said Southerly boundary line of the Old Lucas Valley Road; thence along said Southerly line North 48° 59' 32" West 60.68 feet to the point of beginning.

ORDINANCE NO. 1701
**AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING
THE ZONING MAP OF THE CITY OF SAN RAFAEL,
CALIFORNIA, ADOPTED BY REFERENCE BY SECTION
14.01.020 OF THE MUNICIPAL CODE OF SAN RAFAEL,
CALIFORNIA, SO AS TO RECLASSIFY CERTAIN REAL
PROPERTY FROM PD (PLANNED DEVELOPMENT)
DISTRICT TO THE PD (PLANNED DEVELOPMENT)
DISTRICT**
(RE: ZC96-4, 1499 Lucas Valley Road, AP NO. 165-010-89)
(Single-Family Estate)

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES
ORDAIN AS FOLLOWS:

WHEREAS, the existing Planned Development District does not contain development standards and the property owner has requested a zone change to a Planned Development District that would permit a single family residential estate; and,

WHEREAS, on July 23, 1996 the San Rafael Planning Commission has held a duly noticed public hearing on the proposed amendment to the zoning map as required by State law and has considered all written correspondence, verbal testimony and the staff report relevant to the proposed amendment, and recommended to the City Council approval of the proposed zone amendment; and,

WHEREAS, the San Rafael City Council has held a duly noticed hearing on the proposed amendment to the zoning map as required by State law and has considered written correspondence, verbal testimony and the staff reports relevant to the proposed amendment; and,

WHEREAS, the San Rafael City Council finds that the Development Plan is consistent with the General Plan, adopted neighborhood plans and other applicable City plans or policies because the project is consistent with the following General Plan Policies: LU-9a, Hillside Resource Residential, LU-19, Design Approach, LU-21, Building Height, LU-22, Bay and Hillside Views, LU-29, Tree Preservation, LU34, Residential Site Design, LU-35, Project Design Considerations, LU-36, Additional Community Design Map Considerations, C-1, Level of Service, Circulation Policy C-4, Trip Allocation, C-18 Area Transportation Improvement Programs, S-3, Use of Hazard Maps in Development Review, S-4, Geologic Review, S-5, Soils and Geologic Review, S-11, Seismic Safety of New Buildings, S-21, Fire Safety of New Development, and S-23, Safety Review of Development Projects; and,

WHEREAS, the San Rafael City Council finds that the residential development will constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood, and where applicable, adequate open space shall be provided because development standards are incorporated in the planned district and the proposed nine residential units have been reviewed by the City's Design Review Board and through project revisions, the development is a design compatible with the surrounding neighborhood; and,

WHEREAS, the San Rafael City Council finds that the applicant demonstrates that public facilities are provided to serve the anticipated population because the site is located in an area that is developed and public facilities are available and will be installed as part of the project; and,

WHEREAS, the San Rafael City Council finds that the development is improved by deviations from typical Zoning Ordinance property development standards because the development has been reviewed by the City's Design Review Board and through revisions the project has developed standards and designs that are compatible with the neighborhood; and,

WHEREAS, the San Rafael City Council finds that the auto, bicycle and pedestrian traffic system is adequately designed for circulation needs and public safety. Emergency vehicle access is provided to serve the proposed development because the project has been reviewed and conditioned by the appropriate agencies and the auto, bicycle and pedestrian traffic system has met circulation needs and public safety and emergency vehicle access is provided.

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES
FURTHER ORDAIN AS FOLLOWS:

DIVISION 1. The Zoning Map of the City of San Rafael, California, adopted by reference by Section 14.01.020 of the Municipal Code is amended by reclassifying the following real property from PD (Planned Development) District to PD (Planned Development) District. Said property so reclassified is located at 1499 Lucas Valley Road, San Rafael, as shown on County Assessor's Parcel Number 165-010-89, per legal description attached as Exhibit "B".

DIVISION 2. Any development of this property shall be subject to the conditions outlined in Exhibit "A", Single Family Residential Estate Planned District, which is attached hereto and made a part hereof.

DIVISION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

DIVISION 4. This Ordinance shall be published once in full before its final passage in a newspaper of general circulation, published and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage.

/s/ ALBERT J. BORO

Mayor

Attest:

(SEAL)

/s/ JEANNE M. LEONCINI

City Clerk

The foregoing Ordinance Number 1701 was read and introduced at a regular meeting of the City Council of the City of San Rafael on the 5th day of August, 1996, and ordered passed to print by the following vote, to wit:

AYES: COUNCILMEMBERS: Heller, Miller, Phillips and Mayor Boro

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Cohen
and will come up for adoption as an ordinance of the City of San Rafael at a regular meeting of the Council to be held on the 19th day of August, 1996.

(SEAL)

/s/ JEANNE M. LEONCINI

City Clerk

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COPY**

COMPLIANCE CHECKLIST

HILLSIDE RESIDENTIAL DESIGN GUIDELINES MANUAL

The following checklist summarizes development guidelines and standards. See the appropriate section for a complete explanation of the item.

A "yes" indicates the project complies with the recommendation, a "no" indicates it does not. N/A is the abbreviation for "not applicable."

This checklist is intended to measure overall design quality. The manual incorporates standards and suggested guidelines to insure high quality projects. Standards are indicated with an asterisk and are mandatory. They are indicated in the text by the term "shall". Exceptions to standards can only be granted by the City Council (indicated by a *) or the specific hearing body designated in the Manual (indicated by a ●). Guidelines are recommendations and are indicated in the text by the term "should." Staff and Design Review Board will be guided by compliance with these guidelines in making their recommendations on the project design. The project architect or engineer must justify any variations. Only projects with high quality designs will be approved.

Zoning Standards (Chapter III, Hillside Residential Development Standards)

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|--|
| ✓ | | | Natural State Requirement (25% + 9.4% of average slope) ____ Required 34.4% Proposed 84.8% |
| | ✓ | | * Gross Building Square Footage (2500 sq. ft. + 10% of lot size, maximum of 6,500 sq. ft.) RESIDENCE: Approved and existing: <u>8,592</u> max. gross sq. ft., Proposed: <u>9,417</u> gross sq. ft.; TOTAL GROSS BUILDING SQ. FT.: Approved 18,800 sq. ft., Existing: 11,300 sq. ft., Proposed: 21,439 sq. ft. |
| ✓ | | | * Building Height (24 feet measured from natural grade). |
| ✓ | | | * Building stepback (20-foot height limitation on walls within 15 feet of the building envelope limit, encroachment allowed along 25% of building length). |
| | ✓ | | • Setback Waiver proposed (permitted for a distance of not more than ½ of the required setback with DRB approval and special findings, requires compensating increase in setback on opposing setback). |
| ✓ | | | * Ridgeline prohibition of development within 100 vertical feet of a visually significant ridgeline. |
| | ✓ | | • Parking requirement of two additional spaces on substandard streets. |
| | ✓ | | * Lot standards of minimum sizes and widths established in Subdivision Ordinance. |

IV.A. Design Guidelines Applicable to All Hillside Residential Development Projects

IVA1. Preservation of Existing Natural Features:

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|---|
| ✓ | | | Maintains mature trees and preserves significant vegetation. |
| ✓ | | | Minimizes grading and alterations of natural land forms with balanced cuts and fills. |
| ✓ | | | Drainage minimizes off-site impacts and preserves natural drainage courses. |
| | ✓ | | Roads and streets located and landscaped to minimize visual impacts. |

| | | |
|--|-------------------------------------|--------------------------------------|
| | <input checked="" type="checkbox"/> | Access provided to open space areas. |
|--|-------------------------------------|--------------------------------------|

IV.A2. Preservation of Significant trees

| <u>Y</u> | <u>N</u> | <u>NA</u> |
|----------|-------------------------------------|---|
| | <input checked="" type="checkbox"/> | Existing trees are preserved by avoiding grading in the dripline, or change in grade or compaction. |
| | <input checked="" type="checkbox"/> | Existing trees are preserved by avoiding grading in the dripline, or change in grade or compaction. |

IVA3. Hillside Grading and Drainage

| <u>Y</u> | <u>N</u> | <u>NA</u> |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | | Grading is minimized and all grading maintains a natural appearance with slopes of 2:1 to 5:1. Grading within 20 feet of property lines is minimized or similar to existing adjacent slopes. |
| <input checked="" type="checkbox"/> | | Terracing uses incremental steps and visible retaining walls are of a minimum height and use stone or earth colored materials. |
| <input checked="" type="checkbox"/> | | Pads are of a minimum size for structures and open space (pads for tennis courts and swimming pools are discouraged). |
| | <input checked="" type="checkbox"/> | Off-site drainage impacts are minimized and drainage plans avoid erosion and damage to on-site and adjacent properties. Impervious surfaces are minimized and storm water from roofs is conveyed to a comprehensive site drainage system. Storm drainage improvements and drainage devices create a natural appearance. |
| | <input checked="" type="checkbox"/> | * Debris Collection and overflow routes are provided where needed and located to minimize visual impacts. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Erosion control plans and revegetation plan provided. |
| <input checked="" type="checkbox"/> | | Geotechnical review has been done and mitigation measures will not substantially modify the character of the existing landform, expose slopes that cannot be re-vegetated or remove large areas of existing mature vegetation. Existing geologic hazards have been corrected. |

IVA4. Lot Configuration, Building Setbacks and Location (Complete for Subdivisions)

| <u>Y</u> | <u>N</u> | <u>NA</u> |
|-------------------------------------|-------------------------------------|---|
| | <input checked="" type="checkbox"/> | Lot configurations provide a variety of shapes based on topography and natural features and lot lines are placed on the top, not the toe, of the slope. |
| | <input checked="" type="checkbox"/> | Flag lots with a common drive are encouraged. |
| | <input checked="" type="checkbox"/> | Building setbacks are varied or staggered. |
| <input checked="" type="checkbox"/> | | Building locations are not located near visually prominent ridgelines and existing view of residences are respected. |
| | <input checked="" type="checkbox"/> | * Front yard setbacks are minimized on downhill lots. |

IVA5. Street Layout, Driveway and Parking Design

| <u>Y</u> | <u>N</u> | <u>NA</u> |
|----------|-------------------------------------|---|
| | <input checked="" type="checkbox"/> | Streets use narrower street widths if it reduces grading, visual impacts are minimized by terracing any retaining walls, and split roadways are encouraged. |
| | <input checked="" type="checkbox"/> | * Street layout follows the natural grade and long stretches of straight road are avoided. Proper sight distances are maintained. |

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|---|
| | | <u>✓</u> | <ul style="list-style-type: none"> • Street grades do not exceed 18 % or have received an exception. |
| | | <u>✓</u> | <ul style="list-style-type: none"> • Driveway grades do not exceed 18% or an exception has been granted. Parking has been designed so that vehicles will not back out into substandard streets. Driveways over 18% have grooves and asphalt driveways are not proposed on slopes over 15%. |
| | | <u>✓</u> | Parking bays are established or if parallel parking is permitted it is located on one side only and limited to 8 feet in width. |

IVA6. Reduction of Building Bulk on Hillsides

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|--|
| <u>✓</u> | | | The building steps up the slope and/or has been cut into the hillside. |
| <u>✓</u> | | | Roof forms and rooflines are broken up and parallel the slope. The slope of the roof does not exceed the natural contour by 20%. |
| <u>✓</u> | | | Overhanging or elevated decks and excessive cantilevers are avoided. |
| <u>✓</u> | | | Large expanses of a wall in a single plane are avoided on downhill elevations. |
| <u>✓</u> | | | Building materials blend with the setting. |

IVA7. Hillside Architectural Character

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|---|
| <u>✓</u> | | | Rooflines are oriented in consideration of views from adjacent areas and properties. |
| <u>✓</u> | | | Gabled, hip and shed roof forms with a moderated pitch are encouraged. Changes in roof form accompanied with offsets in elevations are encouraged. Flat roofs with membranes or built up roofing materials are discouraged when visible. |
| <u>✓</u> | | | <u>Multi-Building Projects</u> have different floor elevations to achieve height variation and avoid long continuous building masses. Articulated facades and variations in roof forms are required. Buildings near hillside rims have a staggered arrangement and are screened with planting. |
| <u>✓</u> | | | <u>Building Materials, texture and color</u> meet criteria and color coordinate with the predominant colors and values of the surrounding landscape. Building walls and roofs are of recommended materials. |
| <u>✓</u> | | | <u>Walls, fences and accessory structures</u> are compatible with adjacent buildings and are designed to respect views. Front yard fences are of an open design and provide a landscaped buffer. Walls and materials are of appropriate materials. |
| <u>✓</u> | | | <ul style="list-style-type: none"> • <u>Retaining walls</u> meet height restrictions of 4 feet on upslopes and 3 feet on downslopes. Terraced retaining walls are separated by a minimum of three feet and landscaped. Retaining walls holding back grade to accommodate a patio or terrace conform to the natural contours as much as possible and excessively high retaining walls are prohibited. |
| | | <u>✓</u> | * Decks do not create excessively high distances between the structure and grade. |
| | | <u>✓</u> | * Mechanical equipment is screened from view. |

IV.A8. Planting Design for Hillside Residential Development

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|---|
| <u>✓</u> | | | Major rock outcroppings and planting patterns of native plants and trees are respected and retained. Replacement trees are planted with irregularly grouped trees which |

| | | | |
|--|--|--|--|
| | | | retain a similar appearance from a distance. |
|--|--|--|--|

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|---|
| | | ✓ | New plantings have been selected for their effectiveness of erosion control, fire resistance and drought tolerance and consider neighbors' views. Native plants are used. |
| | | ✓ | * Irrigation systems and mulching are provided. |
| | | ✓ | Existing scarred or graded areas with high visibility are revegetated. |
| | | ✓ | Special planting guidelines for 2:1 slopes are followed. |
| | | ✓ | Graded slopes have trees planted along contour lines in undulating groups and trees are located in swale areas. |
| | | ✓ | Public rights-of-way are landscaped. |
| | | ✓ | Transition zones are planted in high fire hazard areas and building envelopes are located to minimize risk to structures. Planting materials are fire retardant. Subdivisions have provided an arborist's report to analyze site fire hazards. |

IV.A9. Site Lighting

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|---|
| | | ✓ | Site lighting which is visible is indirect or incorporates full shield cut-offs. Adjacent properties are not illuminated and light sources are not seen from adjacent properties or public rights-of-way. |
| | | ✓ | Overhead lighting in parking areas is mounted at a maximum height of 15 feet and does not interfere with bedroom windows. |
| | | ✓ | Overhead lighting in pedestrian areas does not exceed 8 feet in height and low-level lighting is used along walkways. |
| | | ✓ | * Exterior floor lighting is located and shielded so that it does not shine on adjacent properties. Decorative lighting to highlight a structure is prohibited and not shown. |

IV.BI. Subdivisions and Planned Development Projects

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|--|
| | | ✓ | Requirements for preservation of existing natural features, street layout and design, hillside grading and drainage, and lot configuration, building setback and locations have been met and building envelopes established on all lots. |
| | | ✓ | Cluster developments meet the following criteria: Flexible front and side setbacks are provided; large expanses of flat areas, such as parking lots, are avoided; buildings are sited with units having different floor elevations to achieve height variation; buildings near hillside rims are sited in a staggered arrangement and screened with planting; existing vegetation is retained; and flag lots which encourage terracing of buildings and minimize cuts and fills are allowed. |
| | | ✓ | Long continuous building masses are avoided and groups of building are designed with visible differences through materials, colors, forms and façade variation. Facades are articulated and rooflines avoid extended horizontal lines. Building facades have a mixture of vertical and horizontal elements, but emphasize verticality. Alignments of units are staggered horizontally and vertically to create unit identity, privacy at entryways and in private outdoor spaces and to shape open space. Buildings may be terraced and building clusters are separated with expanses of open space. |

IV.B2 Single Family Residences on Individual Lots

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|--|
| ✓ | | | Requirements for preservation of existing natural features, hillside grading and drainage, reduction of building bulk, architectural character, and planting design are met. |
| | ✓ | | * An exception is necessary to allow tandem parking on lots served by an access drive if it minimizes the impact of hillside development. |
| | ✓ | | Common driveways are encouraged. |
| | ✓ | | * The driveway grade does not exceed 18% or an exception is required. Drainage from the driveway is directed in a controlled manner. The finished grade of the driveway conforms to the finished grade of the lot. |

IV.B3 Multi-family Residential Development

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|--|
| | | ✓ | Requirements for preservation of existing natural features, hillside grading and drainage, reduction of building bulk, architectural character, site lighting and planting design are met. |
| | | ✓ | Yard setbacks and group common and private open space meet zoning ordinance requirements. A children's play area is provided on developments with over 25 units. |
| | | ✓ | The site design utilizes opportunities such as outdoor decks, roof gardens, terraces, bay windows, framing of views, pergolas, view lookouts, and sculptured stairs and walkways. |
| | | ✓ | Large expanses of flat areas, such as parking lots, are avoided; buildings are sited with units having different floor elevations to achieve height variation; buildings near hillside rims are sited in a staggered arrangement and screened with planting; existing vegetation is retained; and flag lots which encourage terracing of buildings and minimize cuts and fills are allowed. |
| | | ✓ | Long continuous building masses are avoided and groups of building are designed with visible differences through materials, colors, forms, and façade variation. Building facades do not create a ground level wall of repetitive garage doors. Facades are articulated and rooflines avoid extended horizontal lines. Building facades have a mixture of vertical and horizontal elements, but emphasize verticality. Alignments of units are staggered horizontally and vertically to create unit identity, privacy at entryways and in private outdoor spaces and to shape open-space. Buildings may be terraced and building clusters are separated with expanses of open space. |
| | | ✓ | Tuck under parking is encouraged. 10% of the parking lot area is landscaped or trees planted as required by the zoning ordinance. |

IV.C1 Highly Visible Ridgeline Areas

| <u>Y</u> | <u>N</u> | <u>NA</u> | |
|----------|----------|-----------|--|
| | | ✓ | * Development is located within 100 feet of a significant ridgeline. |
| | | ✓ | Designs minimize grading and building pads. Structures and fences do not project above the ridgeline and views of the natural ridge silhouettes is retained. Roads near ridges and on slopes are designed to accommodate grade and cut slopes are rounded off. |

IV.C2 Hillside Drainage Swales and Drainage Ravines

| <u>Y</u> | <u>N</u> | <u>NA</u> |
|----------|----------|--|
| | | <input checked="" type="checkbox"/> * A hydrologic analysis has been prepared and inadequate on and off-site existing hillside storm drainage facilities will be replaced. Appropriate setbacks from drainages have been established to preserve natural drainage patterns and public safety. Slope stability hazards in watersheds have been studied and measures proposed to protect downslope properties (Subdivisions) |
| | | <input checked="" type="checkbox"/> General plan setbacks from drainageways, creeks, and wetlands are met. (General Plan standard, exceptions cannot be granted) Subdivisions and other major projects have provided a biotic report to establish the appropriate setback. |
| | | <input checked="" type="checkbox"/> * Debris basins, rip-rap, and energy dissipation devices are provided when necessary to reduce erosion when grading is undertaken. Significant natural drainage courses are protected from grading activity and are integrated into project design. When crossing is required, a natural crossing and bank protection is provided. Any berm ditches are naturalized with plant materials and native rocks. |
| | | <input checked="" type="checkbox"/> Stream bank stabilization is done through stream rehabilitation and not through concrete channels or other mechanical means. Stream planting utilizes indigenous riparian vegetation. |

IV.C3 Hillslope Habitat Areas

| <u>Y</u> | <u>N</u> | <u>NA</u> |
|----------|----------|--|
| | | <input checked="" type="checkbox"/> Cluster housing is encouraged and provisions regarding reduction of building bulk on hillsides, architectural character, and site lighting are followed. |
| | | <input checked="" type="checkbox"/> Existing vegetation is incorporated into the project design and used to screen development from offsite views. |

Indicate any special requirements

| <u>Y</u> | <u>N</u> | <u>NA</u> |
|-------------------------------------|----------|----------------------------|
| <input checked="" type="checkbox"/> | | Geotechnical Review |
| <input checked="" type="checkbox"/> | | Drainage Report |
| <input checked="" type="checkbox"/> | | Biological Survey |
| <input checked="" type="checkbox"/> | | Arborist's Report |
| <input checked="" type="checkbox"/> | | Photo Montage and/or model |
| <input checked="" type="checkbox"/> | | Site Staking |

Comments on overall project compliance and design quality

The proposed development complies with all other Hillside Development standards except for total building square footage.