

AGENDA  
REGULAR MEETING of the ROSS TOWN COUNCIL  
THURSDAY, DECEMBER 14, 2006

1. 5:00 P.M. Commencement.
2. Open time for matters pertaining to the closed session in agenda item 3.
3. Closed Session
  - a. Conference with Legal Counsel – Existing Litigation, Ross and Ligia Parmenter v Town of Ross, Marin Superior Court No. CV 54663, pursuant to Government Code 54956.9(a).
  - b. Conference with Legal Counsel – Potential litigation, pursuant to Government Code Section 54956.9, Michael Wagner claim.
4. 6:00 P.M. – OPEN SESSION. Council will return to open session and announce action taken, if any.
5. Posting of Agenda.
6. Minutes.
7. Demands.
8. Open Time for Public Expression.  
Limited to three minutes per speaker on items not on agenda.
9. Report from Mayor Rick Strauss.
  - Discuss strategies to reduce runoff, including zero net fill
  - Discuss additional regulations for on-street parking
  - Report on Town Council workshop
10. Town Council adoption of Resolution No. 1614 appointing Molly Gamble to serve as the Chief of Protocol responsible for chairing Town celebrations. (Hunter)
11. Town Council adoption of Resolution No. 1615 establishing a Street Tree Working Group and appointing Janell Hobart to head the group. (Durst)

*For information as to which item the Council is hearing, please call 415-453-1453, option 6, after 7:00 p.m. on the night of the meeting.*

Project applicants will be limited to no more than 15 minutes total for owner, architect, engineer, etc. presentations. All other speakers will be limited to a maximum of 3 minutes per item.

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12. Report from Committee Heads.
  - Public Safety -Council member Hunter
    - Fire Consolidation Update
  - General Government -Council member Hunter
    - General Plan Update
13. Report from Ross Property Owners Association.
14. Flood Control Report.
15. Presentation of findings on undergrounding utilities in Ross and consideration of Town follow-up actions. (Broad & O'Rourke)
16. Council Consent Agenda  
The following seven items will be considered in a single motion, unless removed from the consent agenda:
  - a. Town Council introduction of Ordinance No. 597 amending Municipal Code Section 9.04, Picketing Prohibited in Residential Areas. (Heying & Broad)
  - b. Town Council consideration of Resolution No. 1612 vacating a portion of Crest Avenue in Ross. (Broad)
  - c. Town Council consideration of Resolution No. 1613 amending its Conflict of Interest Code. (Broad)
  - d. Town Council consideration of award of contract and authorization of expenditures for Fernhill Avenue Overlay Project from Shady Lane to Norwood Avenue. (Jarjoura)
  - e. Town Council approval of regular Council meeting dates for 2007, including rescheduling the January and September 2007 Meetings. (Broad)
  - f. Town Council authorization to allow the Mayor and Town Manager to negotiate and enter into a contract with MetroPCS to install a cell site in Ross. (Broad)
  - g. Town Council consideration of Resolution No. 1616 clarifying establishment of fees in adopted Resolution 1555. (Broad)

End of Council Consent Agenda.

17. Town Council introduction of Ordinance No. 598 adding Municipal Code Section 2.06, establishing the powers and duties of the Town Manager. (Broad)
18. Council discussion of projects to submit to the Nonmotorized Transportation Pilot Program (NTPP) for funding consideration from a \$25 million Federal grant.

19. Town Council consideration of Resolution No. 1617 to waive permit fees for solar electric and solar thermal systems and provide a 10% (\$1,000 maximum) reduction in the building permit fee for projects that include solar energy systems. (Broad & Semonian)

20. Planning Application Consent Agenda.

The following five items will be considered in a single motion, unless removed from the consent agenda:

a. Amendment to Design Review No. DR496

Perry and Krista Pavlina, 5 Fernhill Avenue, A.P. No. 73-091-04, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum Lot Size). Amendments to an April 17, 2006, Town Council design review approval which permitted construction of a new 3,869 square foot two story residence, attached 414 square foot two-car garage, and accessory structures. The applicants propose an 80 square foot second floor balcony on the south side of the residence and request modification of a condition of approval that requires all windows to be wood with no cladding to allow windows with a dark brown aluminum clad exterior.

Lot area	25,958 square feet
Approved Floor Area Ratio	14.9%
Proposed Floor Area Ratio	14.9% (15% permitted)
Approved Lot Coverage	14.2%
Proposed Lot Coverage	14.2% (15% permitted)

b. Variance and Design Review No. 1626

Timothy and Katrina Harmon, 2 Hillgirt Drive, A.P. No. 73-082-03, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size). Variance to allow a 59 square foot addition to the lower level of the residence, within the existing crawl space. Variances for landscape improvements including patios, a fireplace and a barbecue within the side setback (25 feet required, 1.5 feet proposed) and rear setback (40 feet required, 7 feet proposed). Design review for 300 linear feet of retaining walls ranging in height from .5 feet to 5 feet tall (average height 1.6 feet). Design review for grading associated with the project, which includes approximately 100 cubic yards of cut and 15 cubic yards of fill. Tree removal permit for a 16 inch diameter apple tree within the rear setback.

Lot area	17,069 square feet
Existing Floor Area Ratio	22.4%
Proposed Floor Area Ratio	22.8% (15% permitted)
Existing Lot Coverage	11.0%
Proposed Lot Coverage	11.0% (15% permitted)

*The existing residence is nonconforming in rear and side setbacks.*

c. Design Review No. 1629

Cindy Stratton and Deron Kartoon, 3 Sir Francis Drake Boulevard, A.P. No. 73-273-38, R-1:B-7.5 (Single Family Residence, 7,500 Square Foot Minimum Lot Size). Design review to allow the construction of a new, 6 foot tall, solid wood fence and

vehicular access gate adjacent to the front yard property line on Sir Francis Drake Boulevard.

**d. Variance No. 1589**

Stefanie Reichel-Cook and Nathaniel Cook, 83 Shady Lane, A.P. No. 73-091-15, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). Variance to allow new solar water and photovoltaic panels on the rear roof slope of the two story residence within the south side yard setback (15 feet required, 3.5 feet proposed) and north side yard setback (15 feet required, 2 feet proposed).

*The existing residence is nonconforming in setbacks.*

**e. Design Review No. 1628**

Hal and Barbara Barwood, 123 Bolinas Avenue, A.P. No. 73-041-05, R-1 (Single Family Residence, 5,000 Square Foot Minimum Lot Size). Design review to allow the construction of a new, 5 foot tall, partially-open, wood fence along the front property line on Bolinas Avenue and along the east side property line adjacent to the public right-of-way.

**End of Planning Consent Agenda.**

**21. Variance and Design Review No. 1624**

Lisa and Peter Park, 130 Laurel Grove Avenue, A.P. No. 72-211-21, R-1:B-A (Single Family Residence, One Acre Minimum Lot Size). Variance and design review for a new 799 square foot pool house with an attached 285 square foot covered porch within the side setback (25 feet required, 15 feet proposed).

Lot area	37,558 square feet
Existing Floor Area Ratio	12.5%
Proposed Floor Area Ratio	14.6% (15% permitted)
Existing Lot Coverage	11.8%
Proposed Lot Coverage	15.4% (15% permitted)

**22. Variance and Design Review No. 1610**

Nan and Rob Foster, 18 Southwood Avenue, A.P. No. 73-151-03, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum Lot Size). Variance and design review to allow the following: 1.) demolition of an existing carport and construction of a new 350 square foot one car garage within the west side yard setback (20 feet required, 0 feet proposed), rear yard setback (40 feet required, 26 feet proposed), and guideline watercourse setback (50 feet recommended, 2 feet proposed); 2.) construction of a new roof on the residence resulting in a maximum building height of approximately 21 feet within the west side yard setback (20 feet required, 8 feet proposed); 3.) construction of a 195 square foot office addition to the front of the residence within the east side yard setback (20 feet required, 18 feet proposed); 4.) construction of a 30 square foot cantilevered addition at the rear of the residence and within the west side yard setback (20 feet required, 11 feet proposed); 5.) replacement of an existing rear deck with a new and slightly larger deck; 6.) alterations to and slight enlargement of an existing window bay on the front of the residence; 7.) construction of a new entry landing and stairs within the west side

yard setback (20 feet required, 14.5 feet proposed); and 8.) the addition of several new windows to the residence's east side and rear elevations.

Lot area	12,629 square feet	
Existing Floor Area Ratio	17.9%	
Proposed Floor Area Ratio	19.8%	(15% permitted)
Existing Lot Coverage	20.7%	
Proposed Lot Coverage	23.1%	(15% permitted)

*The existing residence is nonconforming in sideyard setbacks. The existing carport is nonconforming in side and rear yard setbacks and is located partially on a neighboring property. The property is nonconforming in covered parking.*

- 23. Correspondence.
- 24. Other Business.
- 25. Adjournment.

*If any of the matters discussed above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this notice or in written correspondence delivered at, or prior to, the Council meeting at which this matter will be heard. (Government Code Section 65009).*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager at (415) 453-1453, extension 107 or (415) 453-1950 (Fax). Notification at least 48 hours prior to the meeting will enable the town to make reasonable accommodation to help insure accessibility to this meeting.*