

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, AUGUST 12, 2010

1. 6:30 P.M. Commencement.
2. Posting of Agenda.
3. Open time for matters pertaining to the closed session in agenda item 4.
4. Closed Session. (15 minutes)

Labor Relations - Government Code Section 54957.6 related to negotiations between the Town of Ross (Gary Broad, Town Manager, Richard Strauss and Scot Hunter, Ross Town Council, as Town Representatives) and the Ross Professional Firefighters Association, Local 1775.
5. Open Session. Council will return to open session and announce action taken, if any.
6. Minutes.
7. Demands.
8. Open Time for Public Expression. (5 minutes)
Limited to three minutes per speaker on items not on agenda.
9. Town Council consideration of adoption of Resolution No. 1715 commending Police Sergeant Robert Tucker upon his retirement. (Reis, 5 minutes)
10. Town Council consideration of adoption of Resolution No. 1716 commending Fire Captain Bruce Selfridge upon his retirement. (Vallee, 5 minutes)
11. Recognition of Gianfranco Campa for promotion to Police Sergeant. (Reis, 5 minutes)
12. Recognition of Jim Popken for promotion to Fire Captain (Vallee, 5 minutes)

For information as to which item the Council is hearing, please call 415-453-1453, option 3, after 6:30 p.m. on the night of the meeting. Times shown are estimates only.

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.

- 13. Report from Mayor.
- 14. Report from Committee Heads. (5 minutes)
 - Public Works - Mayor Pro Tempore Small
 - Public Works Committee Update
- 15. Report from Ross Property Owners Association.
- 16. Report from the Ross School. (5 minutes)
- 17. Flood Control Report.
- 18. Consent Agenda. (10 minutes)

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

a. Town Council consideration of adoption of Resolution No. 1717 authorizing the Town Manager to execute grant agreements with the California Emergency Management Agency. (Broad) ☐

b. 30 Ross Common, Commercial District Use Permit No. 1792 (Semonian) ☐
Marcella Arana, Joseph and Deborah Montero, Property Owners, Tinsley Hutson-Wiley, Applicant, 30 Ross Common, A.P. No. 73-272-11, Local Service Commercial District (C-L), Zone A (area of 100 year flood). A Local Service Commercial District Use Permit application for a retail store for gifts, furniture, and house and garden accessories. The applicant estimates the business would have two employees and customer traffic of 5-10 clients per day. Proposed days and hours of operation are Monday through Saturday, 10 am to 4 pm.

c. 59 Winship Avenue, Amendment to Variance No. 1761 (Semonian) ☐
Robert and Carol Momsen, 59 Winship Avenue, A.P. No. 72-162-02, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre). Amendment to plans approved by the Town Council on December 10, 2009, and amended on July 15, 2010. The applicants request a lot coverage variance to add a 4 foot by 7 foot covered entry porch at the rear of the residence.

Lot area	9,583 square feet	
Approved Floor Area	33.9%	
Proposed Floor Area	33.9%	(20% permitted)
Approved Lot Coverage	29.3%	
Proposed Lot Coverage	29.5%	(20% permitted)
Approved Impervious Areas	35.0%	
Proposed Impervious Areas	35.0%	

The garage is nonconforming in setbacks.

d. 93 Bolinas Avenue, Extension of Time for Variance and Design Review No. 1747 (Semonian) 

Paul and Tori Steege, 93 Bolinas Avenue, A.P. No. 73-041-15, R-1 (Single Family Residential), Medium Density (6-10 Units/Acre). A one-year time extension to July 9, 2011, for a variance and design review application approved July 9, 2009, to allow the following modifications to the existing residence: 1.) relocation of existing dormers on the north facing roof and construction of a new gable/shed dormer to increase the ceiling height of existing upper level floor area; 2.) new gable roof for existing carport and extension of the carport 8 feet towards the front yard; 3.) replacement of the existing porch with a new porch and second floor roof deck; and 4.) a new hot tub within the rear yard setback (40 feet required, 3.5 feet proposed) and east side yard setback (15 feet required, 3.5 feet proposed). The hot tub would be located on an existing deck that covers a seasonal stream contained in a concrete channel.

Lot area	6,400 square feet	
Existing Floor Area Ratio	1,943 sq. ft.	30.3%
Proposed Floor Area Ratio	2,037 sq. ft.	31.8% (20% permitted)
Existing Lot Coverage	1,393 sq. ft.	21.8%
Proposed Lot Coverage	1,487 sq. ft.	23.2% (20% permitted)

The existing residence and carport are nonconforming in side and rear setbacks.

e. 30 Sir Francis Drake Blvd, Variance No. 1791 (Semonian) 

Marin Art & Garden Center, 30 Sir Francis Drake Boulevard, A.P. Nos. 72-231-01, 02 and 23, C-C (Community Cultural), R-C (Limited Specialized Recreational/Cultural). Variance to add a 192 square foot greenhouse for plant propagation to the southwest corner of the site, within the front yard setback (3 feet proposed, 25 feet required) without providing additional parking at the site (2 additional spaces required).


Lot area	439,858 square feet	
Existing Floor Area Ratio	6.3%	
Proposed Floor Area Ratio	6.3%	(20% permitted)
Existing Lot Coverage	6.3%	
Proposed Lot Coverage	6.3%	(25% permitted)

The existing site is nonconforming in required parking spaces.

End of Consent agenda.


19. Briefing from the Army Corps of Engineers and the County of Marin on the status of the Unit 4 Fish Ladder Replacement Project and Related Creek Improvements. (Martin, 20 minutes) NOTE: This item is expected to commence at approximately 7:15 p.m.

20. Town Council consideration/action on sending a letter to the California Public Utility Commission Requesting Suspension of Deployment of SmartMeters in Ross (Broad, 10 minutes) 📄
21. Public input and Town Council discussion of potential improvements to Frederick Allen Park (O'Rourke, 15 minutes) 📄
22. Town Council consideration of adoption of Ordinance No. 620, amending the Town's hillside development regulations, including potential ordinance re-introduction with limits on deck area for hillside lots. A summary of the changes proposed: 1.) Hillside lot floor area ratio would become a mandatory development regulation and not a guideline. A variance would be necessary to exceed the maximum permitted floor area for a hillside site; 2.) No change to the method of calculating average lot slope is proposed; 3.) A new hillside lot floor area ratio formula is proposed. The formula levels out the current floor area thresholds and would reduce the maximum permitted floor area for some lots and increase the maximum permitted floor area for other lots; 4.) The hillside lot ordinance would apply to most hillside projects that are currently subject to design review, such as additions that are 200 square feet or greater and certain retaining wall projects; 5.) New guidelines would permit the Town Council to consider the design and privacy impacts of decks and take into consideration aesthetic impacts of tall building walls; 6.) The ordinance reinstates larger setbacks requirements for hillside lots as a strongly recommended guideline. The Council may allow reduced setbacks to protect creeks, trees, or to allow development on a more level area of a site, and 7.) Published notice of a hillside lot hearing would no longer be required. Public notices would be mailed to all property owners within 500 feet of a site and posted at the site and two other locations. The ordinance would regulate all property within the Town of Ross with an average slope of thirty percent (30%) or greater or that is wholly or partially within Hazard Zones 3 or 4 as identified on the town slope stability map. The draft ordinance, a red-line draft of the changes, and other materials are available at the Town website. (Semonian, 10 minutes) 📄
23. Town Council authorization of expenditures and awarding of contract for the Sir Francis Drake Boulevard Overlay Project. (Jarjoura, 10 minutes) 📄
24. Town Council consideration of adoption of Resolution No. 1718 (Complete Streets) setting a goal to increase bicycle and pedestrian trips in directing staff to consider and include complete streets transportation elements in capital improvement projects. (O'Rourke, 10 minutes) 📄
25. Report from Fire and Police on traffic conditions and emergency response in Ross during the Lagunitas Road Bridge closure and consideration/action of implementation of any interim measures. (Vallee and Reis, 10 minutes)
26. No Action Items: (Martin, 5 minutes)
 - a. Council correspondence received
 - b. Future Council items

27. 662 Goodhill Road, Amendment to Design Review and Hillside Lot Hazard Zone Use Permit No. 1784 (Semonian, 15 minutes) 
 Donald Santa Family Trust, 662 Goodhill Road, A.P. No. 73-211-45, R-1:B-5A (Single Family Residential, 5-acre min. lot size), Very Low Density (.1-1 Unit/Acre) and Limited Specialized Recreational/Cultural. Applications for design review and hillside lot approval and request to amend conditions of the 2001 Town Council design review, hillside lot hazard zone 3 & 4 use permit approval (Resolution 1462), which permitted construction of the two story residence, detached garage/ guest bedroom, and accessory structures. The applicant requests the Council to: 1.) rescind a condition of approval that precludes construction at the site for five years following the date of project final; 2.) allow floor area over 9,142 square feet; 3.) permit the 395 square foot basement under the residence to be finished; and 4.) permit 400 square feet of attic area over the garage to be finished. The basement and attic project would increase the floor area at the site, but would result in no exterior modifications to the structures. Total development of 9,507 square feet is proposed.


Lot Area	776,675 sq. ft. (17.83 acres)
Existing Floor Area Ratio	1.1%
Proposed Floor Area Ratio	1.2% (15% permitted*)
Existing Lot Coverage	0.9%
Proposed Lot Coverage	0.9% (15% permitted)

(*The slope of this lot is 41%. The current Hillside Lot Ordinance would recommend a maximum floor area of 6,534 square feet, or 0.8% floor area ratio, for the site.)

28. 14 Walnut Avenue, Variance and Design Review No. 1671 (Semonian, 15 minutes) 
 Loretta Gargan & Catherine Wagner, 14 Walnut Avenue, A.P. No. 73-171-55, R-1: B-10 (Single Family Residence, 10,000 SF Minimum Lot Size), Medium Low Density (3-6 units per acre). Design review and variance for a 649 square foot, two-story, addition to the existing 706 square foot residence. The north roof overhang for the addition would encroach into the north side yard setback (13 feet proposed, 15 feet required). Design review and variances are also requested for a new 330 square foot, one car, garage, pool equipment and storage structure within the side yard setback (3 feet proposed, 10 foot setback required) and rear yard setback (5 feet proposed, 10 feet required). The south roof overhang for the garage would encroach into the south side yard setback (1.5 feet proposed, 10 feet required). The project also includes a spa, pool and patio area within the rear yard setback (7 feet proposed, 40 feet required). Total floor area of 1,685 square feet is proposed.

Lot area	7,500 square feet
Existing Floor Area	9.4%
Proposed Floor Area	22.4% (20% permitted)
Existing Lot Coverage	12.2%
Proposed Lot Coverage	20.8% (20% permitted)
Existing Impervious Areas	18.5%
Proposed Impervious Areas	32.8%

The existing residence is nonconforming in setbacks.

29. 17 Upper Ames Avenue, Variance and Design Review No. 1790 (Semonian, 10 minutes) 

Kira Matthews, 17 Upper Ames Avenue, A.P. No. 73-181-14, R-1:B-20 (Single Family Residential, 20,000 sq. ft. min. lot size), Low Density (1-3 Units/Acre). Variance and design review application to allow a remodel and 556 square foot addition to the existing residence. The project includes replacing the carport with a garage, constructing a second floor bedroom addition over the garage, and a 102 square foot second floor addition on the south elevation. The garage and bedroom addition would be partially within the front yard setback (21 feet proposed, 25 feet required).

Lot area	23,323 square feet
Existing Floor Area Ratio	13.7%
Proposed Floor Area Ratio	16.0% (15% permitted)
Existing Lot Coverage	10.2%
Proposed Lot Coverage	10.6% (15% permitted)
Existing Impervious Areas	22.0%
Proposed Impervious Areas	22.0%

The existing carport is nonconforming in setbacks.

30. Adjournment.

The meeting will be held at Ross Town Hall, 31 Sir Francis Drake Boulevard, located at the corner of Sir Francis Drake Boulevard and Lagunitas Road.

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.