



### Staff Report

**Date:** October 13, 2016  
**To:** Mayor Hoertkorn and Council Members  
**From:** Heidi Scoble, Planning Manager  
**Subject:** Hobbs Residence, 187 Lagunitas Road, File No. 2016-043

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#### Recommendation

Town Council adopt Resolution No. 1969 allowing an amendment to Demolition Permit, Design Review, a Hillside Lot Permit, a Use Permit, and Tree Removal Permit Application No. 2016-018 for the removal of six redwood tree prior to issuance of a building permit.

#### Property Information:

Owner:	James and Helen Hobbs
Design Professional:	Ross Dotter
Location:	187 Lagunitas Road
A.P. Number:	73-211-39
Zoning:	R-1:B-A (Single Family Residence, 1-acre min. lot size)
General Plan:	Very Low Density (.1-1Unit/Acre)
Flood Zone:	Zone X (outside 1-percent annual chance floodplain)

#### Background

On June 14, 2016, the Town Council adopted Resolution 1956 conditionally approving a Demolition Permit, Design Review, a Hillside Lot Permit, a Use Permit, and Tree Removal Permit for the demolition and new construction of a single family residence, a detached garage, a guest house, and the removal of 6 redwood trees. The June 14, 2016 Staff Report and Resolution 1956 is attached.

#### Project Description

The applicant is requesting Town Council approval for the removal of six redwood trees prior to issuance of a building permit related to the approved project associated with Demolition Permit, Design Review, a Hillside Lot Permit, a Use Permit, and Tree Removal Permit 2016-018 that was approved by Resolution 1956.

The applicant has stated that the main reason for the removal of the trees prior to issuance of a building permit is to allow the trees to be cured for 10-12 months to allow the trees to be used for the exterior siding of the approved project (see the Attachment 5 for the project description letter prepared by the applicant).

**Key Issue**

The Town of Ross is known for its unique bucolic setting that is comprised of tree-covered hills and landscaped streets and gardens. As represented by the Town’s General Plan, the existing scale and quality of architecture, along with a low density of development, create a community where the man-made and the natural environment co-exist in harmony. The primary issue associated with the proposed request is that if the trees are removed prior to issuance of a building permit, there is no guarantee that the approved project associated with Resolution 1956 would commence. In keeping with the intent above General Plan and the approved Design Review findings for the project, if the trees are removed and the approved project would be developed, then the scale and architecture would be appropriate. However, if the trees are removed prior to issuance of a building permit, and the project is not constructed, then the scale of the setting may not be appropriate for the site.

Although staff is generally in support of the trees to be incorporated into the project, staff is concerned that there is no surety that the project will be constructed. As such, staff would recommend approved of the Design Review Amendment provided that there would be a condition of approval that would require the following:

1. Prior to issuance of a Tree Removal, an arborist shall prepare an appraisal of the replacement cost for each tree to be removed. If a building permit is not issued to vest the project by June 30, 2018 or a time extension has not been approved by the Town Council, then the applicant shall pay the Town of Ross the replacement cost for each tree that was removed.
2. If a building permit is not issued to vest the project by June 30, 2018 or a time extension has not been approved by the Town Council, the property owner shall submit a landscape and tree replacement plan to address the removed trees.

With the above conditions, staff would support the removal of the six redwood trees prior to the issuance of a building permit.

**Public Comment**

Public Notices were mailed to property owners within 300 feet of the project site. As of the writing of the staff report, no public comments were received.

**Fiscal, resource and timeline impacts**

If approved, the project would be subject to one-time fees for a Tree Removal Permit fees in the amount of \$1,476 for the removal of the subject six redwood trees.

**Alternative actions**

1. Continue the project for modifications; or
2. Make findings to deny the application.

**Environmental review (if applicable)**

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15304 –*Minor Alterations to Land*, because the project would consist of the removal of trees associated with a project that was determined to be Categorical Exempt per Section 15303 for the new construction of a single family residence.

**Attachments**

1. Resolution No. 1969
2. June 14, 2016 Town Council Meeting Minute Excerpt
3. June 14, 2016 Staff Report
4. Resolution 1956
5. Project Description letter prepared by Russ Dotter, AIA, date stamped received September 12, 2016

# ATTACHMENT 1

# TOWN OF ROSS

## RESOLUTION NO. 1969

### A RESOLUTION OF THE TOWN OF ROSS APPROVING A DESIGN REVIEW AMENDMENT TO DEMOLITION PERMIT, DESIGN REVIEW, HILLSIDE LOT PERMIT, USE PERMIT, AND TREE REMOVAL PERMIT NO. 2016-018 TO ALLOW THE REMOVAL OF SIX REDWOOD TREES PRIOR TO ISSUANCE OF A BUILDING PERMIT AT 187 LAGUNITAS ROAD APN 073-211-39

**WHEREAS**, Dotter and Solfeld Architecture and Design have submitted an application on behalf of property owners James and Helen Hobbs, to allow an amendment to Demolition Permit, Design Review, a Hillside Lot Permit, a Use Permit, and Tree Removal Permit Application No. 2016-018 for the removal of six redwood tree prior to issuance of a building permit. at 187 Lagunitas Road; and

**WHEREAS**, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15304 – *Minor Alterations to Land*, because the project would consist of the removal of trees associated with a project that was determined to be Categorical Exempt per Section 15303 for the new construction of a single family residence; and

**WHEREAS**, on October 13, 2016, the Town Council held a duly noticed public hearing to consider the proposed project; and

**WHEREAS**, the Town Council has carefully reviewed and considered the staff report, correspondence, and other information contained in the project file, and has received public comment; and

**NOW, THEREFORE, BE IT RESOLVED** the Town Council of the Town of Ross hereby approves Design Review Amendment subject to the following conditions of approval:

1. Prior to issuance of a Tree Removal, an arborist shall prepare an appraisal of the replacement cost for each tree to be removed. If a building permit is not issued to vest the project by June 30, 2018 or a time extension has not been approved by the Town Council, then the applicant shall pay the Town of Ross the replacement cost for each tree that was removed.
2. If a building permit is not issued to vest the project by June 30, 2018 or a time extension has not been approved by the Town Council, the property owner shall submit a landscape and tree replacement plan to address the removed trees.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 13<sup>th</sup> day of October 2016, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Elizabeth Robbins, Mayor Pro Tempore

**ATTEST:**

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Linda Lopez, Town Clerk

## ATTACHMENT 2

**REGULAR MEETING of the ROSS TOWN COUNCIL  
on the SPECIAL DATE of TUESDAY, JUNE 14, 2016**

**1. 6:30 p.m. Commencement.**

Present: Mayor Katie Hoertkorn; Mayor Pro Tempore Carla Small; Council Member Elizabeth Brekhus; Council Member P. Beach Kuhl; Council Member Elizabeth Robbins; and Town Attorney Greg Stepanicich.

**Public Hearings on Planning Projects – Part II**

**16. 187 Lagunitas Road, Demolition, Design Review, Hillside Lot, Use Permit and Tree Removal Permit No. 2016-018, and Town Council consideration of adoption of Resolution No. 1956**

James and Helen Hobbs, 187 Lagunitas Road, A.P. No. 73-211-39, R-1:B-A (Single Family Residence, 1-acre min. lot size), Very Low Density (.1-1Unit/Acre). The applicant is requesting a Demolition Permit, Design Review, Hillside Lot Permit, Use Permit, and a Tree Removal Permit to allow for the 100% demolition of the existing residence and detached accessory structure and the new construction of a 2,068 square foot single family residence, a 525 square foot detached garage, and a 845 square foot detached accessory structure to be utilized as a guest cottage. The project would include a revised architectural layout and design of the site, in addition to new landscape and hardscape improvements. The Demolition Permit is required for the demolition of the existing structures, Design Review is required for the demolition of the existing buildings and construction of the project, a Hillside Lot Permit is required to allow for development on a parcel that has an average slope of 30% of greater, and a Use Permit is required to allow for the Guest Cottage use. The Tree Removal Permit would allow the removal of 6 redwood trees.

Existing and proposed conditions:

<b>Lot Area</b>	<b>3.01 Acres (131,115 square feet)</b>		
<b>Existing Floor Area/Ratio</b>	<b>2,825 sq. ft.</b>	<b>2%</b>	
<b>Proposed Floor Area/Ratio</b>	<b>3,438 sq. ft.</b>	<b>2.6%</b>	<b>(15% permitted)</b>
<b>Existing Lot Coverage</b>	<b>7,225 sq. ft.</b>	<b>5.5%</b>	
<b>Proposed Lot Coverage</b>	<b>6,899 sq. ft.</b>	<b>5.2%</b>	<b>(15% permitted)</b>
<b>Existing Impervious Surfaces</b>	<b>7,482 sq. ft.</b>	<b>5.7%</b>	
<b>Proposed Impervious Surfaces</b>	<b>4,797 sq. ft.</b>	<b>3.6%</b>	

Planning Manager Heidi Scoble summarized the staff report and recommended that the Council adopt Resolution No. 1956, conditionally approving a demolition permit, design review, a hillside lot permit, a use permit, and tree removal permit for the demolition and new construction of a single family residence, a detached garage, a guest house, and the removal of 6 redwood trees.

Council Member Robbins asked staff if there was connection between the bedroom area and main house. Planning Manager Scoble responded that it is an enclosed hallway with stairs. Council Member Robbins asked staff if it is possible at some point to install a kitchen in the bedroom area or guest house. Planning Manager Scoble explained that as a single-family residence they are only allowed to have one kitchen. Based on zoning, only one kitchen is allowed



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in a residence, but the guest cottage could have a kitchen. Based on the zoning regulations definition of guesthouse, it could not be rented. The property comes with the residence and guesthouse. Council Member Robbins asked if the Council has discretion to not allow a kitchen in the guesthouse. Planning Manager Scoble responded in the affirmative.

Russ Dotter, Architect, stated that the most important element is that this is a family home. They are designing a house for their growing family. They are trying to do something different than a standard house. The main house will be the large space for family gatherings. They widened the road, added a hammerhead and retaining walls. The main house is within the redwood forest and they want to do minimal grading. There will be a bridge going from the main house to the master bedroom in order to add interest. They are very concerned about the house blending in to its environment and have the feeling that it belongs, so they are sighting the house in such a way that it feels good. Originally, they had two guesthouses and realized the one guesthouse would impact the east neighbors so they eliminated that guesthouse and combined them into one guesthouse with two bedrooms and two bathrooms along with a porch. This guesthouse was never intended to be short-term rental. It has always been a place for their children and grandchildren. The applicants are willing to sign an agreement indicating that they will not rent this house and they are willing to do a deed restriction indicating this is not allowed to be a rental.

Mayor Pro Tempore Small understands they are under the 3,500 sq. ft. to have the less restrictive setbacks, but if they wanted to use more of their square-footage it will kick in the more restrictive, larger setbacks, and then they would have to ask for a nonconformity permit. They are tearing everything down, so this is a fresh slate, and she could see no justification for granting a nonconformity permit. Regardless of the slope and square-footage, she believed the applicants limited themselves to this square-footage. If the family grows, it will be difficult for the Council to come back and have the findings to allow a nonconformity permit and allow the additional structures. Architect Dotter responded that the applicants plan on living in this home for the rest of their lives. If all four children are home with grandchildren, they feel this home would work well.

Scott Yarnell, Landscape Architect, created a series of varying sized gathering spaces for the family to hang out. There is a small patio outside of the guesthouse bedroom. The plantings are all native to Marin. They propose additional screening between neighbors.

Mayor Pro Tempore Small opened the public hearing on this item.

Rich Hoertkorn, Lagunitas Road resident, stated that first impressions are everything. He is more aware of the Airbnb phenomenon. This place would generate \$5,000 to \$7,000 per week. There is an attractive nuisance if the Council does not carefully think this through. Airbnb is in over 30,000 cities. It is a way to leverage prime real estate. The Council must be careful with a 30-day rental agreement. It is not monitored or supervised. Currently, there's 13 Airbnb's in Ross. He preferred to keep their neighborhoods prime residential.

Peter Nelson, Circle Drive resident, added that they are trying to promote second units and this is a case by design and illustration there is a reason not to invite second units. He did hear that the applicants would be willing to sign an agreement outlining the restrictions for short-term rental. He felt it would be very important to get a deed restriction on this property.

Katie Hoertkorn, Lagunitas Road resident, pointed out that it is a family retreat and setup very differently than a traditional residential unit. Currently, they have no regulations and if they do have regulations it would require an individual to monitor. She further added that this is a small camp next door to them.

There being no further public testimony on this item, the Mayor Pro Tempore closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Robbins asked staff if they could put deed restrictions on this property. Town Attorney Greg Stepanicich responded that what is proposed is a condition by the property owner in regard to deed restricting the property. Typically, deed restrictions run with the land. A long-term residential lease of the property would still be a residential use of the property. The concern is turnover of rentals and whether it is being used as a temporary lodging type of place. There is no magic to the 30-days, but he is concerned about going beyond 60-days. He added that this is a judgment call by the Council. Planning Manager Scoble announced that the owner of the property would be willing to do a 60-day condition as opposed to the 30-day.

Town Attorney Stepanicich noted that the Council could add a condition that no kitchen would be allowed in the guesthouse. This would prevent this guesthouse from turning into a separate rental type unit. Planning Manager Scoble added that most communities have a wet bar area, but they could limit it to small cubic footage for the refrigerator, eliminate a stove, but have a small sink.

Council Member Kuhl felt it would be bad government to use this project as a basis for making a policy for short-term rentals. They must be consistent and fair. At the very least, if they put some sort of restriction on this property in regard to rentals, then it should be done to everyone. He had no problem to prevent the introduction of a kitchen in the guesthouse, but as a matter of good government they should not accept any restrictions proposed by the owner in regard to short-term rentals.

Mayor Pro Tempore Small believed restricting short-terms rentals would be difficult. There is a home on Bolinas going for \$1,200 per night and it has great reviews. Some of the smaller homes will be purchased and rented out short-term. It will start to get really problematic for neighbors and the community, but it is a cash cow.

Council Member Kuhl added that it is bad government to address the issue tonight with respect to this one particular property. Mayor Pro Tempore Small noted that this has a compound feel to it. There are several different entertainment areas. She is concerned for the Council trying to develop a short-term rental policy. This will be very difficult. Council Member Kuhl pointed out that it is not fair to start with this property. Planning Manager Scoble noted that it would take 18 months to construct the residence, so staff suggested adding a condition stating, *"prior to issuance of final sign off on the project, that the project returns back to the Council to vet whether or not the deed restriction or prohibition on short-term rentals is required."* That would give the Council some time to vet this issue. Council Member Kuhl pointed out that whatever the Council ends up doing it would apply to this property and every property in Town. Planning Manager

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Scoble noted that the project is designed appropriately and the building meets all their findings. The only issue is the short-term rental.

Council Member Robbins wanted a clear prohibition against kitchen facilities, cooking facilities and counter size as discussed. She is comfortable with the deed restriction for now until they have their policy in place.

Council Member Brekhus expressed concern for the screened in porch. This property does feel like a compound and believed they will need more space at a later date, but the owner indicated that is not the case. To put a condition on the kitchen is appropriate along with a restriction on short-term rentals.

Planning Manager Scoble added that the definition for the kitchen could be as follows: *“limited to a wet bar including a small sink, a refrigerator limited to 3.6 cubic feet and 6 linear feet of counter space.”*

Town Attorney Stepanicich provided the following language for the Council’s consideration:

- New Condition No. 5 – Short-term less than 60-days rental residence, which includes the garage and guesthouse as accessory uses is prohibited. Pursuant to the agreement of the applicant who shall record a deed restriction approved by Town Attorney setting forth this condition.
- No cooking facilities will be allowed and any refrigerator shall be limited to 3.6 cubic feet.

Town Manager Joe Chinn asked if a microwave would be included as a cooking facility. Mayor Pro Tempore did not feel it is realistic to prohibit a microwave.

Council Member Kuhl will vote in favor, but still believes this is bad government.

Mayor Pro Tempore Small asked for a motion.

**Council Member Robbins moved and Council Member Brekhus seconded, to adopt Resolution No. 1956 and approve 187 Lagunitas Road, Demolition, Design Review, Hillside Lot, Use Permit and Tree Removal Permit No. 2016-018, with the following conditions: Short-term, less than 60-days rental residence, which includes the garage and guesthouse as accessory uses is prohibited. Pursuant to the agreement of the applicant who shall record a deed restriction approved by the Town Attorney setting forth this condition; and no cooking facilities will be allowed and any refrigerator shall be limited to 3.6 cubic feet. Motion carried unanimously. Hoertkorn recused.**

*Mayor Hoertkorn resumed her seat at the dais.*

**End of Public Hearings on Planning Projects – Part II.**

**20. Adjournment.**

Mayor Hoertkorn moved to adjourn the meeting at 10:16 p.m.

# ATTACHMENT 3

# TOWN OF ROSS

## RESOLUTION NO. 1956

### A RESOLUTION OF THE TOWN OF ROSS APPROVING A DEMOLITION PERMIT, DESIGN REVIEW, A HILLSIDE LOT PERMIT, A USE PERMIT, AND A TREE REMOVAL PERMIT TO ALLOW THE NEW CONSTRUCTION OF A SINGLE FAMILY RESIDENCE, DETACHED GARAGE, AND GUEST HOUSE AT 187 LAGUNITAS ROAD, APN 073-211-39

**WHEREAS**, Dotter and Solfjeld Architecture and Design have submitted an application on behalf of property owners James and Helen Hobbs, for a Demolition Permit, Design Review, Hillside Lot Permit, Use Permit, and Tree Removal Permit to allow for the demolition of the existing residence and detached accessory structure and the new construction of a 2,068 square foot single family residence, a 525 square foot detached garage, a 845 square foot guest house, and the removal of six redwood trees at 187 Lagunitas Road (the "project"); and

**WHEREAS**, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15303 – *new construction or conversion of small structures*, because the project consist of the new construction of a single family residence and detached accessory structures where there is no potential for environmental impacts. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

**WHEREAS**, on June 14, 2016, the Town Council held a duly noticed public hearing to consider the proposed project; and

**WHEREAS**, the Town Council has carefully reviewed and considered the staff report, correspondence, and other information contained in the project file, and has received public comment; and

**NOW, THEREFORE, BE IT RESOLVED** the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A", and approves a Demolition Permit, Design Review, Hillside Lot Permit, Use Permit, and a Tree Removal Permit for the project described herein located at 187 Lagunitas Road subject to the Conditions of Approval attached as Exhibit "B".


The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 14<sup>th</sup> day of June 2016, by the following vote:

**AYES:** Council Member Small, Brekhus, Kuhl, Robbins


**NOES:**

**ABSENT:**

**ABSTAIN:** Council Member Hoertkorn (*recused*)

  
\_\_\_\_\_  
Carla Small, Mayor Pro Tempore

**ATTEST:**

  
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Linda Lopez, Town Clerk

**EXHIBIT "A"**  
**FINDINGS TO APPROVE**  
**187 LAGUNITAS ROAD**  
**APN 073-211-39**

**A. Findings**

**I. Demolition Permit (RMC § 18.50.060) - Approval of a Demolition Permit for removal of existing single family residence is based on the findings outlined in Ross Municipal Code Section 18.50.060 as described below:**

**a) The demolition would not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.**

The Demolition Permit is required to allow the demolition of more than 25% of the existing residence, in addition to allowing the remodel to the existing single family residence, which includes the installation of new windows, doors, and the removal of the existing chimney. The demolition related to the project would not negatively affect the aesthetic value of the existing residence as the entire scope of the project would result in a remodel of an existing residence that would maintain a similar mass, bulk, and scale as the existing residence.

**b) The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town.**

As summarized in June 14, 2016 staff report, the project would retain a similar massing, in addition to providing an enhanced architectural design and high quality materials that would be in keeping with small town quality and feeling of the town.

**c) The project is consistent with the Ross general plan and zoning ordinance.**

The project is consistent with the Ross general plan's very low land use designation, in addition to the R-1:B-A zoning district general development standards, in addition to the design review criteria and standards pursuant to Section 18.41.100 of the Ross Municipal Code, in addition to the hillside lot regulations and guidelines pursuant to Section 18.39.090 of the Ross Municipal Code.

**d) The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.**

The project would be required to comply with the Town's Building Code and Fire Code requirements, therefore ensuring the health, safety, and general welfare of the residence residing or working in the neighborhood.

**II. In accordance with Ross Municipal Code Section 18.41.070, Design Review is approved based on the following findings:**

**a) The project is consistent with the purpose of the Design Review chapter as outlined in Ross Municipal Code Section 18.41.010:**

The project would meet the purpose of the Design Review chapter through its high quality design and materials. The project is designed with a similar architectural style and materials of the existing residence. The project would not impact the "small town" character of the Town because the project is designed to be consistent with the mass, bulk, and style of the existing residence and garage, in addition to the neighborhood development pattern. As conditioned, the project would also minimize visibility with landscaping to soften the appearance of the guest house to ensure to adverse impacts on any surrounding neighbors. Additionally, the project would not impact any unique environmental resources due to the location of the project site relative to any sensitive wildlife habitat, species, and/or creeks. Lastly, the project would be required to address drainage and stormwater prior to issuance of any building permit to allow for the construction of the project.

**b) The project is in substantial compliance with the design criteria of Ross Municipal Code Section 18.41.100.**

As summarized in June 14, 2016 staff report, the project would be consistent with the design review criteria and standards relative to architectural design, materials, colors, and landscaping. Specifically, the project is designed with low profile buildings and oriented on site to break up the mass and scale of each building. The project would also be designed to incorporate the use of earth-tone colors and natural materials. Furthermore, the project would provide a balanced relationship among structures on the site, as well as between structures and on neighboring properties through good site design, use of existing vegetation, and additional landscape screening as shown on the proposed landscape plan. Lastly, the project would address health and safety through the issuance of a building permit to ensure compliance with the building, public works, and fire code regulations.

**c) The project is consistent with the Ross General Plan and zoning ordinance.**

As previously discussed, the scope of the project is consistent with the allowed structures and uses, in addition to conditionally permitted uses that may be permitted within the Very Low Density land use designation of the General Plan and the single family residential zoning district.

**III. In accordance with Ross Municipal Code Section 18.39.060, a Hillside Lot Permit is approved based on the following findings:**

**(1) The project complies with the stated purposes of this Chapter;**



**(2) The project complies with the development regulations of Section 18.39.090, or that the Town Council has considered and approved a variance; and**

The project is designed in compliance with the hillside lot design regulations and guidelines as follows:

1. The project floor area is 3,438 square feet, where 8,233 square feet may be permitted.
2. The project is designed within the requisite setbacks.
3. The project is designed with minimal grading.
4. The project architecture is designed to blend into the project setting.
5. The project is designed with high quality materials and subdued earth-tone colors to blend into the project setting.
6. The project provides a comprehensive landscape plan consistent with the guidelines.
7. The project would not create and view impacts from surrounding properties.
8. The project is not located on a ridge.
9. The project would be required to provide to install a Class A roof and fire sprinkler to address fire requirements.
10. A vegetation management plan has been prepared and submitted to the Ross Valley Fire Department to adhere to the California Fire Code.
11. Prior to issuance of a building permit, the project would be required to comply with the wildland urban interface building standards in Chapter 7A of the California Building Code.
12. The project has been designed with adequate pedestrian and vehicular circulation to and on-site.

**(3) The project substantially conforms to the hillside development guidelines in Section 18.39.090.**

As supported by the previous finding, the project is designed to be in compliance with the hillside development guidelines.

**IV. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

**The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.**

**V. In accordance with Ross Municipal Code Section 12.24.080, a Tree Removal permit is approved based on the following findings:**

1. The alteration or removal is necessary to allow the economic enjoyment of the property, such as construction of improvements because some of the trees are located over the most feasible development area;
  2. The alteration or removal would not adversely impact the subject property or neighboring properties because a large number of trees will remain;
  3. Tree removal would not result in significant erosion or the diversion of increased flows of surface water because engineered fill would be placed where stumps are removed;
  4. The alteration or removal is necessary due to the Ross Valley Fire Department's requirements for improved on-site circulation. The Ross Valley Fire Department has also approved a Vegetation Management Plan that includes tree removal that is required to comply with state mandated defensible space criteria.
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**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**187 LAGUNITAS ROAD**  
**APN 073-211-39**

1. This approval authorizes a Demolition Permit, Design Review, Hillside Lot Permit, Use Permit, and Tree Removal Permit to allow for the demolition of the existing residence and detached accessory structure and the new construction of a 2,068 square foot single family residence, a 525 square foot detached garage, a 845 square foot guest house, and the removal of six redwood trees at 187 Lagunitas Road.
2. The building permit shall substantially conform to the plans entitled, "Hobbs Residence" consisting of 16 sheets prepared by Dotter and Solfjeld Architecture and Design, date stamped received March 31, 2016.
3. Prior to issuance of a building permit, the following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit. The property owner shall certify on the building permit plans that they have read and agree to the following conditions.
4. The Town Council reserves the right to require additional landscape screening for up to five (5) years from project final to ensure adequate screening for the properties at 181, 183, and 185 Lagunitas Road.
5. The short term (less than 60-days) rental of the residence, which includes the garage and the guest house as accessory uses, is prohibited. Pursuant to the agreement by the applicant, the applicant shall record a deed restriction, in a form approved by the Town Attorney, setting forth this condition."
6. No cooking facilities shall be installed in the guesthouse (including but not limited to a microwave) and any refrigerator shall not be larger than 3.6 cubic feet."
7. Except as otherwise provided in these conditions, the project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
8. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.

9. Prior to Building Permit Issuance, the applicant shall submit proposed exterior lighting fixtures if any new lighting will be installed as a result of the project. All lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and pattern of light and eliminate spill light to neighboring properties or a glowing night time character.
  
10. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
  - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
  
  - b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.

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  - c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.
  
  - d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).
  
  - e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test

excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.

- f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director, who may consult with the town hydrologist at the applicants' expense (a deposit may be required). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to pre-project conditions. Applicants are encouraged to submit a drainage plan designed to produce peak runoff from the site that is the same or less than estimated natural, predevelopment conditions which existed at the site prior to installation of impermeable surfaces and other landscape changes (natural predevelopment rate standard). Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.
- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the Planning Manager and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas.
- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A Final construction management plan shall be submitted in time to be incorporated into the job.
- k. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to

issuance of the building permit to review conditions of approval for the project and the construction management plan.

- l. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- m. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- n. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- o. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- p. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved. (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.
- q. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.

- r. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- s. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- t. The project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- u. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- v. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- w. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- x. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The plan shall include a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediments controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls).
- y. The Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
- i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc, are implemented.

- ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.
- iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.

11. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.



# ATTACHMENT 4





**Staff Report**

**Date:** June 14, 2016

**To:** Mayor Hoertkorn and Council Members

**From:** Heidi Scoble, Planning Manager

**Subject:** Hobbs Residence, 187 Lagunitas Road, File No. 2016-018

**Recommendation**

Town Council adopt Resolution 1956 conditionally approving a Demolition Permit, Design Review, a Hillside Lot Permit, a Use Permit, and Tree Removal Permit for the demolition and new construction of a single family residence, a detached garage, a guest house, and the removal of 6 redwood trees.

**Property Information:**

Owner: James and Helen Hobbs  
 Design Professional: Ross Dotter  
 Location: 187 Lagunitas Road  
 A.P. Number: 73-211-39  
 Zoning: R-1:B-A (Single Family Residence, 1-acre min. lot size)  
 General Plan: Very Low Density (.1-1Unit/Acre)  
 Flood Zone: Zone X (outside 1-percent annual chance floodplain)

<b>PROJECT DATA</b>			
	<b>Zoning Requirements</b>	<b>Existing</b>	<b>Proposed</b>
Lot Area	7,500 square feet	3.01 Acres (131,115 square feet)	No change
Floor Area (FAR)	8,233*	2,825 sq. ft.	3,438 sq. ft.
Lot Coverage	15%	7,225 sq. ft. (5.5%)	6,899 sq. ft. (5.2%)
Impervious Surface	-	7,482 sq. ft. (5.7%)	4,797 sq. ft. (3.6%)
Height	30 Feet	17.5 Feet- Residence 14.25 Feet- Garage	21.75 Feet- Residence 14.5 Feet- Garage 15 Feet- Guesthouse

Front Setback	25 Feet	43 Feet- Residence > 100 Feet - Garage	87 Feet- Residence 25 Feet- Garage > 100 Feet- Guest house
Right Side Setback	25 Feet**	67 Feet- Residence 84 Feet - Garage	27 Feet- Residence 55 Feet- Garage 69 Feet- Guest house
Left Side Setback	25 Feet**	17 Feet- Residence 17 Feet- Garage	25 Feet- Residence 47 Feet- Garage 25 Feet- Guest house
Rear Setback	40 Feet***	> 100 Feet- Residence > 100 Feet - Garage	> 100 Feet - Residence > 100 Feet - Garage > 100 Feet- Guest house

\* Pursuant to Section 18.39.090(a) of the Ross Municipal Code, the maximum permitted floor area is reduced to 8,233 square feet.

\*\* Pursuant to Section 18.39.090(b) of the Ross Municipal Code, if the building square footage is below 3,500 square feet, then the side yard setbacks shall be 25 feet. If the building square footage is over 3,500 square feet, the side yard setbacks shall be increased to 45 feet.

\*\*\* Pursuant to Section 18.39.090(b) of the Ross Municipal Code, if the building square footage is below 3,500 square feet, then the rear yard setback shall be 40 feet. If the building square footage is over 3,500 square feet, the rear yard setback shall be increased to 70 feet.

### Project Description

The applicant is requesting a Demolition Permit, Design Review, a Hillside Lot Permit, a Use Permit, and a Tree Removal Permit to allow for the demolition of the existing residence and detached garage and the new construction of a 2,068 square foot single family residence, a 525 square foot detached garage, and a 845 square foot guest house. The project would include a revised architectural layout and design of the site, in addition to proposing the following materials and colors:

1. Standing seam metal roof colored dark grey for the residence and garage
2. Rusted Cor-10 metal roofing for the dormers on the residence
3. Rusted Cor-10 metal roofing for the guesthouse
4. Cedar board and batten siding that would age to a natural grey
5. Horizontal cedar siding that would age to a natural grey
6. Vertical cedar board garage door
7. Natural aged trim for the windows
8. Metal clad wood windows colored dark green
9. Natural stone veneer for the base of the building

The project is designed with a landscape plan that includes a combination of trees, shrubs, perennials, and native grasses. As the project would also include the removal of five 24" redwood trees and one 30" redwood tree, the applicant is proposing six 36" box Dogwoods and thirteen 36" box Laurels to replace the trees that would be removed.

The proposed project requires the following permits.

- **A Demolition Permit is required pursuant to Ross Municipal Code (RMC) Section 18.50.020** because the project would result in demolition of more than 25% of existing walls and exterior wall coverings of the main residence and to allow the new construction of a single family residence, detached garage, and guesthouse.
- **Design Review is required pursuant to Ross Municipal Code (RMC) Section 18.41.020** because the proposed improvements would result in demolition of more than 25% of existing walls and exterior wall coverings.
- **A Hillside Lot Permit is required pursuant to RMC Chapter 18.39.020** because a slope of project site is thirty percent or greater and is partially located within Hazard Zone 4 as identified on the town slope stability map.
- **A Use Permit is required pursuant to RMC Chapter 18.16.030.b** to allow for the use of a guest house in a single family residential zoning district.
- **A Tree Removal Permit is required pursuant to Ross Municipal Code (RMC) Section 12-24.080** to allow for the removal of significant tree (12" in diameter or greater) on improved land.

#### **Background and Discussion**

The project site is approximately 111 feet wide and over 1,000 feet in depth. The average slope is approximately 36%. The developed portion of the lot is relatively flat for first approximately 275 feet and then slopes upward towards the south. Access to the project site is via a 14-foot wide private driveway that extends from the property boundary, continues along the southern boundary of 189 Lagunitas Road and connects to Lagunitas Road right-of-way.

The project site is currently development with a single-family residence and detached garage structure. The Marin County Assessor's identifies the original residence was constructed circa 1920.

#### **Advisory Design Group Review**

The project received Advisory Design Review (ADR) Group review on February 23, 2016. The ADR Group stated that the project was well designed in terms of mass, scale, height, layout, and use of materials. The ADR Group also supports the amount and location of the trees to be removed. The ADR Group concluded their review by providing the following recommendation:

1. Consider modifying the massing and articulation of the garage so that the garage is less prominent in appearance than the main residence. Additionally consider the use of a stone sill and copper flashing.
2. Consider book-ending the residence with stone walls in order to tie the residence in with the landscaping.
3. Consider redesigning the entryway to make the entry more inviting.
4. Include fascia details of the standing seam metal roof when a formal application is submitted for Town Council Design Review.

5. Provide a detailed Landscaping Plan that provides screening between the adjacent properties.
6. Consider utilizing materials that provide an appearance of texturing of the roof, in addition to using a non-factory, natural finish.

The applicant has opted to keep the architecture of the project the same as that which was presented to the ADR Group in February 2016. The applicant has provided a landscape plan that demonstrates screening between adjacent properties.

#### **Key Issues**

##### ***Architectural Design***

In reviewing the project, the following design review criteria and standards are most relevant to the project:

1. There should be a balanced and harmonious relationship among structures on the site, between structures and the site itself, and between structures on the site and on neighboring properties. All new buildings or additions constructed on sloping land should be designed to relate to the natural land forms and step with the slope in order to minimize building mass, bulk, and height and integrate the structure with the site.
2. New structures and additions should avoid monumental or excessively large size out of character with their setting or with other dwellings in the neighborhood. Buildings should be compatible with others in the neighborhood and not attract attention to themselves. When nonconforming floor area is proposed to be retained with site redevelopment, the Council may consider the volume and mass of the replacement floor area and limit the volume and mass where necessary to meet the intent of these standards.
3. To avoid monotony or an impression of bulk, large expanses of any one material on a single plane should be avoided, and large single-plane retaining walls should be avoided. Vertical and horizontal elements should be used to add architectural variety and to break up building plans. The development of dwellings or dwelling groups should not create excessive mass, bulk or repetition of design features.
4. Buildings should use materials and colors that minimize visual impacts, blend with the existing land forms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Colors and materials should be compatible with those in the surrounding area. High-quality building materials should be used.
5. Natural materials such as wood and stone are preferred, and manufactured materials such as concrete, stucco or metal should be used in moderation to avoid visual conflicts with the natural setting of the structure.

6. Soft and muted colors in the earthtone and woodtone range are preferred and generally should predominate.
7. Landscaping should include appropriate plantings to soften or screen the appearance of structures as seen from off-site locations and to screen architectural and mechanical elements such as foundations, retaining walls, condensers and transformers.

As supported by the ADR Group, staff suggests the project is designed with a high quality design and materials that would blend well with the project setting. The project is designed with low profile buildings that are oriented to break up the mass and scale of each building. The project is also designed to incorporate the use of earth-tone colors and natural materials. Staff also suggests that the project provides a balanced relationship among structures on the site, as well as between structures and on neighboring properties through good site design, use of existing vegetation, and additional landscape screening as shown on the proposed landscape plan.

#### ***Hillside Lot Regulations***

Staff suggests the project is designed in compliance with the hillside lot design regulations and guidelines as follows:

1. The project floor area is 3,438 square feet, where a maximum of 8,233 square feet may be permitted.
2. The project is designed within the requisite setbacks.
3. The project is designed with minimal grading.
4. The project architecture is designed to blend into the project setting.
5. The project is designed with high quality materials and subdued earth-tone colors to blend into the project setting.
6. The project provides a comprehensive landscape plan consistent with the guidelines.
7. The project would not create and view impacts from surrounding properties.
8. The project is not located on a ridge.
9. The project would be required to provide to install a Class A roof and fire sprinkler to address fire requirements.
10. A vegetation management plan has been prepared and submitted to the Ross Valley Fire Department to adhere to the California Fire Code.
11. Prior to issuance of a building permit, the project would be required to comply with the wildland urban interface building standards in Chapter 7A of the California Building Code.
12. The project has been designed with adequate pedestrian and vehicular circulation to and on-site.

#### ***Guesthouse***

A guest house is a conditionally permitted use within a single family residential zoning district. Although a guest house may have the appearance of a second residential unit, the difference between the two is that a guest house may only be used by family members/guests of the main residence and may not be rented pursuant to Section 18.12.170 of the Ross Municipal Code.

In order to grant a Use Permit for the guest house, the Town Council must find that the guest house would not be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood. Additionally, in granting the Use Permit, the Town Council may impose conditions of approval to ensure the protection to the public welfare and property or improvements.

Staff suggests the Use Permit finding can be supported with a condition of approval that would allow the Town to require additional landscape screening for up to five years after the construction of the guest house to ensure the adjacent properties (181, 183, and 185 Lagunitas Road) in the neighborhood are sufficiently screened from the guest house.

#### **Public Comment**

Public Notices were mailed to property owners within 300 feet of the project site. Three Neighbor Acknowledgement Forms have been submitted to the Town from the property owners at 183, 185, and 191 Lagunitas Road. The property owner at 181 Lagunitas Road has submitted an email expressing concerns regarding the scope of the development.

#### **Fiscal, resource and timeline impacts**

If approved, the project would be subject to one-time fees for a building permit, and associated impact fees, which are based the reasonable expected cost of providing the associated services and facilities related to the development. The improved project site may be reassessed at a higher value by the Marin County Assessor, leading to an increase in the Town's property tax revenues. Lastly, there would be no operating or funding impacts associated with the project as the project applicant would be required to pay the necessary fees for Town staff's review of future building permit plan check and inspection fees.

#### **Alternative actions**

1. Continue the project for modifications; or
2. Make findings to deny the application.

#### **Environmental review (if applicable)**

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15303 –*new construction or conversion of small structures*, because the project would consist of the new construction of a single family residence, detached garage, and detached guest house with no potential for any adverse environmental impacts. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources.

#### **Attachments**

1. Resolution 1948



2. Project History
3. Applicant project information
4. Project plans
5. Neighborhood Acknowledgement Forms
6. Email from Richard Hoertkorn, 181 Lagunitas Road

# ATTACHMENT 1

**TOWN OF ROSS**

**RESOLUTION NO. 1956**

**A RESOLUTION OF THE TOWN OF ROSS APPROVING A DEMOLITION PERMIT, DESIGN REVIEW, A HILLSIDE LOT PERMIT, A USE PERMIT, AND A TREE REMOVAL PERMIT TO ALLOW THE NEW CONSTRUCTION OF A SINGLE FAMILY RESIDENCE, DETACHED GARAGE, AND GUEST HOUSE AT 187 LAGUNITAS ROAD, APN 073-211-39**

**WHEREAS**, Dotter and Solfeld Architecture and Design have submitted an application on behalf of property owners James and Helen Hobbs, for a Demolition Permit, Design Review, Hillside Lot Permit, Use Permit, and Tree Removal Permit to allow for the demolition of the existing residence and detached accessory structure and the new construction of a 2,068 square foot single family residence, a 525 square foot detached garage, a 845 square foot guest house, and the removal of six redwood trees at 187 Lagunitas Road (the "project"); and

**WHEREAS**, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15303 –*new construction or conversion of small structures*, because the project consist of the new construction of a single family residence and detached accessory structures where there is no potential for environmental impacts. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

**WHEREAS**, on June 14, 2016, the Town Council held a duly noticed public hearing to consider the proposed project; and

**WHEREAS**, the Town Council has carefully reviewed and considered the staff report, correspondence, and other information contained in the project file, and has received public comment; and

**NOW, THEREFORE, BE IT RESOLVED** the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A", and approves a Demolition Permit, Design Review, Hillside Lot Permit, Use Permit, and a Tree Removal Permit for the project described herein located at 187 Lagunitas Road subject to the Conditions of Approval attached as Exhibit "B".

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 14<sup>th</sup> day of June 2016, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Kathleen Hoertkorn, Mayor

**ATTEST:**

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Linda Lopez, Town Clerk

**EXHIBIT "A"**  
**FINDINGS TO APPROVE**  
**187 LAGUNITAS ROAD**  
**APN 073-211-39**

**A. Findings**

**I. Demolition Permit (RMC § 18.50.060) - Approval of a Demolition Permit for removal of existing single family residence is based on the findings outlined in Ross Municipal Code Section 18.50.060 as described below:**

**a) The demolition would not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.**

The Demolition Permit is required to allow the demolition of more than 25% of the existing residence, in addition to allowing the remodel to the existing single family residence, which includes the installation of new windows, doors, and the removal of the existing chimney. The demolition related to the project would not negatively affect the aesthetic value of the existing residence as the entire scope of the project would result in a remodel of an existing residence that would maintain a similar mass, bulk, and scale as the existing residence.

**b) The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town.**

As summarized in June 14, 2016 staff report, the project would retain a similar massing, in addition to providing an enhanced architectural design and high quality materials that would be in keeping with small town quality and feeling of the town.

**c) The project is consistent with the Ross general plan and zoning ordinance.**

The project is consistent with the Ross general plan's very low land use designation, in addition to the R-1:B-A zoning district general development standards, in addition to the design review criteria and standards pursuant to Section 18.41.100 of the Ross Municipal Code, in addition to the hillside lot regulations and guidelines pursuant to Section 18.39.090 of the Ross Municipal Code.

**d) The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.**

The project would be required to comply with the Town's Building Code and Fire Code requirements, therefore ensuring the health, safety, and general welfare of the residence residing or working in the neighborhood.

**II. In accordance with Ross Municipal Code Section 18.41.070, Design Review is approved based on the following findings:**

**a) The project is consistent with the purpose of the Design Review chapter as outlined in Ross Municipal Code Section 18.41.010:**

The project would meet the purpose of the Design Review chapter through its high quality design and materials. The project is designed with a similar architectural style and materials of the existing residence. The project would not impact the "small town" character of the Town because the project is designed to be consistent with the mass, bulk, and style of the existing residence and garage, in addition to the neighborhood development pattern. As conditioned, the project would also minimize visibility with landscaping to soften the appearance of the guest house to ensure to adverse impacts on any surrounding neighbors. Additionally, the project would not impact any unique environmental resources due to the location of the project site relative to any sensitive wildlife habitat, species, and/or creeks. Lastly, the project would be required to address drainage and stormwater prior to issuance of any building permit to allow for the construction of the project.

**b) The project is in substantial compliance with the design criteria of Ross Municipal Code Section 18.41.100.**

As summarized in June 14, 2016 staff report, the project would be consistent with the design review criteria and standards relative to architectural design, materials, colors, and landscaping. Specifically, the project is designed with low profile buildings and oriented on site to break up the mass and scale of each building. The project would also be designed to incorporate the use of earth-tone colors and natural materials. Furthermore, the project would provide a balanced relationship among structures on the site, as well as between structures and on neighboring properties through good site design, use of existing vegetation, and additional landscape screening as shown on the proposed landscape plan. Lastly, the project would address health and safety through the issuance of a building permit to ensure compliance with the building, public works, and fire code regulations.

**c) The project is consistent with the Ross General Plan and zoning ordinance.**

As previously discussed, the scope of the project is consistent with the allowed structures and uses, in addition to conditionally permitted uses that may be permitted within the Very Low Density land use designation of the General Plan and the single family residential zoning district.

**III. In accordance with Ross Municipal Code Section 18.39.060, a Hillside Lot Permit is approved based on the following findings:**

**(1) The project complies with the stated purposes of this Chapter;**

**(2) The project complies with the development regulations of Section 18.39.090, or that the Town Council has considered and approved a variance; and**

The project is designed in compliance with the hillside lot design regulations and guidelines as follows:

1. The project floor area is 3,438 square feet, where 8,233 square feet may be permitted.
2. The project is designed within the requisite setbacks.
3. The project is designed with minimal grading.
4. The project architecture is designed to blend into the project setting.
5. The project is designed with high quality materials and subdued earth-tone colors to blend into the project setting.
6. The project provides a comprehensive landscape plan consistent with the guidelines.
7. The project would not create and view impacts from surrounding properties.
8. The project is not located on a ridge.
9. The project would be required to provide to install a Class A roof and fire sprinkler to address fire requirements.
10. A vegetation management plan has been prepared and submitted to the Ross Valley Fire Department to adhere to the California Fire Code.
11. Prior to issuance of a building permit, the project would be required to comply with the wildland urban interface building standards in Chapter 7A of the California Building Code.
12. The project has been designed with adequate pedestrian and vehicular circulation to and on-site.

**(3) The project substantially conforms to the hillside development guidelines in Section 18.39.090.**

As supported by the previous finding, the project is designed to be in compliance with the hillside development guidelines.

**IV. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

**The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.**

**V. In accordance with Ross Municipal Code Section 12.24.080, a Tree Removal permit is approved based on the following findings:**

1. The alteration or removal is necessary to allow the economic enjoyment of the property, such as construction of improvements because some of the trees are located over the most feasible development area;
2. The alteration or removal would not adversely impact the subject property or neighboring properties because a large number of trees will remain;
3. Tree removal would not result in significant erosion or the diversion of increased flows of surface water because engineered fill would be placed where stumps are removed;
4. The alteration or removal is necessary due to the Ross Valley Fire Department's requirements for improved on-site circulation. The Ross Valley Fire Department has also approved a Vegetation Management Plan that includes tree removal that is required to comply with state mandated defensible space criteria.



**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**187 LAGUNITAS ROAD**  
**APN 073-211-39**

1. This approval authorizes a Demolition Permit, Design Review, Hillside Lot Permit, Use Permit, and Tree Removal Permit to allow for the demolition of the existing residence and detached accessory structure and the new construction of a 2,068 square foot single family residence, a 525 square foot detached garage, a 845 square foot guest house, and the removal of six redwood trees at 187 Lagunitas Road.
2. The building permit shall substantially conform to the plans entitled, "Hobbs Residence" consisting of 16 sheets prepared by Dotter and Solfjeld Architecture and Design, date stamped received March 31, 2016.
3. Prior to issuance of a building permit, the following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit. The property owner shall certify on the building permit plans that they have read and agree to the following conditions.
4. The Town Council reserves the right to require additional landscape screening for up to five (5) years from project final to ensure adequate screening for the properties at 181, 183, and 185 Lagunitas Road.
5. Except as otherwise provided in these conditions, the project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
6. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.
7. Prior to Building Permit Issuance, the applicant shall submit proposed exterior lighting fixtures if any new lighting will be installed as a result of the project. All lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be

selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and pattern of light and eliminate spill light to neighboring properties or a glowing night time character.

8. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
  - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
  - b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
  - c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.
  - d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (ie temporary seedin nd mulching or straw matting).
  - e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
  - f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director, who may consult with the town hydrologist at the applicants' expense (a deposit may be required). The plan shall be designed, at a

minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to pre-project conditions. Applicants are encouraged to submit a drainage plan designed to produce peak runoff from the site that is the same or less than estimated natural, predevelopment conditions which existed at the site prior to installation of impermeable surfaces and other landscape changes (natural predevelopment rate standard). Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.

- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the Planning Manager and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas.
- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A Final construction management plan shall be submitted in time to be incorporated into the job.
- k. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the project and the construction management plan.
- l. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- m. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.

- n. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- o. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- p. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved. (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.
- q. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- r. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- s. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.

- t. The project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- u. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- v. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- w. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- x. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The plan shall include a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediments controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls).
- y. The Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
  - i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc, are implemented.
  - ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.
  - iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.

9. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

## ATTACHMENT 2

April 12, 1990

20. Lot Line Adjustments.

- a. Judy Shillinger, 187 Lagunitas Road, AP 73-211-26, 5 Acre Zone and John Jones, 189 Lagunitas Road, AP #73-211-27, 5 Acre Zone. Request is to allow a lot line adjustment as identified below:

Judy Shillinger, 187 Lagunitas, AP #73-211-26

Existing Acreage: 2.02  
Proposed Acreage: 3.012

John Jones, 189 Lagunitas, AP #73-211-27

Existing Acreage: 2.02  
Proposed Acreage: 1.001

Ms. Shillinger addressed the Council and stated that presently her property is nonconforming on both side yard setbacks; the lot line adjustment would eliminate the nonconformity on one of the side yards.

Mr. John Jones stated that this lot line would give both applicants more privacy. He explained that several years ago he had requested permission to construct a garage but that request had been denied and he had built a carport instead.

Mayor Brekhus pointed out that a letter of concern had been received from a neighbor re any proposed plans for the front area of the property. Mr. Jones said that he currently had no plans other than moving the existing carport to the side, and back 30 feet and he said he might construct a circular driveway. He stated that he would agree to never construct a structure forward of a parallel line drawn from the front of the existing residence to each side property line. Mayor Brekhus stated he would have no objection to a circular driveway.

The Council heard from Mr. Henry Moody of 187 Lagunitas. He said he had written a letter because his property is directly across the street and he expressed concern over any visual impact from his home.

After some discussion, Councilman Goodman moved approval of the Lot Line Adjustment subject to the condition that no structures be built in the front yard; i.e., forward of the existing line of the house; however, the applicant could construct a driveway. This was seconded by Councilman Lill and passed unanimously.

- b. Phillip and Beverly Paisley, 31 Baywood Avenue, AP #72-071-04, 20,000 sq. ft. zone and Jack and Rita Garvey, 4 Fallen Leaf, AP #72-071-11, 20,000 sq. ft. zone. The applicants propose to divide AP #72-071-04 now held in joint ownership. The subject property will be incorporated into the property identified below:

Phillip & Beverly Paisley, 31 Baywood, AP #72-071-04

Existing Acreage: .24  
Proposed Acreage: .49

Jack and Rita Garvey, 4 Fallen Leaf, AP #72-071-11

Existing Acreage: .55

4-12-90



approval. Mayor Allen did not think a second hydrant is needed.

Mr. Chase moved that the matter be carried over to the May meeting. Mr. Jones seconded the motion, which passed by a four to one vote, Mr. Allen dissenting.

10. Variances.

- 1. Dr. and Mrs. D. Gwinn Thomson, 445 Lagunitas Road (73-211-20)

4-8-71

A letter from Dr. Thomson was acknowledged, in which he asked that the variance be withdrawn because he felt a 10 foot chain link fence would not enhance the community.

- 2. Louis and Barbara Lundborg, 102 Ivy Drive (73-143-12) 10,000 sq. ft. zone. Variance and hill side lot application. No. 362

Request to construct bedroom and bath under existing garage and enclose stairway, with storage at west wall of garage and enclose deck area to provide dining room, on lot having an average slope in excess of 30%. Previous application for use permit withdrawn.

Mr. Lundborg explained the new plans, which the council found were greatly improved. Mr. Chase moved approval of the applications, Mrs. Osterloh seconded and the motion was unanimously passed.

- 3. Donald David Foster, 15 Bolinas Ave. (73-052-07) 5,000 sq. ft. zone. No. 363

4-8-71

Construction of 4'3" x 4'9" half-bath in existing deck area of non-conforming house.

Mr. Cecil Godfrey, contractor, explained that Mr. Foster's health requires the new room. Mr. Maginis moved granting the variance, Mr. Chase seconded and the motion was unanimously passed.

- 4. Danil and Judy Shillinger, 433 Lagunitas Road (73-211-26) Acre Zone. No. 364

Addition of 19' x 14' living room and modifications to non-conforming house.

Mr. Shillinger explained that his two acre lot is 65 feet in width and 640 feet long and therefor any construction requires a variance because of the narrowness of the lot. Mr. Jones said the shape of the lot constituted a hardship and moved granting the variance. Mr. Maginis seconded the motion, which passed unanimously.

9. Variances.

a. Fanny Becker, 72 Shady Lane (73-101-03)  
 Request for continuance of non-conforming rental unit located on the same lot as main residence. (variance requested from provision of Ordinance #225 which provides for termination of non-conforming multiple family usage of property on February 10, 1968). Mrs. Becker stated that rental of the cottage on her property is necessary for her living expenses, taxes and maintenance costs and that she had not applied for an extension at the time the Ordinance was passed because she was unaware of its passage. Mr. McAndrew felt the Council must be governed by the integrity of the Ordinance and that allowing a variance from the Ordinance would set a precedent to allow other rental owners to plead the same grievances and even open the door for property owners who have rental units which they are not now allowed to rent.

Mrs. John Lord questioned the legality of the Ordinance and wondered if property taxes would decrease when rental units can no longer be used. Mr. Schenck stated that the Town can eliminate non conforming uses of property if property owners are given sufficient time to amortize their investments, and that when rental units are no longer allowed, property owners may apply for a use permit for a guest house.

Stating that he did not feel Mrs. Becker had shown sufficient hardship to warrant a variance and that the Ordinance should be upheld, Mr. Martinelli moved that the variance be denied. Mr. Jones seconded the motion, which was unanimously passed.

b. Variance No. 291, Henry A. Haberman, 433 Lagunitas Road & 73-211-02) Acre Zone. Addition of 10' x 23' wood deck over existing concrete porch and steps of non-conforming house 10' from west sideline. Mr. Jones moved that the variance be granted, Mr. Martinelli seconded and the motion was unanimously passed.

10. Television Cable Applications.

Applications from Clear View Cable Systems, Tele-Vue Systems and Cable Television of Marin were acknowledged and given to the Town Attorney for study and report.

**NOTICE**  
**Nuisance Abatement**  
**Town of Ross**

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Posted: February 4, 2013

This is a 10 day notice, under Ross Municipal Code Section 9.04.150, that that Town has determined that a nuisance exists upon 187 Lagunitas Road, Ross, and that the Town demands that you abate the nuisance. Please refer to the letter that was mailed to the property owner on January 24, 2013.

If the nuisance is not abated within 10 days of this posting, the Town Council may cause the nuisance to be abated at the expense of the property owner. The Council will consider adopting a nuisance abatement order at their meeting at 4:00 p.m. on February 13, 2013, at Ross Town Hall, 31 Sir Francis Drake Boulevard, at the corner of Sir Francis Drake Boulevard and Lagunitas Road.

For further information, please contact Elise Semonian, Senior Planner, (415) 453-1453, extension 121, or [esemonian@townofross.org](mailto:esemonian@townofross.org).

**Elise Semonian**

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**From:** Lynn Langford [lynnlangford@me.com]  
**Sent:** Monday, April 01, 2013 3:25 PM  
**To:** Elise Semonian  
**Cc:** Helen Hobbs  
**Subject:** Cottage at 187 Lagunitas is dismantled  
**Attachments:** photo.JPG; ATT00001.txt

Elise, the cottage at 187 Lagunitas is dismantled and now off site.

Lynn

## ATTACHMENT 3

DN/DL/H/UP 2012 - 0

Staff Use Only
Received By: HS
Date: 3/31/12
Fees Paid: 6554.95
Date: 3/31/12



**Town of Ross**  
**Planning Department**  
 Post Office Box 320, Ross, CA 94957  
 Phone (415) 453-1453, Ext. 121  
 Web www.townofross.org

Fax (415) 453-1950  
 Email hscoble@townofross.org

#1 6109-5300  
 # 445-95-5313

**PLANNING PERMIT APPLICATION**

Type of Application (check all that apply):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Design Review            | <input type="checkbox"/> Residential Second Unit      |
| <input type="checkbox"/> Variance(s)                         | <input checked="" type="checkbox"/> Use Permit        |
| <input checked="" type="checkbox"/> Hillside Lot Application | <input type="checkbox"/> Minor Exception              |
| <input type="checkbox"/> Basement or Attic Exception         | <input checked="" type="checkbox"/> Demolition Permit |
| <input type="checkbox"/> Other:                              |   |

Parcel Address and Assessor's Parcel No. 179-211-39

Owner(s) of Parcel JAMES & HELEN HOBBS

Mailing Address (PO Box in Ross) 465 36TH AVE

City SAN FRANCISCO State CA. ZIP 94121

Day Phone 415-370-7144 Evening Phone \_\_\_\_\_

Email jamesdhobbs@gmail.com

Architect (Or applicant if not owner) RUSS DOTTER

Mailing Address 4801 PARK BLVD.

City OAKLAND State CA. ZIP 94602

Phone 510-530-9231

Email dottersol@gmail.com

Primary Contact for Application (name) RUSS DOTTER

**Existing and Proposed Conditions** (For definitions please refer to attached fact sheet.)

Gross Lot Size <u>131,115</u> sq. ft.	Lot Area <u>3.01 ACRES</u> sq. ft.
Existing Lot Coverage <u>7225</u> sq. ft.	Existing Floor Area <u>2,825</u> sq. ft.
Existing Lot Coverage <u>5.5</u> %	Existing Floor Area Ratio <u>2.025</u> .2 %
Coverage Removed <u>326</u> sq. ft.	Floor Area Removed <u>0</u> sq. ft.
Coverage Added <u>0</u> sq. ft.	Floor Area Added <u>613</u> sq. ft.

Net Change- Coverage - 326 sq. ft.      Net Change- Floor Area + 613 sq. ft.  
 Proposed Lot Coverage 6,899 sq. ft.      Proposed Floor Area 3,438 sq. ft.  
 Proposed Lot Coverage 5.2%      Proposed Floor Area Ratio 3,438 9.5%  
 Existing Impervious Areas 7,482 sq. ft.      Proposed Impervious Areas 4,797 sq. ft.  
 Existing Impervious Areas 5.1%      Proposed Impervious Areas \_\_\_\_\_%  
 Proposed New Retaining Wall Construction \_\_\_\_\_ ft. (length) \_\_\_\_\_ ft. (max height)  
 Proposed Cut 380 cubic yards      Proposed Fill 0 cubic yards

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**Written Project Description – may be attached.**

A complete description of the proposed project, including all requested variances, is required. The description may be reviewed by those who have not had the benefit of meeting with the applicant, therefore, be thorough in the description. For design review applications, please provide a summary of how the project relates to the design review criteria in the Town zoning ordinance (RMC §18.41.100).

THE EXISTING RESIDENCE IS TO BE DEMOLISHED  
AND REPLACED WITH A NEW ONE STORY WITH  
LOFT 2,068 # SINGLE FAMILY RESIDENCE.  
THE MAIN RESIDENCE WILL CONSIST OF 2  
ELEMENTS CONNECTED BY AN ENCLOSED BRIDGE.  
THE PRIMARY ELEMENT WILL CONTAIN THE ENTRY,  
KITCHEN / DINING, LIVING ROOM, GUEST BEDROOM  
AND BATH. ATTACHED TO THIS ELEMENT WILL BE  
A LARGE SCREENED-IN PORCH. THE SECOND ELEMENT  
WILL CONTAIN THE MASTER BEDROOM AND BATH.  
THERE WILL BE AND A COVERED ENTRY PORCH  
AND A COVERED PORCH OFF THE DINING AREA.  
THE 525 # TWO CAR GARAGE WILL BE DETACHED.  
THE 845 # GUEST COTTAGE (ORCHARD COTTAGE)  
WILL BE A SEPARATE STRUCTURE.  
ALL STRUCTURES WILL HAVE METAL ROOFS,

NATURAL REDWOOD SIDING , NATURAL STONE  
VENEER AND CLAD WOOD WINDOWS

**Consultant Information**

The following information is required for all project consultants.

**Landscape Architect**

Firm ARTERZA LANDSCAPE ARCHITECTS  
Project Landscape Architect VERA GATES / SCOTT YARNELL  
Mailing Address 88 MISSOURI ST.  
City SAN FRANCISCO State CA. ZIP 94107  
Phone 415-861-3100 Fax \_\_\_\_\_  
Email vera@arterzaf.com  
Town of Ross Business License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

**Civil/ Geotechnical Engineer**

Firm CSW / STUBER - STROEH ENGINEERING GROUP  
Project Engineer WAYNE LEACH  
Mailing Address 45 LEVERONI COURT  
City NOVATO State CA. ZIP 94949  
Phone 415-883-9890 Fax 415-883-9896  
Email Wayne.Leach@cswwst2.com  
Town of Ross Business License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

**Arborist**

Firm THE PROFESSIONAL TREE CARE COMPANY  
Project Arborist NICK JAROS  
Mailing Address P.O. BOX 2377  
City BERKELEY State CA. ZIP 94702  
Phone 510-549-3954 Fax 510-549-3969  
Email \_\_\_\_\_  
Town of Ross Business License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

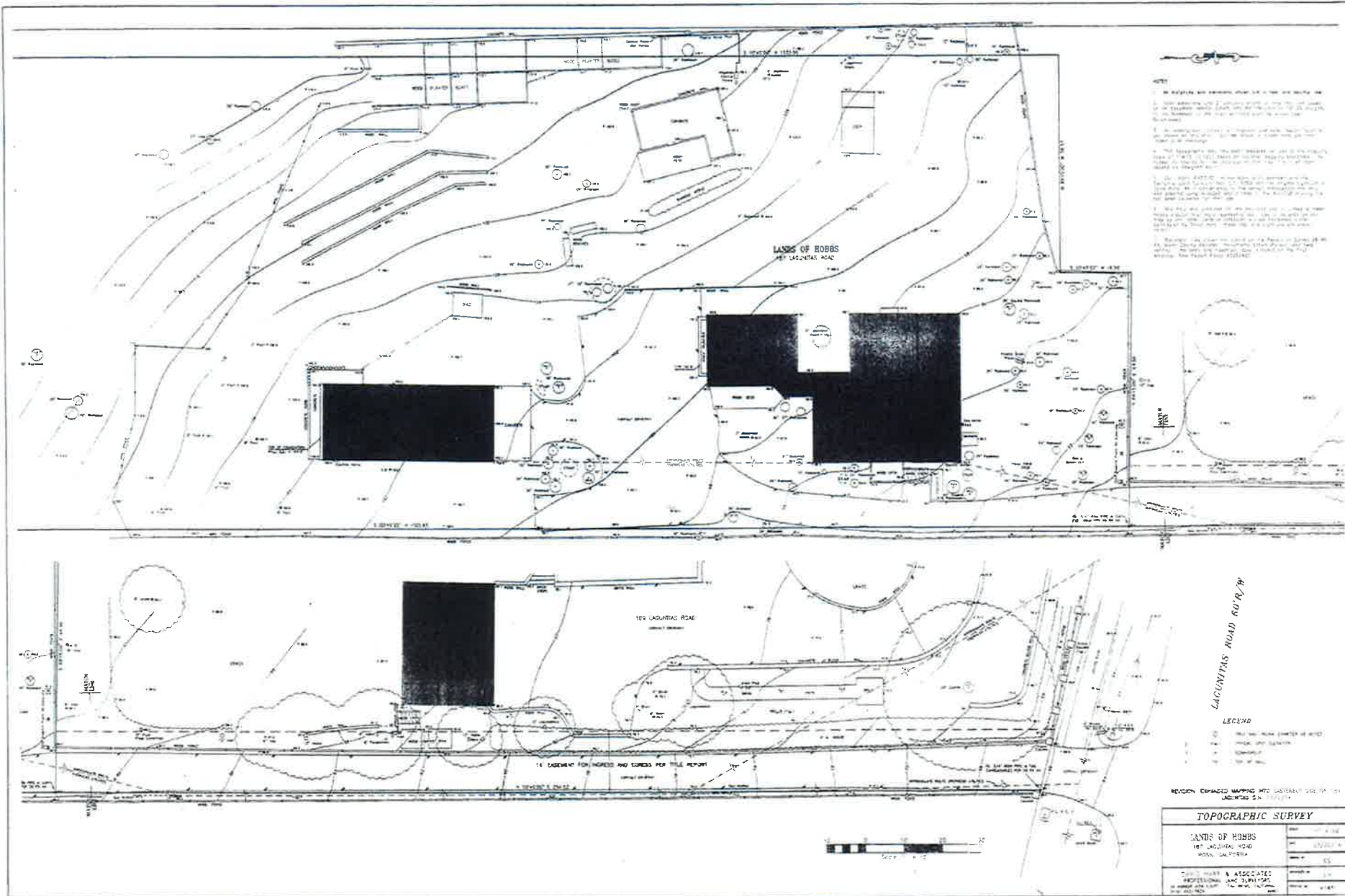
**Other**

Consultant \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_  
Email \_\_\_\_\_  
Town of Ross Business License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_



# ATTACHMENT 4





- NOTES**
1. This map was prepared from a topographic survey of the Lands of Hobbs, 187 Lagunitas Road, San Francisco, California, conducted by the U.S. Army Corps of Engineers, District of Columbia, in 1954.
  2. The map shows the general location of the Lands of Hobbs, 187 Lagunitas Road, San Francisco, California, and the location of the buildings and structures shown on the map.
  3. The map shows the general location of the Lands of Hobbs, 187 Lagunitas Road, San Francisco, California, and the location of the buildings and structures shown on the map.
  4. The map shows the general location of the Lands of Hobbs, 187 Lagunitas Road, San Francisco, California, and the location of the buildings and structures shown on the map.
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LAGUNITAS ROAD RD 187, W

- LEGEND**
- Building
  - Structure
  - Other

REVISION: ENHANCED MAPPING AND LATERAL SCALE FOR 1954  
 LAGUNITAS RD 187, W

TOPOGRAPHIC SURVEY	
LANDS OF HOBBS 187 LAGUNITAS ROAD SAN FRANCISCO, CALIFORNIA	DATE: 1954
CHAS. HARRIS & ASSOCIATES PROFESSIONAL LAND SURVEYORS 1000 CALIFORNIA STREET, SAN FRANCISCO, CALIF.	SCALE: 1" = 100'





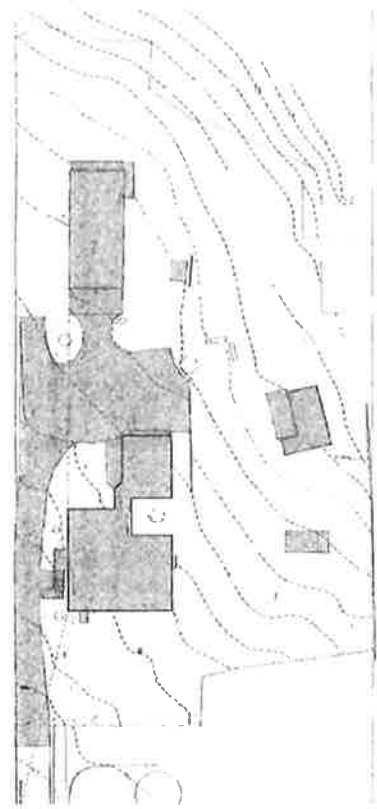




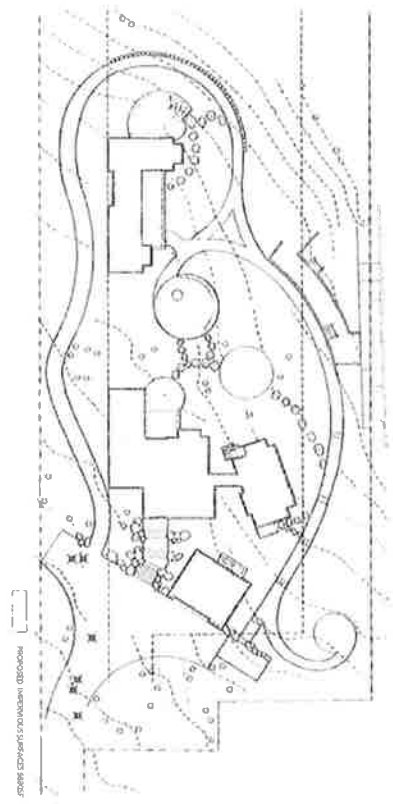








EXISTING IMPERVIOUS SURFACES 7/14/08



PROPOSED IMPERVIOUS SURFACES 8/14/08

- LEGEND**
- 1-10 IMPERVIOUS SURFACES
  - 1-11 IMPERVIOUS SURFACES
  - 1-12 IMPERVIOUS SURFACES
  - 1-13 IMPERVIOUS SURFACES
  - 1-14 IMPERVIOUS SURFACES
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  - 1-98 IMPERVIOUS SURFACES
  - 1-99 IMPERVIOUS SURFACES
  - 1-100 IMPERVIOUS SURFACES

NOT FOR CONSTRUCTION

L0.2

IMPERVIOUS SURFACES PLAN

SCALE: 1"=20'

DATE: 08/14/08

DESIGNER: ARTERRA LANDSCAPE ARCHITECTS  
 88 MISSOURI SAN FRANCISCO CA 94107  
 T: 415.861.3100 W: arterrasl.com  
 CA License #3502

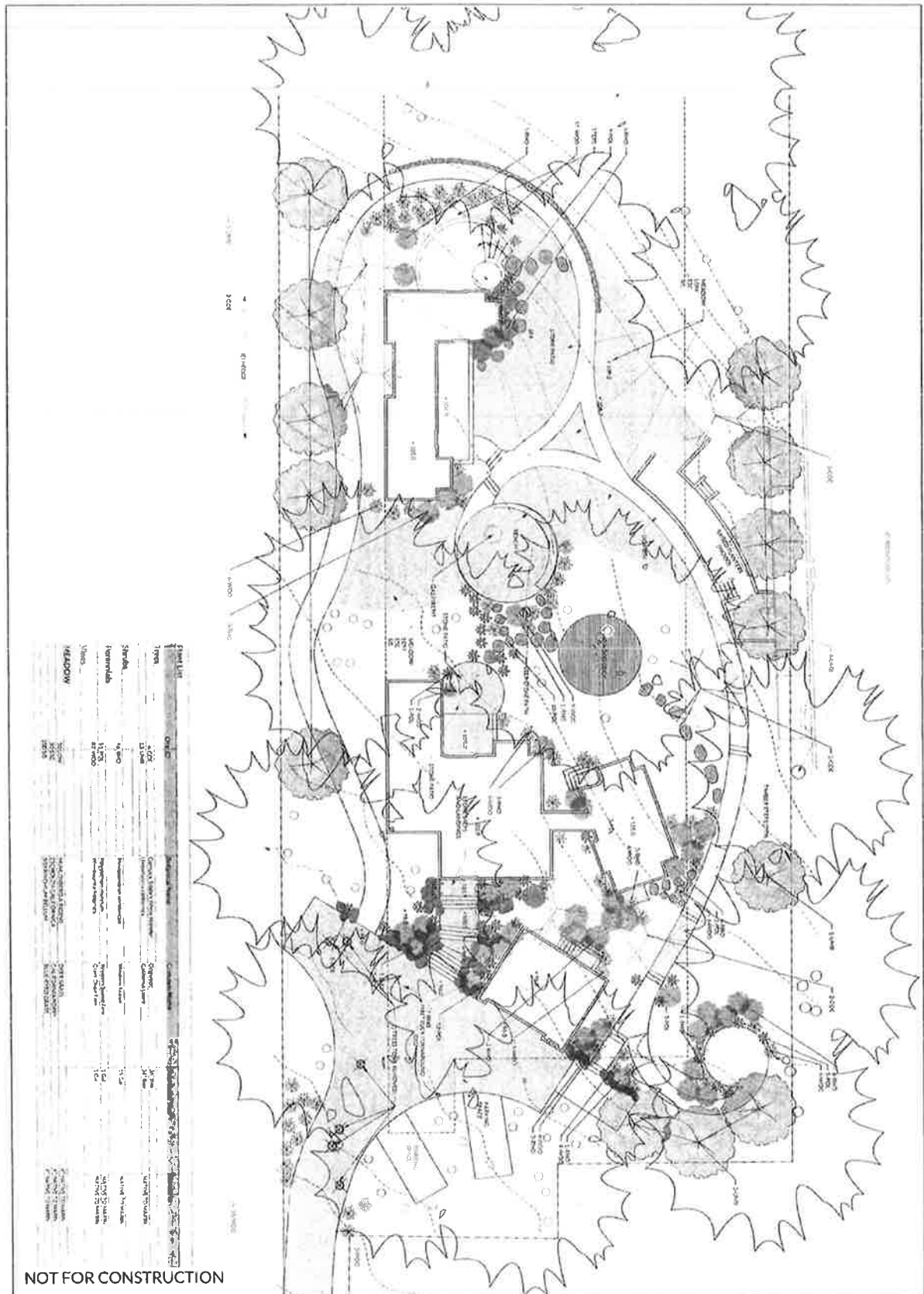


HOBBS RESIDENCE  
 187 LAGAUNITAS ROAD  
 ROSS, CALIFORNIA

**ARTERRA**  
 LANDSCAPE ARCHITECTS  
 88 MISSOURI SAN FRANCISCO 94107  
 T: 415.861.3100 W: arterrasl.com  
 CA License #3502







Plant List	Quantity	Notes
Tree	1	Plant 1/2000
Shrub	4	Plant 1/2000
Flowering Shrub	1	Plant 1/2000
Grass	1	Plant 1/2000
Groundcover	1	Plant 1/2000
Water Feature	1	Plant 1/2000
Lighting	1	Plant 1/2000
Seating	1	Plant 1/2000
Other	1	Plant 1/2000

NOT FOR CONSTRUCTION

L3.0

CONCEPTUAL PLANNING PLAN

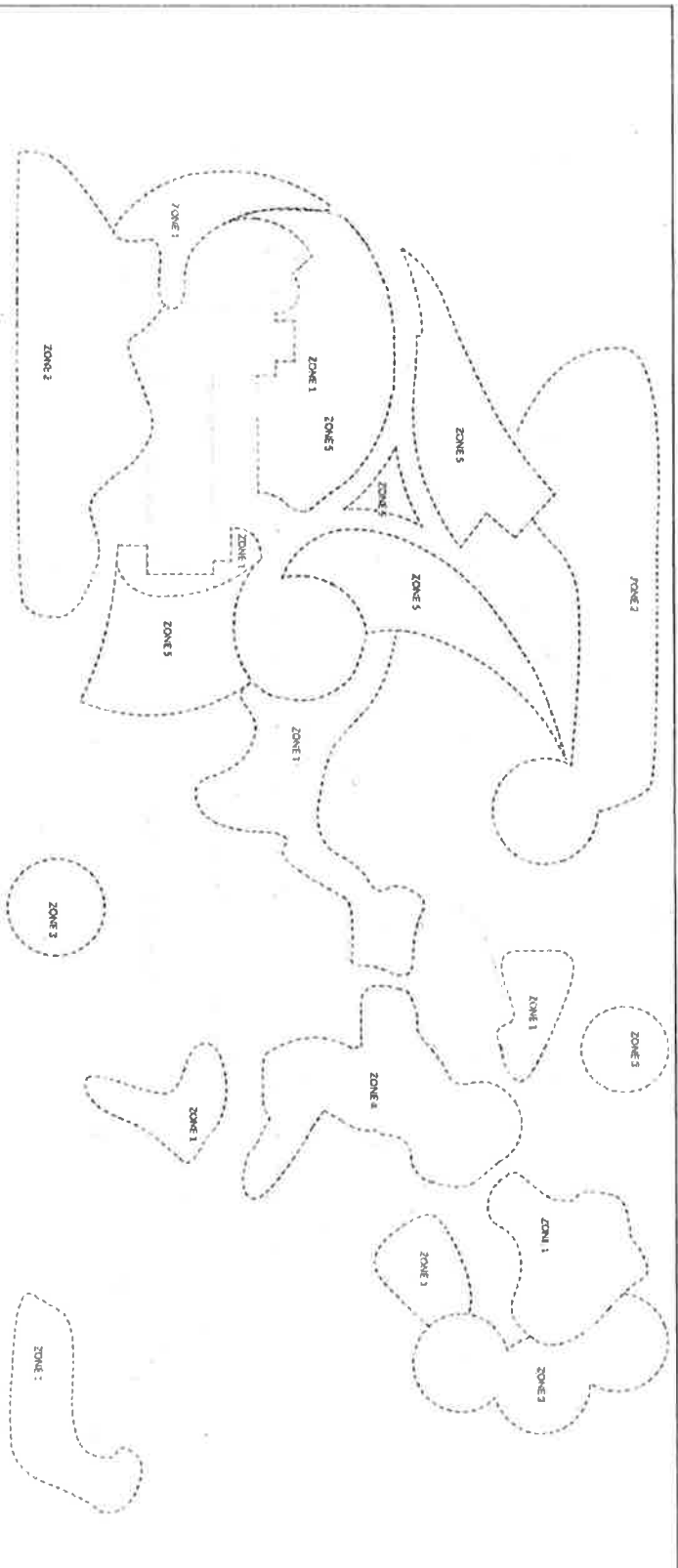
SCALE: 1/8" = 1'-0"

DATE: 10/18/18  
 DESIGNER: [Signature]  
 CHECKED: [Signature]



**HOBBS RESIDENCE**  
 187 LAGAUNITAS ROAD  
 ROSS, CALIFORNIA

**ARTERRA**  
 LANDSCAPE ARCHITECTS  
 108 MISSISSIPPI SAN FRANCISCO #4107  
 T: 415 861.3100 W: artterra.com  
 CA License #1502



**GENERAL NOTES**

1. The irrigation system is designed to provide adequate water to all plants in the landscape. The system is designed to be efficient and to conserve water. The system is designed to be easy to maintain and to operate. The system is designed to be safe and to meet all applicable codes and regulations. The system is designed to be durable and to have a long life span. The system is designed to be aesthetically pleasing and to blend with the landscape. The system is designed to be flexible and to allow for future changes. The system is designed to be cost-effective and to provide the best value for the money. The system is designed to be reliable and to provide consistent performance. The system is designed to be easy to install and to be easy to use. The system is designed to be safe and to meet all applicable codes and regulations. The system is designed to be durable and to have a long life span. The system is designed to be aesthetically pleasing and to blend with the landscape. The system is designed to be flexible and to allow for future changes. The system is designed to be cost-effective and to provide the best value for the money. The system is designed to be reliable and to provide consistent performance. The system is designed to be easy to install and to be easy to use.

**COMPONENT SCHEDULE**

1. All components shall be of high quality and shall meet or exceed all applicable codes and regulations. The components shall be durable and shall have a long life span. The components shall be aesthetically pleasing and shall blend with the landscape. The components shall be flexible and shall allow for future changes. The components shall be cost-effective and shall provide the best value for the money. The components shall be reliable and shall provide consistent performance. The components shall be easy to install and shall be easy to use. The components shall be safe and shall meet all applicable codes and regulations. The components shall be durable and shall have a long life span. The components shall be aesthetically pleasing and shall blend with the landscape. The components shall be flexible and shall allow for future changes. The components shall be cost-effective and shall provide the best value for the money. The components shall be reliable and shall provide consistent performance. The components shall be easy to install and shall be easy to use.

**CONSTRUCTION DETAILS**

1. All construction shall be of high quality and shall meet or exceed all applicable codes and regulations. The construction shall be durable and shall have a long life span. The construction shall be aesthetically pleasing and shall blend with the landscape. The construction shall be flexible and shall allow for future changes. The construction shall be cost-effective and shall provide the best value for the money. The construction shall be reliable and shall provide consistent performance. The construction shall be easy to install and shall be easy to use. The construction shall be safe and shall meet all applicable codes and regulations. The construction shall be durable and shall have a long life span. The construction shall be aesthetically pleasing and shall blend with the landscape. The construction shall be flexible and shall allow for future changes. The construction shall be cost-effective and shall provide the best value for the money. The construction shall be reliable and shall provide consistent performance. The construction shall be easy to install and shall be easy to use.

NOT FOR CONSTRUCTION

IRRIGATION ZONE PLAN

SCALE: 1" = 10'

DATE: 11/15/2011

PROJECT: HOBBS RESIDENCE

14.0



HOBBS RESIDENCE  
187 LAGAUNITAS ROAD  
ROSS, CALIFORNIA

ARTERRA  
LANDSCAPE ARCHITECTS  
600 MISSISSIPPI SAN FRANCISCO 94107  
T: 415.861.3100 W: artterra.com  
CA License #3502



**SPECIFICATIONS FEATURES**

**Finish:** 1. All metal painted with a baked enamel finish. 2. All metal painted with a baked enamel finish. 3. All metal painted with a baked enamel finish.

**Material:** 1. All metal painted with a baked enamel finish. 2. All metal painted with a baked enamel finish. 3. All metal painted with a baked enamel finish.

**Part / Area List**

**DESCRIPTION**

Model: SRU-6-10  
Material: Steel  
Finish: Baked Enamel  
Dimensions: 18.25" Dia. x 14.5" H  
Weight: 1.5 lbs  
Lead Time: 4-6 weeks



Model	Material	Weight	Dimensions	Color Temp.	Beam Angle
SRU-6-10	Steel	1.5	18.25" Dia. x 14.5" H	2700K	6-15°

WWW.SP.LIGHTING.COM

**RECESSED OVERHEAD CAN**

**DESCRIPTION**

Model: SRU-6-10  
Material: Steel  
Finish: Baked Enamel  
Dimensions: 18.25" Dia. x 14.5" H  
Weight: 1.5 lbs  
Lead Time: 4-6 weeks

Model	Material	Weight	Dimensions	Color Temp.	Beam Angle
SRU-6-10	Steel	1.5	18.25" Dia. x 14.5" H	2700K	6-15°

Model	Material	Weight	Dimensions	Color Temp.	Beam Angle
SRU-6-10	Steel	1.5	18.25" Dia. x 14.5" H	2700K	6-15°

Cooper Lighting  
www.cooperlighting.com

**RECESSED OVERHEAD CAN**

**DESCRIPTION**

Model: SRU-6-10  
Material: Steel  
Finish: Baked Enamel  
Dimensions: 18.25" Dia. x 14.5" H  
Weight: 1.5 lbs  
Lead Time: 4-6 weeks

Model	Material	Weight	Dimensions	Color Temp.	Beam Angle
SRU-6-10	Steel	1.5	18.25" Dia. x 14.5" H	2700K	6-15°

Model	Material	Weight	Dimensions	Color Temp.	Beam Angle
SRU-6-10	Steel	1.5	18.25" Dia. x 14.5" H	2700K	6-15°

Cooper Lighting  
www.cooperlighting.com

**RECESSED OVERHEAD CAN**

**DESCRIPTION**

Model: SRU-6-10  
Material: Steel  
Finish: Baked Enamel  
Dimensions: 18.25" Dia. x 14.5" H  
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Model	Material	Weight	Dimensions	Color Temp.	Beam Angle
SRU-6-10	Steel	1.5	18.25" Dia. x 14.5" H	2700K	6-15°

Model	Material	Weight	Dimensions	Color Temp.	Beam Angle
SRU-6-10	Steel	1.5	18.25" Dia. x 14.5" H	2700K	6-15°

Cooper Lighting  
www.cooperlighting.com

RECESSED OVERHEAD CAN

**ARTERRA**  
LANDSCAPE ARCHITECTS  
188 HUSSAR DRIVE SAN FRANCISCO, CA 94102  
T: 415 861 3100 W: arterrasf.com  
CA License #3502

**HOBBS RESIDENCE**  
187 LACAUNITAS ROAD  
ROSS, CALIFORNIA



DATE: 08/18/2014  
PROJECT: HOBBS RESIDENCE  
SHEET: L5.1

SCALE: NTS

**LIGHTING CUT SHEET**

**L5.1**

**SYMBOLS**

EXISTING	DESCRIPTION
	TREE TO BE REMOVED
	POWER POLE WITH GUY
	SANITARY SEWER - CLEANOUT
	SANITARY SEWER - MANHOLE
	STORM DRAINAGE - DROP PIPE
	STORM DRAINAGE - MANHOLE
	ELECTRIC METER
	GAS METER
	FIRE HYDRANT
	WATER METER
	UNDERGROUND UTILITY

**LINETYPES**

EXISTING	DESCRIPTION
	BOUNDARY LINE
	CONTOUR - MAJOR
	CONTOUR - MINOR
	EASEMENT
	FENCE - WIRE
	FENCE - WOOD
	FLOWLINE / SWALE
	FENCE - WOOD
	SITE LOCATION
	OVERHEAD UTILITY
	RETAINING WALL
	RIGHT OF WAY
	STORM DRAIN
	TREE DRIPLINE

**BASIS OF TOPOGRAPHY**

A TOPOGRAPHIC SURVEY PERFORMED BY DAVID HAMP & ASSOCIATES, DATED FEBRUARY AND REVISED TO INCLUDE EASTERLY SIDE OF 187 LAGUNITAS ROAD 1/21/2014

**BENCHMARK**

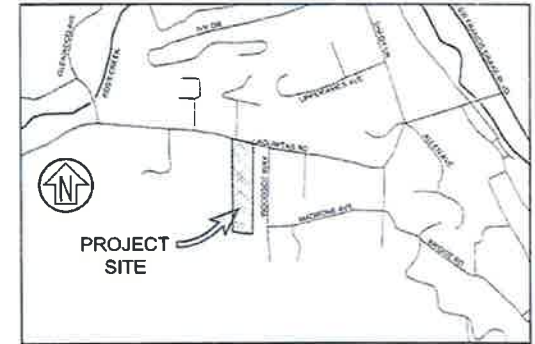
SPOT ELEVATIONS AND 2' CONTOURS SHOWN ON THIS MAP ARE BASED ON AN ASSUMED VERTICAL DATUM AND THE ELEVATION OF TIELS ASSIGNED TO THE THRESHOLD OF THE MAIN ENTRANCE DOOR AS SHOWN (SEE BENCHMARKING REPORT POLICY #230404)

**BASIS OF BEARINGS**

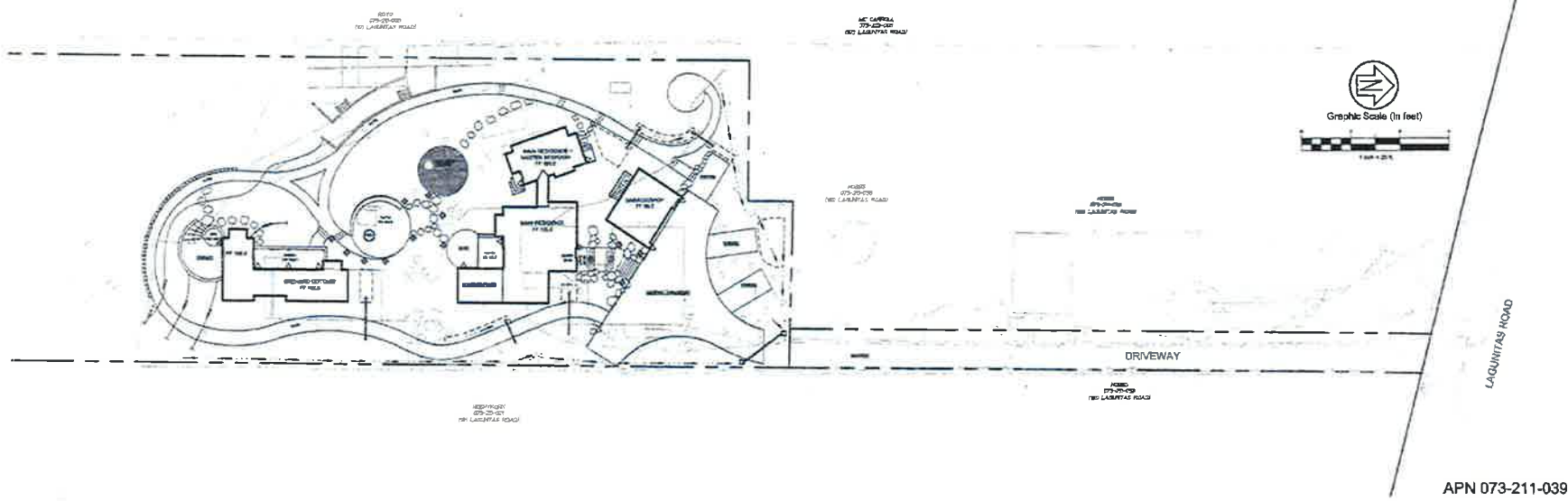
BOUNDARY LINES SHOWN ARE BASED ON THE RECORD OF SURVEY IN ASHLAND COUNTY RECORDS. MONUMENTS SHOWN THEREON AND FIELD VERIFIED. THE DEED AND EASEMENT DATA IS BASED ON THE FIRST AMERICAN TITLE REPORT POLICY #230404

**IMPERVIOUS AREA SUMMARY**

ACT. BLDG.	SQ. FT.
EXISTING IMPERVIOUS SURFACE	7,213 S.F.
IMPROVEMENT	2,285 S.F.
MANUSCRIPTS / PORCH / DECK	998 S.F.
BUILDING	2,794 S.F.
PROPOSED CHANGE IN IMPERVIOUS SURFACE	447 S.F.
FINAL IMPERVIOUS SURFACE	7,456 S.F.
AREA TO BE DISTURBED DURING CONSTRUCTION	9.51 AC.



VICINITY MAP  
SCALE: 1" = 200'



APN 073-211-039

Rev	Date	Description	Design	Drawn	Checked
1	02/11/14	ISSUED TO CLIENT FOR DESIGN REVIEW SUBMITTAL			
2	02/11/14	ISSUED TO CLIENT FOR DESIGN REVIEW SUBMITTAL			
3	02/11/14	ISSUED TO CLIENT FOR DESIGN REVIEW SUBMITTAL			
4	02/11/14	ISSUED TO CLIENT FOR DESIGN REVIEW SUBMITTAL			
5	02/11/14	ISSUED TO CLIENT FOR DESIGN REVIEW SUBMITTAL			

**CSW ST2**  
**CSW/Stein-Strook Engineering Group, Inc.**  
 CIVIL & ARCHITECTURAL ENGINEERS, PLANNING & DESIGN  
 LANDSCAPE ARCHITECTURE, ENVIRONMENTAL PLANNING  
 45 Leverland Court  
 Novato, CA 94949  
 TEL: 415.881.8880  
 FAX: 415.881.8883  
 WWW.CSWST2.COM

CITY	Ross
COUNTY	Marin
STATE	California

187 LAGUNITAS ROAD  
**PRELIMINARY SITE PLAN**  
 LANDS OF HOBBS



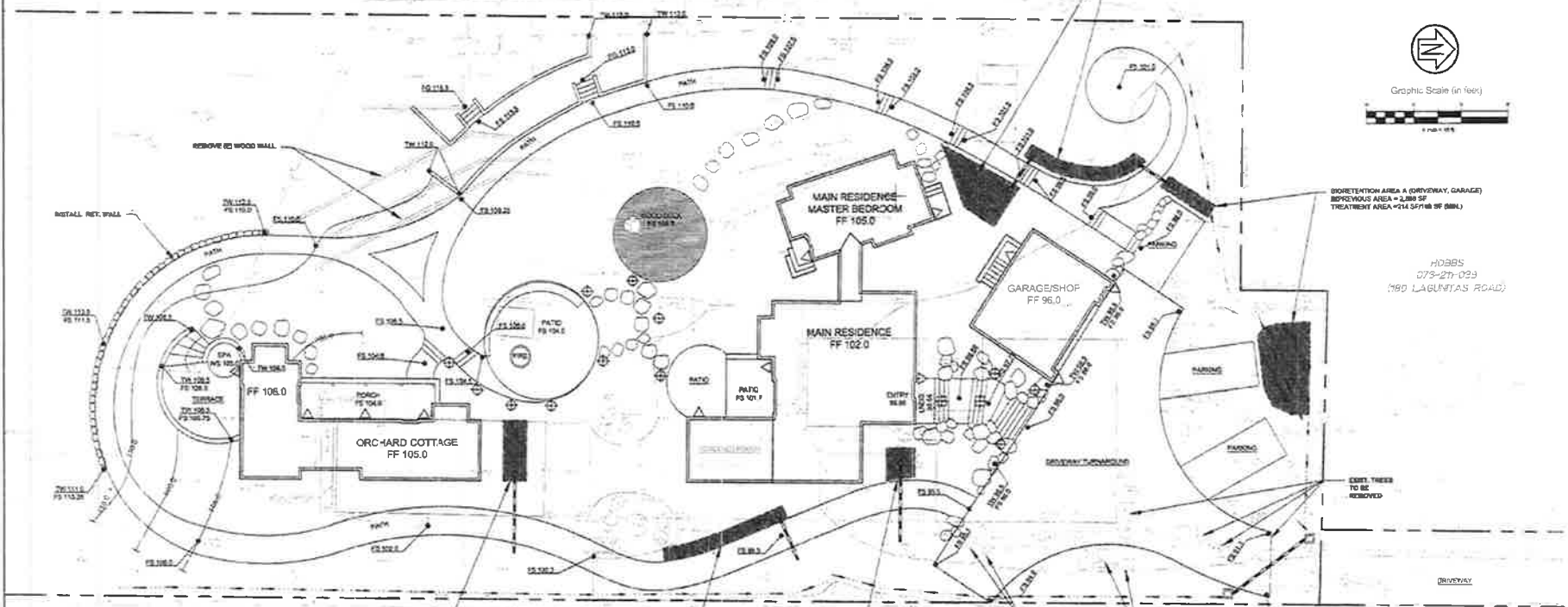
**C1**  
 Scale: 1" = 20'  
 Date: 11/14/2014  
 Project: 187 LAGUNITAS ROAD  
 Plan No: 0-0711-01

ROYO  
073-27-008  
(191 LAGUNITAS ROAD)

MC CARROLL  
073-223-005  
(193 LAGUNITAS ROAD)



Graphic Scale (in feet)



BIORETENTION AREA C  
(ORCHARD COTTAGE PORCH)  
IMPERVIOUS AREA = 1488 SF  
TREATMENT AREA = 65 SF (88%)

BIORETENTION AREA D  
(PORCH COVERED ARBORA SCAPED)  
IMPERVIOUS AREA = 2,800 SF  
TREATMENT AREA = 82 SF (88%)

BIORETENTION AREA B1  
(MAIN RESIDENCE)  
IMPERVIOUS AREA = 1,100 SF  
TREATMENT AREA = 43 SF

BIORETENTION AREA B2  
(PAV. DECK/PORCH)  
IMPERVIOUS AREA = 811 SF  
TREATMENT AREA = 207 SF (24% MIN.)

BIORETENTION AREA A (DRIVEWAY, GARAGE)  
IMPERVIOUS AREA = 2,200 SF  
TREATMENT AREA = 114 SF (5%)

HOBBS  
073-27-023  
(180 LAGUNITAS ROAD)

HOENTKOPF  
073-27-021  
(181 LAGUNITAS ROAD)

**EARTHWORK QUANTITIES**

DESCRIPTION	CUT	FILL	NET
DRIVEWAY	180 CY		180 CY (+)
DRIVEWAY #	80 CY		80 CY (+)
TRENCH SOLES	18 CY		18 CY (+)
FOUNDATION	110 CY		110 CY (+)
FOUNDATION		110 CY	110 CY (-)
TOTAL	368 CY	110 CY	258 CY (+)

NOTE:  
EARTHWORK QUANTITIES ARE APPROXIMATE ONLY. THEY DO NOT ACCOUNT FOR  
REMOVAL OF DEBRIS, OR EXISTING SITE IMPROVEMENTS.

No.	Date	Description	Designed	Checked	Reviewed

**CSW ST2**  
CSW/Stuber-Stroh Engineering Group, Inc.  
Civil & Structural (California), Surveying & Mapping, Environmental Planning  
Lead Principal / Construction Manager  
45 Leveaux Court  
Novato, CA 94945  
Tel: 415.883.2850  
Fax: 415.883.0836  
www.cswst.com

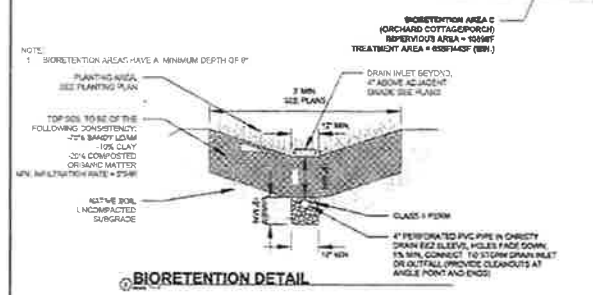
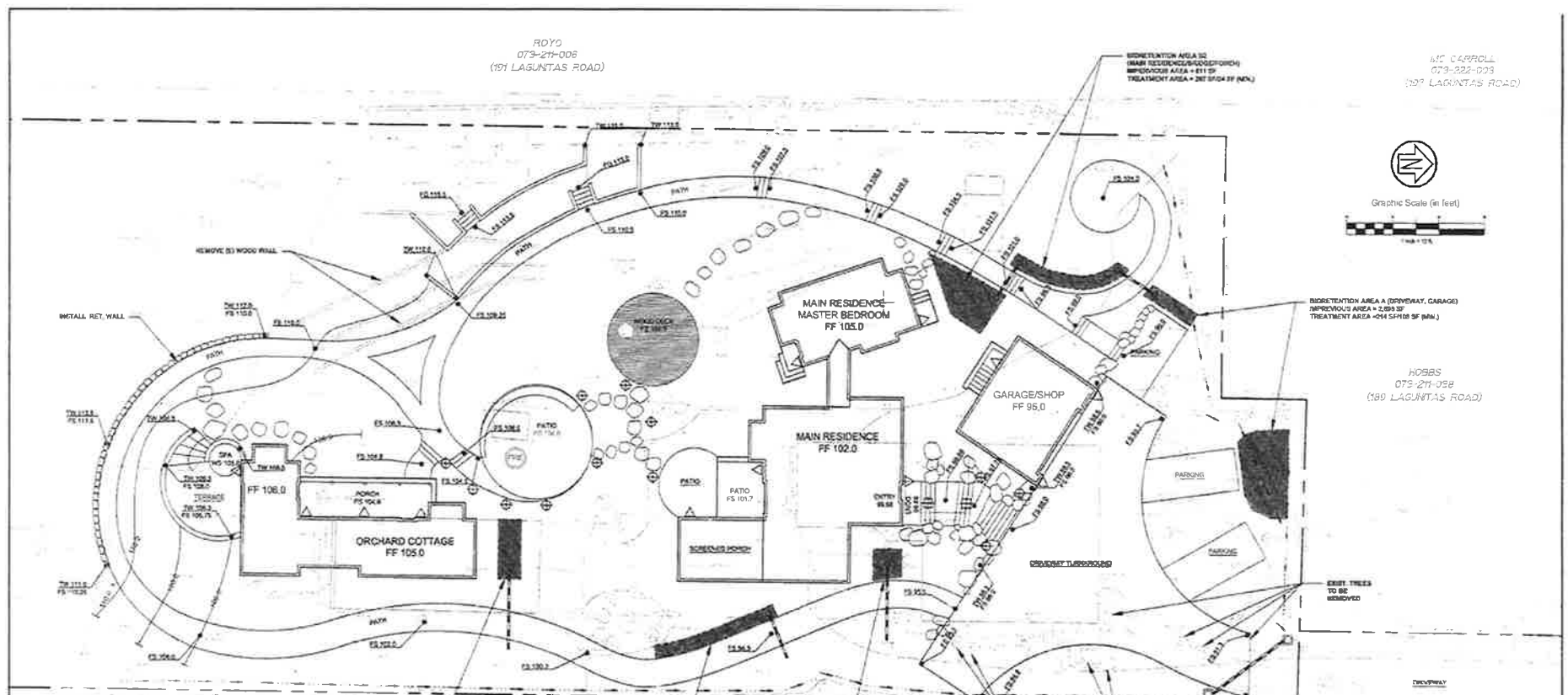
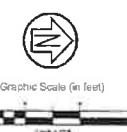
187 LAGUNITAS ROAD  
**PRELIMINARY GRADING PLAN**  
LANDS OF HOBBS

Professional Seal of the Engineer  
**C2**  
Scale: 1" = 10'  
Date: 11/10/04  
Project Number: 073-27-023  
Plan No: 0-1279-02



ROYO  
079-211-008  
(197 LAGUNITAS ROAD)

MC CARROLL  
079-222-003  
(197 LAGUNITAS ROAD)



BIORETENTION AREAS

WATERSHED AREA	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TREATMENT NEEDED (SF)	TREATMENT AREA	TREATMENT AVAILABLE (SF)
A	2450	—	108	B	214
B	1671	—	66	C	293
C	1089	—	44	D	85
D	3000	—	80	E	80
TOTAL	7458	—	298		672

**LEGEND**

- BIORETENTION AREA
- SELF-TREATING AREA
- PERVIOUS AREA
- BMP IDENTIFICATION
- WATERSHED IDENTIFICATION
- WATERSHED AREA
- BMP BEST MANAGEMENT PRACTICES

No.	Date	Description	Designed	Drawn	Checked

**CSW ST2**  
CSW/Stuber-Strohm Engineering Group, Inc.  
Civil & Structural Engineers, Surveyors & Geologists - Licensed Professional Engineers  
45 Lavergne Court  
Novato, CA 94949  
Tel: 415.883.9550  
Fax: 415.883.9335

187 LAGUNITAS ROAD  
**PRELIMINARY STORMWATER CONTROL**  
LANDS OF HOBBS

Project under the Jurisdiction of  
  
**C3**  
Scale: 1" = 10'  
Date: 11/16/2010  
Project Number: 11427-02  
Plan File: 05/17/10

## ATTACHMENT 5



**Town of Ross**

**Planning Department**

Post Office Box 320, Ross, CA 94957

Phone (415) 453-1453, Ext. 121 Fax (415) 453-1950

Web [www.townofross.org](http://www.townofross.org)

Email [esemonian@townofross.org](mailto:esemonian@townofross.org)

**NEIGHBOR ACKNOWLEDGEMENT FORM**

*Written acknowledgement of the proposed development is required from the owners, lessees, and occupants of all abutting property, including property across any street, lane or roadway.*

Project Address and Assessor's Parcel No. 187 Lagunitas R.L. Parcel 073-2137

Owner(s) of Parcel James and Helen Hobbs

Architect (Or applicant if not owner) Russ Dotter, Dotter & Solfjeld Architecture

*I am a neighbor of the project site identified above. The applicant has reviewed the project plans with me and I understand the scope of work. My signature below indicates that I am aware of the project and does not constitute approval or disapproval of the project.*

*Note: the information on this form will become part of the public record for this project and providing personal information is optional.*

CLYDE W. OSTER  
Neighbor Name(s)

*Clyde Oster*  
Neighbor Signature(s)

4.4.16  
Date

P.O. Box 2009 (185 Lagunitas R.L.)  
Neighbor Address

clyde@osterfamily.com 415 407 9640  
Neighbor Phone Number and Email

Alternate Format Information

*The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105*



# Town of Ross

## Planning Department

Post Office Box 320, Ross, CA 94957

Phone (415) 453-1453, Ext. 121 Fax (415) 453-1950

Web [www.townofross.org](http://www.townofross.org) Email [esemonian@townofross.org](mailto:esemonian@townofross.org)

### NEIGHBOR ACKNOWLEDGEMENT FORM

*Written acknowledgement of the proposed development is required from the owners, lessees, and occupants of all abutting property, including property across any street, lane or roadway.*

Project Address and Assessor's Parcel No. 187 Lagunitas Rd. Parcel 073-21139

Owner(s) of Parcel James and Helen Hobbs

Architect (Or applicant if not owner) Ross Dotter, Dotter & Solfeld Architecture

*I am a neighbor of the project site identified above. The applicant has reviewed the project plans with me and I understand the scope of work. My signature below indicates that I am aware of the project and does not constitute approval or disapproval of the project.*

*Note: the information on this form will become part of the public record for this project and providing personal information is optional.*

Thomas + Mary Cooper  
Neighbor Name(s)

Thomas A. Coyn

Mary Sueckert Coyn  
Neighbor Signature(s)

4-5-16  
Date

183 Lagunitas Rd. Ross, CA 94957  
Neighbor Address

PO Box 617  
415-721-0236 mrueckertcooper1@gmail.com  
Neighbor Phone Number and Email

#### Alternate Format Information

*The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105*

RECEIVED  
Planning Department

APR 20 2016



**Town of Ross**

**Planning Department**

Post Office Box 320, Ross, CA 94957

Phone (415) 453-1453, Ext. 121

Web [www.townofross.org](http://www.townofross.org)

Fax (415) 453-1950

Email [esemonian@townofross.org](mailto:esemonian@townofross.org)

Town of Ross

**NEIGHBOR ACKNOWLEDGEMENT FORM**

*Written acknowledgement of the proposed development is required from the owners, lessees, and occupants of all abutting property, including property across any street, lane or roadway.*

Project Address and Assessor's Parcel No. 187 Lagonitas Rd. Parcel 073-21139

Owner(s) of Parcel James and Helen Hobbs

Architect (Or applicant if not owner) Russ Potter, Potter & Selfjeld Architecture

*I am a neighbor of the project site identified above. The applicant has reviewed the project plans with me and I understand the scope of work. My signature below indicates that I am aware of the project and does not constitute approval or disapproval of the project.*

*Note: the information on this form will become part of the public record for this project and providing personal information is optional.*

Paris + Martha Royo  
Neighbor Name(s)

[Signature]  
Neighbor Signature(s)

Date

4/2/16

187 Lagonitas  
Neighbor Address

415-453-8587  
Neighbor Phone Number and Email

Paris @ royodev.com

Alternate Format Information

*The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105*

# ATTACHMENT 6

## Heidi Scoble

---

**From:** LaDonna <ldorsey66@comcast.net>  
**Sent:** Tuesday, June 07, 2016 8:52 AM  
**To:** Heidi Scoble  
**Cc:** Richard Hoertkorn  
**Subject:** FW: Hobbs 187 Lagunitas Road Proposal

Heidi Scoble  
Town of Ross Planner

Dear Ms. Scoble,

I live at 181 Lagunitas Road, I'm the eastern contiguous neighbor to the Hobbs property. The Hobbs are proposing building a compound on their property located at 187 Lagunitas Road.

Previously, the Hobbs illegally created a two or possibly three unit multi-family complex on their site; after considerable annoyance from their college aged tenant, the Ross Town Council aborted the Hobbs plan (the file is replete with the details of that encounter).

Currently AIRBNB advertises that they are "active" in 30,000 cities and have in excess of 1,000,000 short term rentals available for rent. **On their website as of today's date, AIRBNB is advertising 11 residences in Ross that are available for short term rental, up from ZERO advertised last year.**

For more than 100 years, Ross has zealously guarded its hard earned reputation as a prime, quiet residential community. This entrepreneurial assault on our hard earned reputation is, in my view, most undesirable. **The idea that "investors" could apply a whole new metric to their interest in property in our bucolic community trouble me greatly.**

Ross would, in my view, create a precedent if the Hobbs proposal is approved. Furthermore, communities all over the country have fought expensive legal battles to slow or stop these commercial intrusions on their residential environments.

Over the past decades, Ross has successfully preserved its hard fought and well-earned reputation as a high value prime single family residential community. We must be ever vigilant to preserve this reputation from this new 21<sup>st</sup> Century internet assault.

I'm hopeful that the Ross Town Council will deny the Hobbs application, and address the exponential explosion in short term rentals in Ross.

Respectively Submitted,

Richard Hoertkorn

**Linda Lopez**

---

**To:** Heidi Scoble  
**Subject:** RE: Revised Email originally sent June 7, 2016

**From:** LaDonna [<mailto:ldorsey66@comcast.net>]  
**Sent:** Wednesday, June 08, 2016 12:23 PM  
**To:** Heidi Scoble  
**Cc:** Richard Hoertkorn  
**Subject:** Re: Revised Email originally sent June 7, 2016

Ms. Scoble, Richard Hoertkorn has asked that I forward to you the revised email below (originally sent yesterday) for submittal in the staff report. You should discard the previous email.

Thank you,

*LaDonna Dorsey*

On behalf of Richard C. Hoertkorn

**From:** [rch01@comcast.net](mailto:rch01@comcast.net) [<mailto:rch01@comcast.net>]  
**Sent:** Wednesday, June 08, 2016 12:12 PM  
**To:** laDonna Dorsey  
**Subject:**

Heidi Scoble  
Town of Ross Planner

Dear Ms. Scoble,

I live at 181 Lagunitas Road; I'm the eastern contiguous neighbor to the Hobbs property. The Hobbs' are proposing a 4 building "compound" on their property located at 187 Lagunitas Road. These proposed structures aren't typical of a single family home, rather the design clearly suggests an opportunity for the owner to create a habitable commercial four plex within a prime residential neighborhood. The possibility of the proposed "compound" to be rented to multiple families would surely lead to more noise and activity than anticipated in a prime single family neighborhood.

Previously, the Hobbs illegally created a two or possibly three unit multi-family complex on their site, subjecting neighbors to considerable annoyance from the Hobbs' unsupervised tenant (s); the Ross Town Council aborted the Hobbs illegal commercial plan (the Town file is replete with the details of that encounter).

Currently AIRBNB advertises that they are "active" in 30,000 cities and that they manage in excess of 1,000,000 short term rentals. Additionally, AIRBNB boasts that they are larger than the three largest Hotel chains in the country COMBINED. **On their website as of today's date, AIRBNB is advertising 11 residences in Ross that are available for short term rental, up from ZERO advertised last year.**

For more than 100 years, Ross has zealously guarded its hard earned reputation as a prime, upscale residential community. This entrepreneurial assault on our hard earned reputation is, in my view, undesirable. **The idea that "investors" could apply 21<sup>st</sup> Century financial metrics to their interests in property in our bucolic community troubles me greatly.** Example: Income of only \$1,000. per weekend (per AIRBNB advertisements) would total \$208,000 in annual



rental income (\$1,000. times 4 units times 52 weeks). To extrapolate further, \$208,000 alone could support additional mortgage debt to a commercial property owner of \$3,630,000 ( $\$208,000/12*4.0\%$  interest for 30 years).

Ross would create a precedent if the Hobbs proposal is approved encouraging other "investors" to follow their example. Currently, communities all over the country are fighting expensive legal battles to slow or stop these commercial intrusions on their residential neighborhoods.

Over the past decades, Ross has successfully preserved its hard fought and well-earned reputation as a high value prime single family residential community. We must be ever vigilant to preserve this reputation from this new 21st Century internet assault.

I'm hopeful that the Ross Town Council will deny the Hobbs application, and address the exponential explosion in short term rentals in Ross.

Respectively Submitted,

Richard Hoertkorn  
181 Lagunitas Road



# ATTACHMENT 5

**Dotter & Solfjeld  
Architecture + Design**

4801 Park Boulevard  
Oakland, California 94602  
Phone 510.530.9231  
Fax 510.530.9223

RECEIVED  
Planning Department

SEP 12 2016

Town of Ross

August 31, 2016

Heidi Scoble

Ross Planning Department

Dear Heidi,

The owners , James and Helen Hobbs, and I would like to ask the Ross Town Council for authorization to remove the six Redwood trees, approved for removal and required by the Ross Fire Department, prior to issuance of the building permit. We do understand the town policy on removing trees, the purpose for this request to remove the trees well before the April 15<sup>th</sup> construction start is so the trees can be stored and cured for 10 – 12 months allowing them to dry properly before being milled and made into siding for the project. Our plan is to submit for the building permit mid December and, hopefully, have our permit mid February, this would not allow enough time for proper curing and drying for the trees to be usable as siding. It has been our intent from the moment we realized that these six beautiful trees would have to be removed that they would come back to the site in another form, as siding.

Thank you for taking the time to review this request and we are hoping that you will authorize the tree removal at this time.

Sincerely,

Russ Dotter A.I.A.



