
IV. ENVIRONMENTAL IMPACT ANALYSIS

H. LAND USE AND PLANNING

INTRODUCTION

This section of the Draft SEIR evaluates potential land use impacts with respect to the proposed project, specifically the project's consistency with applicable plans and policies with jurisdiction over the project site.

METHODOLOGY

CEQA requires an analysis of consistency with plans and policies as part of the environmental setting (see CEQA Guidelines Section 15125). An EIR uses the policy analysis as an indicator of the resources that might be affected by a project and considers the importance a policy gives a resource in determining the significance of the physical impact. Conversely, the EIR considers the potential significance of the related physical impacts when analyzing a particular policy. Inconsistency with a policy may indicate a significant physical impact, but the inconsistency is not itself an impact. The impacts of the proposed project were analyzed qualitatively, focusing on consistency between proposed and permitted uses under applicable land use plans and zoning regulations. The determination of compatibility is based on the anticipated environmental effects of proposed uses and the sensitivity of adjacent uses to those effects.

ENVIRONMENTAL SETTING

Project Site and Surrounding Land Uses

Town of Ross General Plan 2007 - 2025

The *Town of Ross 2007-2025 General Plan* was adopted by the Town in June 2007. According to the General Plan Land Use Map, the project site has a land use designation of R:1-B-10A Single Family Residential 10-acre minimum lot size, consistent with the General Plan's Very Low Density designation.¹ The four residential parcels abutting the north and east boundaries of the project site range from one to four acres in size. These adjacent parcels also have a Very Low Density Residential (0.3 to 3.0 persons per acre) land use designation. The site abuts Marin Municipal Water District (MMWD) lands and Natalie Coffin Greene Park on the west and southerly sides, which are zoned as Public Park and Open Space.

¹ *Town of Ross 2007-2025 General Plan, Figure 12.*

The "Public Park and Open Space" designation includes secured public and private parks, open space and lands managed by the MMWD. Building intensity and population density is essentially zero.

The "Very Low Density Residential" designation is characterized by single-family residential development primarily in the western and southwestern areas of the Town, with an average of 0.3 to 3.0 persons per acre and lots of one acre or more in size.

REGULATORY SETTING

Federal and State

Local land use determinations, rather than Federal or State policies, govern density and other limitations on the physical nature of projects within the jurisdiction of the Town. Therefore, in addition to the thresholds of significance outlined in Appendix G, Environmental Checklist Form, of the State *CEQA Guidelines*, the local policies and guidelines associated with land use and planning as defined by the Town and the region are utilized for this analysis.

Regional

Bay Area Clean Air Plan

The project area is within the San Francisco Bay Area Air Basin (Basin), under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is responsible for bringing and/or maintaining air quality in the Basin within federal and state air quality standards. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Basin and to develop and implement attainment strategies to ensure that future emissions will be within federal and state standards.

The BAAQMD has prepared a series of Clean Air Plans (CAP) in response to the Federal Clean Air Act (CAA), the most recent of which was approved in September 2010. The 2010 CAP continues the air pollution reduction strategy established by the 1991 and 2000 CAPs. The 2010 CAP is designed to address attainment of the state standards for ozone (O₃), including a comprehensive strategy to reduce emissions from stationary, area, and mobile sources. The 2010 Bay Area CAP serves to:

- update the Bay Area 2005 Ozone Strategy in accordance with the requirements of the California CAA to implement "all feasible measures" to reduce O₃;
- provide a control strategy to reduce ozone, particulate matter (PM), air toxics, and greenhouse gases in a single, integrated plan;
- review progress in improving air quality in recent years; and

- establish emission control measures to be adopted or implemented in the 2010 - 2012 timeframe.

The 2010 CAP updates the most recent ozone plan, the Bay Area 2005 Ozone Strategy, in order to attain state ozone standards. In anticipation of future PM_{2.5} planning requirements, the CAP control strategy also aims to reduce PM emissions and concentrations. The 2010 CAP includes revised and updated control measures for stationary and mobile sources, and revised Transportation Control Measures. In addition, the CAP identifies two new categories of control measures: Land Use and Local Impact Measures, and Energy and Climate Measures.

San Francisco Bay Basin Water Quality Control Plan

The Water Quality Control Plan for the San Francisco Bay Basin (*Basin Plan*) was developed by the California Regional Water Quality Control Board (RWQCB), San Francisco Bay Region. The *Basin Plan* is intended to show how the quality of the surface and ground waters in the San Francisco Bay Region should be managed to provide the highest water quality reasonably possible. Specifically, the *Basin Plan* lists the following: various water uses in the region; describes the water quality that must be maintained to allow those uses; and describes the programs, projects, and other actions that are necessary to achieve the standards established in this plan.

The *Basin Plan* implements a number of state and federal laws, the most important of which are the California Porter-Cologne Water Quality Control Act and the federal Clean Water Act (CWA). The U.S. Environmental Protection Agency (U.S. EPA) has delegated responsibility for implementation of portions of the CWA to the State and Regional Boards, including water quality planning and control board programs, such as the National Pollutant Discharge Elimination System (NPDES).

Local

Town of Ross General Plan 2007 - 2025

California State law (Government Code, Section 65300) requires that each county and city, including charter cities, prepare and adopt a comprehensive, long-term general plan for its future development. This general plan must contain seven elements, including: 1) land use; 2) circulation; 3) housing; 4) conservation; 5) open space; 6) noise; and 7) safety. Of these, state law mandates that the land use element must correlate with the circulation element. In addition to these, state law permits cities and counties to include optional elements in their general plans, thereby providing local governments with the flexibility to address the specific needs and unique character of their jurisdictions. California law also requires that the day-to-day decisions of a city or county follow logically from and be consistent with the general plan. More specifically, Government Code Sections 65860, 66473.5 and 65647.4 require that zoning ordinances and subdivision and parcel map approvals be consistent with the general plan.

Goals, objectives and programs established for each element of the general plan must meet the existing and future needs and desires of the community. These goals, objectives and programs are specific, action-oriented and promoted during the life of the general plan.

The Town of Ross 2007-2025 General Plan was adopted in June 2007. The General Plan sets forth goals and policies for the future development of the Town, designates the location of desired future land uses within the Town, and addresses the mandated elements of California Government Code Section 65302.

Town of Ross Municipal Code

The Town of Ross Municipal Code implements the goal and polices of the General Plan by classifying and regulating the uses of land and structures within the Town. The Municipal Code includes zoning districts, development standards, and uses and regulations. The Municipal Code also addresses Hillside Protection, while the General Plan addresses Tree Protections. The Municipal Code includes regulations for the following:

- permitted, conditional, accessory and prohibited uses of land and structures;
- hillside development restrictions;
- building location and height;
- parking requirements; and
- signs.

Zoning Districts

The Municipal Code establishes zoning districts that include residential, civic, commercial, cultural, public facility, open space, and floodway zoning districts. The zoning district for a specific site is shown on the Town's Zoning Map, which is located in the Town's General Plan. The Municipal Code includes a use table and development standards table for each zoning district within the Town. The use table identifies the permitted, conditionally permitted, and prohibited uses for a building or property within a specific zoning district. The development standards table identifies the location and height requirements for a structure, as well as the minimum lot size requirements for a parcel within a specific zoning district.

The zoning designation for the project site is R:1-B-10A Single Family Residential 10-acre minimum lot size. The R1 zone applies to areas of single-family residences and associated development. Uses permitted as a matter of right in an R-1 District without a Use Permit (subject to modification by applicable combining district regulations) include single family residences and accessory uses including garages, greenhouses, terraces, swimming pools, private stables, tennis courts (daytime use), screening walls, fences, driveways, and walkways. Other uses (see below) are subject to additional permit requirements per the Specific Use Regulations of the Municipal Code.

Hillside Development

The Zoning Ordinance (Chapter 18.39) establishes regulations applicable to certain hillside areas in the Town. These regulations are applicable in several circumstances, including a) any time a lot or portion thereof lies within or contains Hazard Zones 3 or 4 as identified on the Town slope stability map; and/or b) any land division which has a natural slope or building site slope of thirty percent or greater for any existing or proposed lot.

The Hillside Lot regulations require that a project applicant submit an application for hillside lot review. The Town Council will conduct the review, and a public hearing is required. The Council must make the following findings if a hillside lot application is approved or conditionally approved:

1. That the project is consistent with the purpose of the Hillside Lot Regulations;
2. That the project is in substantial compliance with the hillside lot design standards; and
3. That the project is consistent with the Ross General Plan and zoning ordinance.

The Hillside Lot regulations also require that grading, cutting and filling and retaining walls be minimized and that the placement of driveways and building design conform to natural contours. Graded slopes steeper than 2:1 are not permitted. Individual retaining walls cannot exceed eight feet in height, and the aggregate retaining walls cannot exceed 18 feet on any particular slope. Additionally, the Hillside Lot regulations set design standards for architecture, landscape architecture, view protection, public safety, geologic issues, hydrologic issues and circulation system design. Provisions that would be applicable at the subdivision plan stage include:

- Landscape Architecture. Native shrubs and trees shall be retained whenever possible and newly introduced landscaping shall be of a character and quality identified on the Town hillside plantings list. Drought and fire resistant plantings are recommended. Native vegetation and trees shall be protected during construction. Drip irrigation systems are required. Landscaping shall preserve the penetration of sunlight to neighboring properties. Fences and walls are not recommended and are subject to design review.
- Views. Hillside designs shall protect views to the site and those viewsheds of neighboring property owners. No buildings shall be located on ridges.
- Public Safety. Clearance of brush and vegetative growth from structures and roadways shall be in accordance with the Town Fire Code and approved by the Fire Department. Class A roofing is required. The water supply for firefighting shall be adequate, requiring upgrades of water mains and fire hydrants as necessary. Sprinkler systems shall be provided as required by the Director of Public Safety.
- Geology. Development should avoid geologically unstable areas. Landslide repair work shall be guaranteed under bond prior to approval of the final subdivision map and the repair work shall be approved by an engineering geologist or qualified soils engineer. All

newly created slopes shall be planted or protected from runoff and erosion within 30 days of completion of grading.

- Hydrology. No structures shall traverse, encroach or impede a natural watercourse or swale. All new development shall provide drainage improvements necessary to mitigate the runoff created by disturbance to the watershed. Drainage for all impervious surfaces shall be positively directed to natural watercourses or controlled hard surfaces such as gutters or pipes.
- Circulation. The design of the circulation system shall provide for an adequate transition and maximum compatibility with adjoining patterns of development and open space. The design shall follow the natural contours of the land. The points of ingress and egress to a street shall have a minimum visual clearance commensurate with adequate safety requirements, and in no event may be less than 100 feet. The road improvements shall be approved by the Public Works Director and the Town Engineer.

ENVIRONMENTAL IMPACTS

Thresholds of Significance

Based on Appendix G, Environmental Checklist Form, of the State *CEQA Guidelines* the project would have a significant impact on the environment related to land use if it would:

- (a) result in a physical division of an established community;
- (b) conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; and
- (c) conflict with any applicable habitat conservation plan or natural community conservation plan.

Land Use and Planning Issues not Further Analyzed

The following issues were addressed in the Initial Study (see Appendix A) and Section IV.A of the Draft SEIR and were determined to result in no impact or a less-than-significant impact and not warrant further analysis:

- Physically Divide an Established Community
- Conflict with any Applicable Habitat Conservation Plan or Natural Community Conservation Plan

Project Impacts and Mitigation Measures

Impact LU-1 Consistency with Applicable Land Use Plans, Policies or Regulations

Town of Ross General Plan 2007 - 2025

The *General Plan Guidelines* published by the State Office of Planning and Research defines consistency as, “An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.” Therefore, the standard for analysis used in this Draft SEIR is based on general agreement with the policy language and furtherance of the policy intent (as determined by a review of the policy context). The determination that the project is consistent or inconsistent with the General Plan 2007 – 2025 policies or other Town plans and policies is ultimately the decision of the Town. Furthermore, although CEQA analysis may identify some areas of general consistency with Town policies, the Town has the ability to impose additional requirements or conditions of approval on a project, at the time of its approval, to bring a project into more complete conformance with existing policies. The project’s consistency with individual General Plan policies is evaluated in the Table IV.H-1 below.

As noted, the project site is currently governed by the land use policies and regulations set forth in the Town of Ross 2007-2025 General Plan and Zoning Ordinances. As discussed in Table IV.H-1, the project would be generally consistent with the applicable policies outlined in the 2007-2025 General Plan. The project is generally consistent with and implements all other applicable plans and policies. As previously stated, inconsistency may indicate a significant physical impact, but the inconsistency is not itself an impact. The physical impacts of the project are analyzed in section IV.A through IV.L of this Draft SEIR. Thus, impacts related to the project’s consistency with applicable plans and polices would be ***less than significant***.

**Table IV.H-1
Town of Ross General Plan 2007 – 2025 Policy Consistency Analysis**

Policy/Guideline	Proposed Project
Part II – Our Relationship with the Natural Environment	
<i>Goal 1: An Abundance of Green and Healthy Natural Systems</i>	
<p>1.1 Protection of Environmental Resources. Protect environmental resources, such as hillsides, ridgelines, creeks, drainage ways, trees and tree groves, threatened and endangered species habitat, riparian vegetation, cultural places, and other resources. These resources are unique in the planning area because of their scarcity, scientific value, aesthetic quality and cultural significance.</p>	<p>As described in Section IV.B (Aesthetics), IV.D (Biological and Forestry Resources), IV.G (Hydrology and Water Quality), and IV.L (Cultural Resources), the proposed project would lessen potentially significant impacts to a less-than-significant level through specific mitigation measures. These measures would ensure that environmental resources such as hillsides, creeks, and special-status species are protected or compensated for based on the existing regulatory framework.</p>
<p>1.2 Tree Canopy Preservation. Protect and expand the tree canopy of Ross to enhance the beauty of the natural landscape. Recognize that the tree canopy is critical to provide shade, reduce ambient temperatures, improve the uptake of carbon dioxide, prevent erosion and excess stormwater runoff, provide habitat for wildlife and birds, and protect the ecosystem of the under-story vegetation.</p>	<p>As discussed in Section IV.D (Biological and Forestry Resources), a total of 2,020 (2,187 alive minus 167 dead) trees with trunk diameters of eight inches or more measured at 4.5 feet above grade were identified and mapped within the limits of the survey area in the 2010 inventory. The removal of 433 trees (73 "dead/fallen/hazardous/diseased" trees, 140 non-significant trees and 216 significant trees) would reduce the on-site tree count by approximately seven percent. The project proposes to mitigate for tree removal through the planting of trees on-site. The replanting plan illustrates that 977 trees are proposed be replanted to completely reforest the site with a greater diversity of native trees. Furthermore, The proposed project is subject to mitigation requirements listed in Chapter 12.12 of the municipal code or as determined through consultation with the Town of Ross.</p>
<p>1.3 Tree Maintenance and Replacement. Assure proper tree maintenance and replacement.</p>	<p>As described above for Policy 1.2, the proposed project is subject to mitigation requirements listed in Chapter 12.12 of the municipal code or as determined through consultation with the Town of Ross. The proposed project would also be subject to tree maintenance required by the Ross Valley Fire Department for defensible space. Section IV.D (Biological and Forestry Resources) includes mitigation measures for tree replacement.</p>
<p>1.4 Natural Areas Retention. Maximize the amount of land retained in its natural state. Wherever possible, residential development should be designed to preserve, protect and restore native site vegetation and habitat. In addition, where possible and appropriate, invasive vegetation should be removed.</p>	<p>The proposed project has been designed based on an opportunities and constraints analysis that demonstrated most of the land above Swan Swale contains unstable soils, mature forests, rock outcroppings, and water courses that constitute significant natural resources meriting protection from insensitive development. The project has been designed such that all three home sites are situated below Swan Swale in the tightest cluster possible under governing R-1:B-10A zoning standards.</p>

Policy/Guideline	Proposed Project
	<p>Furthermore, under existing conditions, there are small populations of many non-native species throughout the project site; however, ground disturbance associated with the project would create new areas suitable for recruitment of these non-native species, many of which form dense, monotypic stands, eliminating any natural habitat that the area previously supported. Mitigation Measure BIO-4b in Section IV.D (Biological and Forestry Resources) would reduce the potential establishment or spread of non-native, invasive weed populations as a result of project activities.</p>
<p>1.5 Open Space Plan. Execute the Open Space Plan for land in public and private ownership, including existing and future parcels. The designation of “Upland Ridge and Greenbelt” on the Open Space Plan is approximate and is intended to identify those properties that would require further analysis of their potential open space value.</p>	<p>The Preliminary Development Plan (Figure III-9) depicts the Upland Ridge and Greenbelt Areas as shown in the General Plan in relation to project components. As illustrated in the Plan, the Upland Ridge and Greenbelt Areas line passes through components of the proposed project but the residential building pads and driveways are all located on the urban (Town) side of the line, as shown in Figure III-9. The retaining wall and portions of the detention basins in Swan Swale are outside of (above) the line.</p> <p>Currently the project site is undeveloped and provides a <i>de facto</i> open space resource, although it is not identified in the General Plan as a potential open space area. In all, development of the roads and three residences on the site would involve tree cutting, grading, paving, eventual home construction and landscaping on the 36 acre site. The remaining land would be undeveloped, private open space.</p> <p>In addition to avoiding areas within the Upland Ridge and Greenbelt, to balance cut and fill on-site, the project places fill at the lowest elevation possible while avoiding unstable soils and major trees such as the Redwood grove near the eastern border of the property.</p>
<p><i>Goal 2: Sustainable Building and Community Practices</i></p>	
<p>2.1 Sustainable Practices. Support measures to reduce resource consumption and improve energy efficiency through all elements of the Ross General Plan and Town regulations and practices, including:</p> <ul style="list-style-type: none"> (a) Require large houses to limit the energy usage to that of a more moderately sized house as established in design guidelines. (b) Encourage affordable workforce housing (see Housing Element) and a development pattern that encourages people to walk. (c) Preserve uses in the commercial area of the town that serve local residents and reduce the need to drive to other areas. 	<p>The proposed project has been designed to develop the most sustainable portion of the site and leaves the remainder of the site in its natural state. The project would remove and replace diseased trees and invasive vegetation according to a plan that complements and enhances native conifer succession from Oak woodland. The plan also includes native riparian trees along swales where little creek vegetation exists.</p> <p>No home designs are proposed currently and eventual residences would be reviewed by the Town through future development applications.</p>

Policy/Guideline	Proposed Project
<p>(d) Choose the most sustainable portion of a site for development and leaving more of a site in its natural condition to reduce land impacts on the natural environment.</p> <p>(e) Use green materials and resources.</p> <p>(f) Conserve water, especially in landscaping.</p> <p>(g) Encourage transportation alternatives to the private automobile.</p> <p>(h) Increase the use of renewable energy sources, including solar energy.</p> <p>(i) Recycle building materials.</p>	
<p>2.2 Incorporation of Resource Conservation Measures. To the extent consistent with other design considerations, public and private projects should be designed to be efficient and innovative in their use of materials, site construction, and water irrigation standards for new landscaping to minimize resource consumption, including energy and water.</p>	<p>As stated in Section III (Project Description), the proposed project has been designed to develop the most sustainable portion of the site and leaves the remainder of the site in its natural state. The Preliminary Landscape Plan also indicates that disturbed areas would be reseeded with a mix of native seeds and that drip irrigation systems would be installed for each lot. Additional resource consumption would be minimized through submission and adherence to BMPs established in a (Storm Water Pollution Prevention Plan) SWPPP, as required by Mitigation Measure HYDRO-1.</p>
<p>2.3 Reduction in Use of Chemicals and Non-Natural Substances. Support efforts to use chemical-free and toxic-free building materials, reduce waste and recycle building waste and residential garbage. Encourage landscape designs that minimize pesticide and herbicide use.</p>	<p>As described in the Initial Study (Appendix A), hazardous building materials may be present in structures proposed for demolition at the project site and could pose a threat of a hazardous materials release if not handled properly. The removal of hazardous building materials prior to demolition and renovation is governed by federal and state regulations. However, demolition and construction waste is handled by Marin Sanitary Service's (MSS) Resource Recovery Center. MSS also owns and operates the Marin Recycling Center, which recycles 74% of solid waste.</p> <p>No home designs are proposed currently and eventual residences would be reviewed by the Town through future development applications.</p>
<p>2.4 Footprints of Buildings. Utilize smaller footprints to minimize the built area of a site and to allow the maximum amount of landscaped and/or permeable surfaces.</p>	<p>As described in Section III, the proposed project has removed the previously-proposed water tank and associated roadway and grading, and also balances grading on-site. In addition, project grading has decreased compared to previous designs. Total cut and fill has been reduced by 64% from 61,500 cubic yards (CY) in the prior design to 22,400 CY in the current project. Most of the reduction in grading would be a result of lessening the road grade over steep terrain at the site entrance as well as the elimination of a previously-proposed water tank and associated access road.</p>

Policy/Guideline	Proposed Project
Part III – Excellence of Design	
<i>Goal 3: Design With Nature, Neighborhood and Community</i>	
<p>3.1 Building and Site Design. Design all structures and improvements to respect existing natural topographic contours. Open areas and buildings shall be located to protect land forms and natural site features, including cultural places and resources, wherever possible. Where feasible, site development must avoid intact or previously disturbed cultural resources during excavation and grading.</p>	<p>The proposed project has been designed to avoid unnecessary grading. Most of the common road would be depressed in a graded cut, with retaining walls on the westerly side and a cut upslope on the easterly side. The curving entranceway would have a maximum slope of 18 percent compared to the 27 percent average slope of the existing topography at this location.</p> <p>Although the project would increase impervious area compared to existing conditions, the impervious area would be limited to the new homes, driveways, and access road, leaving a substantial portion of the site as undeveloped open space. Furthermore, as stated in Section IV.L (Cultural Resources), no evidence of prehistoric or historic archaeological sites or human remains has been identified for the project site.</p>
<p>3.2 Landscape Design. Where appropriate, encourage landscape designs that incorporate existing native vegetation, enhance the cohesiveness of the Town’s lush, organic landscape and integrate new planting with existing site features. Plans shall recognize the importance of open space on a lot and shall address the look and feel of the space between structures so as to avoid overbuilding.</p>	<p>As indicated in Section III (Project Description), the tree replacement plan calls for 977 replacement trees on a site where 428 trees would be removed for the three homes and infrastructure, attaining a replacement ratio of 2.7:1. While the proposal could accommodate the remaining 103 trees to reach full 3:1 replacement ratio compliance on-site, the applicant proposes to fund an economic equivalent of public tree plantings as part of the Downtown Tree Plan. The Preliminary Landscape Plan also indicates that disturbed areas would be reseeded with a mix of native seeds and that drip irrigation systems would be installed for each lot.</p> <p>Buildout of the proposed project would result in the addition of three new homes on the project site which would be generally consistent with the overall mix of land uses in the project area. The massing and height of the proposed project would be similar to nearby residential uses.</p>
<p>3.3 Buildings on Sloping Land. New buildings and additions to existing residential buildings constructed on sloping land should be designed to relate to the current landforms with the goal of integrating the building with the site (e.g., step with the slope). Low retaining walls are encouraged where their use would minimize uphill cutting, and large single-plane retaining walls should be avoided. Cut and fill areas and on/off-hauling should be minimized, especially in locations of limited or difficult access. Special care should be taken to final grade all disturbed areas to a natural appearing configuration and to direct</p>	<p>The project site is located on a steep, east-facing hillslope with intervening ravines and gullies. Elevations range from approximately 165 feet at the Upper Road access point to approximately 676 feet at the property’s westerly corner. Slopes range from relatively flat in a few locations to very steep (above 50 percent) in the lower canyon areas. The topography in the central portion of the site forms a large easterly facing bowl bounded by a low ridge above Upper Road and higher ridges to the south and west. The northeast-facing finger of the site, which abuts Upper Road and provides access to the entire parcel, climbs from an elevation of 165 feet to 240 feet over a distance of about 280 feet, for an average slope of about 27 percent.</p>

Policy/Guideline	Proposed Project
stormwater runoff to areas where water can naturally infiltrate the soil.	As described in Section III (Project Description), the project objectives of balancing cut and fill on-site and reducing road grades is proposed to be accomplished by taking the cut material from the road system and incorporating it into a single fill pad on Parcel 1 with irregular contours which preserve the adjacent Redwood grove and swales. A series of six terraced concrete retaining walls of approximately six feet in height would also be constructed on Parcel 1 to buttress the fill material. Most of the common road would be depressed in a graded cut, with retaining walls on the westerly side and a cut upslope on the easterly side. The curving entranceway would have a maximum slope of 18 percent compared to the 27 percent average slope of the existing topography at this location.
<p>3.4 Bulk, Mass, and Scale. Minimize the perception of building bulk and mass so that homes are not out of scale, visually or structurally, with neighboring residences and their setting. Consider building bulk and mass during the design review process, and when applying requirements and guidelines addressing Floor Area Ratio (FAR), maximum home floor area and other development standards. Building heights should stay in scale with surrounding vegetation and buildings.</p>	<p>As described in Section III (Project Description), no specific residential designs are proposed at this time and none would be reviewed as a part of the current application. If the subdivision is approved, the Town will review any subsequent applications for custom-built homes on each individual parcel in accordance with the Zoning Ordinance and other applicable standards and procedures.</p> <p>However, the Preliminary Development Plan (Figure III-9) presents several basic assumptions about the proposed homes on the project site. These assumptions are used in this Draft SEIR where applicable. The Preliminary Development Plan identifies the general shape and location of the respective building sites (denoted as "conceptual building areas" on the plans) and incorporates them into the project's grading requirements. The sizes of the future homes are proposed to be approximately 6,669 square feet (sf; Parcel 1), 8,834 sf (Parcel 2), and 7,658 sf (Parcel 3). The applicable 30-foot height limit could easily accommodate two story structures.</p>
<p>3.5 View Protection. Preserve views and access to views of hillsides, ridgelines, Mt. Tamalpais and Bald Hill from the public right-of-way and public property. Ensure that the design look and feel along major thoroughfares maintains the "greenness" of the Town.</p>	<p>As described in Section IV.B (Aesthetics), during the grading of the project site and the removal of trees, the change in the views of the site would be noticeable and from some locations, may appear to be a substantial change from what exists now. Short-term aesthetics impacts were found to be significant and unavoidable. However, after the new trees and associated landscaping have matured, the visual changes would not be as visible. Accordingly, after implementation of mitigation measures, including landscaping and conformance with all required regulations, ordinances and codes, the proposed project would have a less than significant impact on views in the vicinity of the project.</p>
<p>3.8 Driveways and Parking Areas. Driveways and parking areas should be</p>	<p>As described in Section III (Project Description), IV.B (Aesthetics), and IV.G (Hydrology and Water Quality) the</p>

Policy/Guideline	Proposed Project
designed to minimize visibility from the street and to provide safe access, minimal grading and/or retaining walls, and to protect water quality. Permeable materials should be used to increase water infiltration. Driveways and parking areas should be graded to minimize stormwater runoff.	proposed project's driveway(s) have been designed to minimize hazards associated with lack of visibility, stormwater runoff, and improved site access for emergency vehicles.
<i>Goal 4: Protecting Historic Places and Resources</i>	
4.2 Design Compatibility with Historic Resources. Require new construction to harmonize with existing historic buildings and resources, and ensure a compatibility of landscaping with Ross' historic character.	As described in the project's initial study (Appendix A), Tom Origer & Associates conducted a cultural resources study of the project site in October 2012. Their findings indicated that no historical resources, as defined in §15064.5, are present on the site or adjacent to the site (Origer 2012).
4.5 Archaeological Resources. Implement measures to preserve and protect archaeological resources. Whenever possible, identify archaeological resources and potential impacts on such resources. Provide information and direction to property owners in order to make them aware of these resources. Require archaeological surveys, conducted by an archaeologist who appears on the Northwest Information Center's list of archaeologists qualified to do historic preservation fieldwork in Marin County, in areas of documented archaeological sensitivity. Develop design review standards for projects that may potentially impact cultural resources.	As described in Section IV.L (Cultural Resources), no evidence of prehistoric or historic archaeological sites has been identified for the project site. The cultural resources study conducted of the site did not identify any archaeological resources through archival research or field survey. Any potential impacts to unknown archaeological resources would be less than significant after implementation of Mitigation Measure CULT-1.
Part IV – Assuring the Health and Safety of the Community	
<i>Goal 5: Protecting Community Health and Safety, and Preparing for Emergencies</i>	
5.1 Location of Future Development. Development will only be permitted in areas where risks to residents can be adequately mitigated.	As described in Section IV.E (Geology and Soils), IV.F (Hazards and Hazardous Materials), IV.G (Hydrology and Water Quality), and in the project's Initial Study (Appendix A), after implementation of mitigation measures and conformance with all required regulations, ordinances, and codes, the proposed project would have a less-than-significant impact to residents in the vicinity of the project.
5.2 Geologic Review Procedures. At the time a development is proposed, Ross geologic and slope stability maps should be reviewed to assess potential geologic hazards. In addition, suitability for development must be based on site-specific geotechnical investigations.	Geologic hazards are described in detail in Section IV.E (Geology and Soils). The project's analysis was based on site-specific geotechnical investigations and a review of all applicable geologic and slope stability maps, all of which have been subject to a third party peer review. Mitigation measures included in Section IV.E would ensure that potentially significant geology and soils impacts are reduced to a less-than-significant level.

Policy/Guideline	Proposed Project
<p>5.3 Fire Resistant Design. Buildings should be designed to be fire defensive. Designs should minimize risk of fire by a combination of factors including, but not limited to, the use of fire-resistant building materials, fire sprinklers, noncombustible roofing and defensible landscaping space.</p>	<p>As described in Section IV.F (Hazards and Hazardous Materials), the number of wildfires that have occurred in the Ross Valley is minimal but the threat has risen with increased development and human activities. Therefore, it can be expected that the effect of additional development in this area could further increase the occurrence of wildfires. This effect is potentially significant but would be mitigated to less than significant levels by project-specific mitigation measures including but not limited to implementation of fire prevention measures such as brush clearance, fire-resistant building materials, and noncombustible roofing (Mitigation Measure Haz-2a).</p>
<p>5.4 Maintenance and Landscaping for Fire Safety. Ensure that appropriate fire safety and landscaping practices are used to minimize fire danger, especially in steeper areas. Due to the high fire hazard in the steeper areas of Town, special planting and maintenance programs will be required to reduce fire hazards in the hills and wildland areas, including removal of invasive non-native vegetation such as broom, acacia and eucalyptus.</p>	<p>Section IV.F (Hazards and Hazardous Materials) describes the potential wildfire hazards and includes mitigation that would lessen potentially significant impacts related to fire in the project area to a less-than-significant level.</p> <p>For example, Mitigation Measure HAZ-2a states that the proposed project components shall comply with all applicable Uniform Fire Code (UFC), California Fire Code (CFC), the California Urban-Wildland Interface Code (2003 ed.), and all Town and RVFD ordinance requirements for residential development located in high fire danger areas regarding the following: building construction methods and materials; the ease of site access; the adequacy of water mains, namely of fire-flow pressures and volumes; and the re-vegetation of all manufactured slopes with fire retardant (native) landscaping; and strict and timely adherence to RVFD-mandated fire-safety brush clearance regulations. Fire retardant plant species are detailed in the <i>Pyrophytic vs. Fire Resistant Plants</i> guide prepared by the University of California Cooperative Extension and FIRE Safe Marin (UCCE 1998).</p>
<p>5.5 Fire Safety in New Development. New construction will adhere to all safety standards contained in the Building and Fire Code. Hazards to life and property shall be minimized by such measures as fire preventive site design, fire resistant landscaping and building materials, and the use of fire suppression techniques and resources.</p>	<p>As described above and in Section IV.F (Hazards and Hazardous Materials), the proposed project would conform to all applicable building and safety standards.</p>
<p>5.6 Noise/Land Use Compatibility Standards. The Land Use/Noise Compatibility Standards apply to the siting and design of new structures and substantial remodels. Any project that is located in a “conditionally acceptable” or “normally unacceptable” noise exposure area will be required to prepare an acoustical analysis.</p>	<p>As discussed in Section IV.I (Noise), the proposed project is located within the “normally acceptable” noise category. The proposed project would not result in significant noise impacts during the long-term operation of the project. However, during construction the proposed project would generate significant and unavoidable noise impacts, even with implementation of Mitigation Measure NOISE-3.</p>

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Noise mitigation features may be required by the Town.	
<p>5.7 Noise Standards for Exterior Residential Use Areas. The noise standard for exterior use areas (such as backyards) in residential areas is 55dB (decibels) Ldn (a day-night weighted 24-hour average noise level). All areas of Ross meet this standard except for those properties located along Sir Francis Drake Boulevard. General Plan policy requires that any new residential construction meet this standard.</p>	<p>As discussed in Section IV.I (Noise), the existing and foreseeable future noise exposure from operation of all building sites would be significantly less than an Ldn of 55 dBA, meeting the Town of Ross' noise performance standards for outdoor use areas in residential areas. Noise impacts resulting from the existing and future environmental noise exposure on all building sites would therefore be considered to be less than significant and no mitigation is required.</p>
<p>5.8 Interior Noise Standards. Protect the community against the effects of intrusive and unhealthy exterior noise sources. Establish interior noise standards for new residential and residential health care projects of 40dB (Ldn) for bedrooms and 45dB (Ldn) for other rooms - decibel levels determined based on a day-night weighted 24-hour average noise level.</p>	<p>As discussed in Section IV.I (Noise) and policies 5.6 and 5.7, noise levels during the operational phase of the proposed project would be less than significant. Construction noise impacts would be significant and unavoidable even after the implementation of Mitigation Measure Noise-3.</p>
<p>5.10 Traffic and Construction Noise. Require mitigation of construction and traffic noise impacts on the ambient noise level in the Town.</p>	<p>Section IV.I (Noise) describes potential impacts and mitigation measures related to construction phase noise levels. Construction-related noise levels are normally highest during the demolition phase and during the construction of project infrastructure. These phases of construction require heavy equipment that normally generates the highest noise levels over extended periods of time. Typical hourly average construction generated noise levels are about 81 to 88 dBA L_{eq} measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.).</p> <p>No cut material would be off-hauled by truck through Town roads as the proposed project would balance cut and fill on-sit. Therefore, construction related traffic would be limited to the contractor vehicles and the occasional delivery of heavy equipment. Noise complaints generally involve construction and operation of landscape maintenance equipment during the operational phase of a project.</p> <p>Construction of the access road and driveways is expected to take up to six months with up to two months of this period involving the noisiest excavation grading and paving activities. Thus, there would be a significant, unavoidable short-term construction noise impact. Mitigation Measure Noise-3 provides limits on construction hours, in addition to construction practices that will limit the overall noise level and contain construction activities to a specified time frame. However,</p>

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	significant unavoidable adverse noise impacts would remain during project construction.
<p>5.11 Hazardous Materials Storage and Disposal. Require the proper use, storage, and disposal of hazardous materials to prevent leakage, contamination, potential explosions, fires or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.</p>	<p>As described in the project's Initial Study (Appendix A), full implementation of the proposed project would result in the routine handling and use of small quantities of commercially-available hazardous materials, such as household cleaning and landscaping supplies. These materials would not be expected to be used in large quantities or contrary to normal use, and therefore would not pose a threat to human health or the environment. Furthermore, the project is not expected to generate or use high levels of hazardous materials during its operation. No upset or accident conditions resulting in the release of hazardous material into the environment can be reasonably expected to occur during operation of the project.</p> <p>Also, no home designs are proposed currently and the single family residences would be reviewed by the Town through future development applications and would be subject to all federal, state, and local plans and policies.</p>
<p>5.12 Access for Emergency Vehicles. New construction shall be denied unless designed to provide adequate access for emergency vehicles, particularly firefighting equipment.</p>	<p>As described in Sections IV.F (Hazards and Hazardous Materials), IV.J (Transportation and Traffic), and IV.A (Impacts Found To Be Less Than Significant), only one ingress and egress location for the project is proposed at Upper Road. Also, the proposed driveway has an average slope of 15 percent, a consistent width of 20 feet, and curve radii that comply with applicable County road standards (the Town of Ross has no such standards). A hammerhead turnaround fire truck area at end of the common road is also proposed; however, such emergency access plans have not yet been approved by the Ross Valley Fire Department (RVFD). The RVFD and Kentfield Fire Protection District have reviewed the project and found that after implementation of mitigation and conformance with required design criterion, discussed in Section IV.F, the proposed project would have less than significant impacts related to fire protection services and emergency access.</p>
<p>5.13 Town Responsibilities for Emergency Preparation and Response. Undertake emergency preparedness planning in cooperation with other public agencies and local organizations. Publicize emergency plans, provide information on disaster preparedness to residents and businesses, and continue essential Town emergency public services during natural disasters.</p>	<p>As described in Section IV.F (Hazards and Hazardous Materials), Ross has established emergency preparedness procedures to respond to a variety of natural and man-made disasters that could occur within the area. The Town has worked to prepare and practice emergency response and to minimize risks of fire danger by emphasizing responsible landscaping practices (especially in the steeper, less accessible areas of the Town). The project would be located in an area as having steeper slopes and therefore is subject to additional design criteria listed in the Hillside Lot Ordinance and Special Hazard District requirements. Provided all applicable codes and policies are followed and required</p>

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	project specific mitigation measures described in Section IV.F are carried out, the proposed project would not impair the Town's responsibilities for emergency preparation and response.
<i>Goal 6: Protecting Creek Habitat and Reducing Flooding Hazards</i>	
<p>6.1 Flood Protection in New Development. All new construction and substantial remodels within the 100-year floodplain must comply with the Town's floodplain regulations.</p>	<p>As discussed in Section IV.G (Hydrology and Water Quality), broad flood inundation is relatively common in several floodplain and low-lying areas of the Corte Madera Creek watershed, including residential and commercial areas within Fairfax, San Anselmo, Ross, and Kentfield. These broad flood inundation areas are located approximately 0.7 miles to the east of the project site. Part of the eastern margin of the project site is within the riparian corridor of Ross Creek. This section of Ross Creek contains the one percent chance flood. The entire project site area is designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) as Zone X.</p>
<p>6.2 Flood Control Improvements. The Town supports the construction of flood control improvements consistent with the natural environment, the design character of the Town of Ross and the safety and protection of persons and property.</p>	<p>As discussed in Section IV.G (Hydrology and Water Quality), the project applicant shall submit a Project Applicant Checklist, per NPDES Permit Requirements, to the City during the building permit phase. This document shall show the post-construction BMPs that will be incorporated into the project to maintain pre-project hydrologic conditions, Mitigation Measure HYDRO-2A, in accordance with the MRP, MCSTOPPP, and the Town of Ross's requirements.</p>
<p>6.3 Ross Valley Flood and Watershed Protection. The Town will work with other jurisdictions within the Ross Valley watershed to develop a comprehensive approach to flood protection and resource preservation strategies.</p>	<p>As discussed in Section IV.G (Hydrology and Water Quality), the project application shall submit a SWPPP, Mitigation Measure HYDRO-1. The SWPPP shall be consistent with the Town of Ross Municipal Code Section 12.28.090(3) titled Best Management Practices for New Developments and Redevelopments. The full requirements of this SWPPP can be seen in Section IV.G (Hydrology and Water Quality),</p>
<p>6.4 Runoff and Drainage. Stormwater runoff should be maintained in its natural path. Water should not be concentrated and flow onto adjacent property. Instead, runoff should be directed toward storm drains or, preferably to other areas where it can be retained, detained, and/or absorbed into the ground.</p>	<p>The proposed project has been designed for storm water runoff to follow its natural path as much as possible. However, as described in Section IV.G (Hydrology and Water Quality), site grading will move the drainage divide farther to the north than it is under existing conditions, reducing the northerly drainage area by 0.26 acres. Accordingly, the project would increase the southerly drainage area tributary to Ross Creek by 0.26 acres. Mitigation Measure HYDRO-1 requires the applicant to adhere to all conditions of approval listed in the agreement obtained from the regulatory agency. Implementation of mitigation measures described in Section IV.G (Hydrology and Water Quality) would lessen potentially significant impacts to a less-than-significant</p>

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<p>6.5 Permeable Surfaces. To the greatest extent possible, development should use permeable surfaces and other techniques to minimize runoff into underground drain systems and to allow water to percolate into the ground. Landscaped areas should be designed to provide potential runoff absorption and infiltration.</p>	<p>level.</p> <p>Although the project would increase impervious area compared to existing conditions, the impervious area would be limited to the new homes, driveways, and access road, leaving a substantial portion of the site as undeveloped open space.</p> <p>As described in Section III (Project Description), runoff collected on developed hard surfaces would be directed to storm drain inlets and transported in short pipes to downslope outlets/energy dissipaters to merge with sheet flows of runoff flowing to the existing Swan Swale. Four inlet, pipe and dissipater systems are proposed along the driveway system. Stormwater collected on the entrance roadway would flow in the gutter to Upper Road where it would be diverted to the drainage ditch along Upper Road. Two detention basins on Swan Swale would capture uphill drainage in a manner that would result in less post project off-site drainage than existing conditions in compliance with Town Code Sections 18.39.090 (i) and 15.54.010 (b).</p>
<p>6.6 Creek and Drainageway Setbacks, Maintenance and Restoration. Keep development away from creeks and drainageways. Setbacks from creeks shall be maximized to protect riparian areas and to protect residents from flooding and other hazards. Encourage restoration of runoff areas, to include but not be limited to such actions as sloping banks, providing native vegetation, protecting habitat, etc., and work with property owners to identify means of keeping debris from blocking drainageways.</p>	<p>The proposed project has been designed to develop the most sustainable portion of the site and leaves the remainder of the site in its natural state. However, as described in Section IV.D (Biological Resources), the installation of detention basins would permanently remove riparian vegetation associated with Swan Swale. Mitigation Measure BIO-2 requires the applicant to adhere to all conditions of approval listed in the agreement obtained from the regulatory agency. In addition to measures listed by CDFG, the applicant shall compensate for impacts to riparian habitat as required by the policies of the Town of Ross General Plan under Policy 6.7. Implementation of mitigation measures described in Section IV.D (Biological and Forestry Resources) would lessen potentially significant impacts to a less-than-significant level.</p>

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<p>6.7 Riparian Vegetation. Protect existing creek and riparian vegetation and encourage the use of native species during creek restoration. Assure that modification of natural channels is done in a manner that retains and protects creekside vegetation, integrates fish passage and includes habitat restoration in its natural state.</p>	<p>As stated in Section IV.D (Biological and Forest Resources), riparian habitat associated with the Swan Swale is present on-site; and portions of the actual channels (i.e., bed and back) occur within the project boundaries. The project proposes to construct storm drain inlets and short pipes to downslope outlets/energy dissipaters to merge with sheet flows of runoff flowing to the existing Swan Swale. Four inlet, pipe and dissipater systems are called for along the driveway system. Two detention basins on Swan Swale would capture uphill drainage in a manner that would result in less post project off-site drainage than existing conditions in compliance with Town Code Section 18.39.090 (i).</p> <p>The CDFG exerts jurisdiction over the bed and banks of rivers, lakes, and streams according to provisions of Section 1601 to 1603 of the Fish and Game Code. The Fish and Game Code requires a Streambed Alteration Agreement for the fill or removal of material within the bed and banks of a watercourse or waterbody and for the removal of riparian vegetation. Prior to the issuance of a grading permit, the applicant shall obtain a Streambed Alteration Agreement from CDFG. The applicant shall adhere to all conditions of approval listed in the agreement obtained from the regulatory agency. In addition to measures listed by CDFG, the applicant shall compensate for impacts to riparian habitat as required by the policies of the Town of Ross General Plan. Implementation of the above measures would mitigate potentially significant impacts to riparian areas to a less-than-significant level.</p>
<p>Part V – Easy and Safe Travel Throughout Ross</p>	
<p><i>Goal 7: Safe, Connected and Well-Maintained Streets, Pedestrian and Bicycle Routes</i></p>	
<p>7.1 Safe Streets. Provide streets that are as user-friendly and safe as possible for motorists, pedestrians and bicyclists.</p>	<p>The proposed project would be accessed from Upper Road, west of Glenwood Avenue. Upper Road is a local collector street providing access to Glenwood Avenue and Lagunitas Road and to Oak and Bolinas Avenues along the Ross/San Anselmo town limits. Upper Road is narrow with a hairpin curve at the project entrance. Street design reflects Town standards with no sidewalks, no centerline or edge line stripe, and one-lane roadways serving low-volume local traffic. Pedestrians are required to walk in the travelway, as the shoulders are narrow and uneven. The alignment is winding, relatively steep, and varies with terrain and locations of mature trees. The pavement width is generally between 12 and 16 feet.</p> <p>As stated in the Initial Study (Appendix A), the anticipated transit demand generated by the proposed project is expected to be accommodated by the existing transit routes. As stated previously, currently pedestrians are required to walk in the travelway, as the shoulders on</p>

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	Upper Road are narrow and uneven. Project generated traffic would add minimally to the delay at some intersections, which suggests that the proposed project would not require modification of an existing alternative transportation facility located on- or off-site. In addition, project grading would be balanced on-site, thus eliminating the need for haul trucks to export soil down Upper Road. Therefore, the proposed project would not adversely affect street safety in the project area.
<p>7.2 Traffic Level of Service Standards. Sir Francis Drake Boulevard will not be widened to accommodate additional vehicular traffic. Establish a level of service (LOS) "D" along Sir Francis Drake Boulevard and level of service "C" on local streets during weekday mornings and evening peak hours using procedures from the most recent Highway Capacity Manual.</p>	As discussed in Section IV.J (Transportation and Traffic), the project will result in only one to two vehicles utilizing any single approach or movement at a given time. Therefore, it is reasonable to expect that the project will not result in a change in level of service on Sir Francis Drake Boulevard or local streets.
<p>7.4 Traffic Impacts. Ensure that full CEQA review is undertaken of significant development proposals in Ross, in nearby areas and along the Sir Francis Drake Boulevard corridor that may impact traffic operations, safety, air quality and other environmental conditions.</p>	Traffic and transportation impacts are described in detail in Section IV.J (Transpiration and Traffic). The project's analysis was based on a site-specific traffic impact study of the local area. It concluded that the limited potential for the project to increase traffic did not constitute a significant impact and no mitigation is required.
<p>7.5 Pavement Management. Maintain acceptable pavement management on all public streets and mitigate roadway impacts due to construction activities for aesthetic, structural and acoustical reasons. Hold developers responsible for pavement degradation caused by construction vehicles.</p>	As discussed in Section IV.J (Transportation and Traffic), the proposed project's construction is designed to have minimal impacts on roadways. During the grading and construction phases, construction traffic would primarily consist of worker vehicles and trucks that would enter and exit the project site. The staging of construction equipment would occur on the project site. The project objectives of balancing cut and fill on-site and reducing road grades is proposed to be accomplished by taking the cut material from the road system and incorporating it into a single fill pad on Parcel 1. The result is that no material would be off-hauled by truck through Town roads. Therefore, project construction would have minimal effects on public roads.
<p>7.6 Parking Program. Address on-site and street parking needs through adequate parking standards and enforcement. Limit on-street and overnight parking.</p>	As discussed in Section IV.J (Transportation and Traffic), the proposed project would have on-site parking accessed by a common driveway.
<p>Part VI – The Future Use of Our Land</p>	
<p><i>Goal 8: A Beautiful, Safe and Close-Knit Community</i></p>	
<p>8.1 Land Use Plan. Establish land use categories, densities and intensities of land</p>	As described in Section III (Project Description), the proposed project's land use designation allows for an

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<p>use, as depicted on the Land Use Plan, that support the vision and goals of the Ross General Plan.</p>	<p>average of 0.3 to 3.0 persons per acre and is consistent with R-1:B-A, R-1:B-5A and R-1:B-10A zoning, with lots of one acre or more in size. The site is zoned R-1:B-10A, Single Family Residential, 10-acre minimum lot size.</p> <p>Four residential parcels abut the site. The smallest is 1.0 acre; the others are 2.1, 2.8, and 4.0 acres respectively. Of these, the site shares 769 feet of common boundary with the 7 Upper Road parcel, 383 feet with 31 Upper Road, 233 feet with 27 Upper Road, and 191 feet of common boundary with 25 Upper Road. The proposed project is consistent with existing zoning and land use designation.</p>
<p>8.2 Densities and Intensities of Land Uses. Define limits on densities of development as shown on the Land Use Plan. Development on any site shall conform to existing zoning and the following factors: site resources and constraints; potentially hazardous conditions; traffic and access; adequacy of infrastructure (water, sewer, etc.); design policies; development patterns of adjacent areas; and prevailing densities or intensities of adjacent areas.</p>	<p>As described in Section IV.H (Land Use and Planning), the project is located in the R:1-B-10A Single Family Residential 10-acre minimum lot size zoning category. The project will subdivide a single parcel into three lots with each having a minimum of 11 acres. A detailed description of physical conditions and the project's potential impacts are found in sections IV.A through IV.L.</p>
<p>8.7 Enforcement of Regulations. Ensure the safety, proper construction and maintenance of buildings, property and neighborhoods through enforcement of codes, public education and cooperation with other public agencies.</p>	<p>As described in Section III (Project Description) and sections IV.A through IV.L, the proposed project will fulfill all applicable regulations.</p>
<p><i>Goal 9: Excellence of Community Stewardship</i></p>	
<p>9.2 Adequate Town Services. Maintain facilities and staffing to support general government, public works, fire protection and police services that are responsive to local needs. Use the design and development review process to minimize increases in service needs resulting from new development.</p>	<p>As described in the Initial Study (Appendix A), the proposed project would have a less than significant impact to public services such as police and fire service response times. Furthermore, all future development is subject to the design and development review process.</p>
<p>9.3 Water and Sewer Service. Coordinate with Marin Municipal Water District (MMWD) and Ross Valley Sanitary District (Sanitary District No. 1) in the provision of adequate water and sewer facilities to meet the current and future needs of the Town.</p>	<p>As described in the Initial Study (Appendix A) and Section IV.K (Utilities and Service Systems), the proposed project would have a less than significant impact to the water and sewer facilities of Marin Municipal Water District and Ross valley Sanitary District after implementation of Mitigation Measure UTIL-1. Mitigation Measure UTIL-1 states that the project shall adhere to all requirements pursuant to a PSX permit, such as the responsibility to fund sewer line improvements, as necessary.</p>

Impact LU-2 Consistency with Applicable Zoning and Ordinances

Town of Ross General Hillside Zoning Ordinance

The proposed project is generally consistent with the provisions of the Ross Municipal Code and Implementing Zoning Ordinance. The proposed project would subdivide a 35.97 acre undeveloped parcel zoned R1:B10-A into three parcels of 11.89, 11.0 and 13.08 acres each, maintaining the same zoning. Pursuant to Municipal Code 18.39.020(c), any land division which has a natural slope or building site slope of thirty percent or greater for any existing or proposed lots will require a hillside lot application.

The density of residential development on the site would be consistent with the character, size and scale of land uses located to the northwest and east as it would develop three single-family residential homes with an average lot size of 11 acres. In addition, the proposed project would undergo site design and architectural review by the Town Council and the Advisory Design Review Group. As previously stated, inconsistency may indicate a significant physical impact, but the inconsistency is not itself an impact. The physical impacts of the project are analyzed in section IV.A through IV.L of this Draft SEIR. Thus, impacts related to the project's consistency with applicable plans and polices would be ***less than significant***.

CUMULATIVE IMPACTS

Implementation of the proposed project in conjunction with the related projects listed in Table III-1, Related Projects, of this Draft SEIR would result in the continued development (or redevelopment) of various land uses in the Town of Ross. Several of the other related projects may require discretionary actions. Each of these related projects would be required to demonstrate consistency with the goals, policies, and objectives of the General Plan, applicable regional plans and compatibility with surrounding land uses. Development of the proposed project in conjunction with the related projects would result in a modest intensification of existing prevailing land uses in the project area. Due to the distance between the closest related projects and the project site, implementation of the related projects would not cumulatively interact with the proposed project from a land use planning standpoint. Therefore, cumulative land use impacts are considered to be ***less than significant***.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

Project and cumulative impacts associated with land use and planning would be ***less than significant*** and mitigation measures are not required pursuant to State *CEQA Guidelines* Section 15126.4(a)(3).