

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
on the SPECIAL DATE OF THURSDAY, APRIL 5, 2007

1. 6:30 P.M. Commencement.
2. Posting of Agenda.
3. Minutes.
4. Demands.
5. Open Time for Public Expression.
Limited to three minutes per speaker on items not on agenda.
6. Election of Mayor.
7. Election of Mayor Pro Tempore.
8. Report from Committee Heads.
 - Public Safety -Council member Hunter
 - Fire Consolidation Update
 - Public Works -Council member Strauss
 - Plan for the Downtown Area Report
 - Town Pathways Update
 - Ross School Liaison -Council member Skall
 - Ross School Update
9. Report from Ross Property Owners Association.
10. Flood Control Report.
11. Town Council consideration of Resolution No. 1622 Confirming the Ross Valley Paramedic Authority (RVPA) Tax Levy for Fiscal Year 2007-2008. (Broad)
12. Town Council consideration and response to the Grand Jury report dated February 14, 2007 entitled "Hogtieing: A Lethal Restraint?" (Heying)
13. Town Council presentation from Marin County District 2 Supervisor Hal Brown and Assistant Civil Engineer Jack Curley on the Ross Valley Flood Protection and Watershed Program and the proposed drainage system fee for the Flood Zone 9-Ross Valley, and consideration of supporting Resolution No. 1623.

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

- 14. Town Council consideration of Resolution No. 1621 - Making Certain Findings and Determinations in Compliance with Section XIII B of the California Constitution (GANN Initiative) and Setting the Appropriation Limit for the Fiscal Year Ending June 30, 2007. (Broad)
- 15. Town Council consideration of Resolution No. 1624 proclaiming April 2007 to be Fair Housing month. (Broad)
- 16. Planning Application Consent Agenda.
The following two items will be considered in a single motion, unless removed from the consent agenda:

a. **30 El Camino Bueno, Extension of Time Hillside Lot No. HL 114**
Colin Lind and Anne Dickerson-Lind, 30 El Camino Bueno, A.P. No. 72-171-04, R-1:B-A (Single Family Residence, One Acre Minimum Lot Size). A one-year time extension to April 17, 2008, for a demolition, variance, design review and hillside lot permit application approved on April 17, 2007, to allow the following: 1.) construction of a 5,789 square foot three story residence (two stories allowed) with a maximum height of 32.5 feet (30 feet allowed), an 805 square foot attached two car garage, and a 113 square foot pool house; 6,707 square feet of total development is proposed*; 2.) construction of a new terrace and a 75 foot by 17 foot swimming pool to the south of the proposed residence; and 3.) 1,475 cubic yards of cut, 730 cubic yards of fill, and 360 linear feet of new retaining walls with a maximum height of 8 feet.

Lot area	2.48 acres	
Existing Floor Area Ratio	5.8%	
Proposed Floor Area Ratio	6.2%	(15% permitted*)
Existing Lot Coverage	3.9%	
Proposed Lot Coverage	6.6%	(15% permitted)

**The slope of this lot is 40%. The hillside lot ordinance would recommend a maximum floor area of 6,708 square feet.*

b. **7 Upper Road, Variance and Design Review No. 1645**
Thomas Weisel, 7 Upper Road, A.P. No. 73-011-25, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size). Design review and variance to permit 142 linear feet of new retaining walls up to 6 feet tall and 25 linear feet of 10 foot tall fence (6 foot tall fence permitted) for a new sports court to replace the existing garden shed and former sports court. Design review is also requested for a new 164 square foot office shed and 120 square foot greenhouse.

Lot area	178,596 square feet	
Current Floor Area Ratio	9.7%	
Proposed Floor Area Ratio	9.8%	(15% permitted)
Current Lot Coverage	4.6%	
Proposed Lot Coverage	5.0%	(15% permitted)

The existing residence is nonconforming in height and number of stories. The existing garage is nonconforming in setbacks.

End of Planning Consent Agenda.

17. **12 Norwood Avenue, Amendment to Variance and Design Review No. 1551**
Ken and Lori Tishgart, 12 Norwood Avenue, A.P. No. 73-091-29, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum Lot Size). Variance, design review and amendment to the April 7, 2005 Town Council approval to permit the following: 1.) construction of a 40 foot by 20 foot swimming pool within the east side setback (20 feet required, 14 feet proposed); 3.) new patio area within the setback from the rear property line of 10 Norwood (25 feet required, 22 feet proposed), west side setback (20 feet required, 14 feet proposed) and guideline watercourse setback (25 feet recommended, 10 feet proposed); 4.) modification to the design of the pool pavilion and outdoor fireplace.

Lot area	54,700 square feet
Approved Floor Area Ratio	9.9%
Proposed Floor Area Ratio	9.9% (15% permitted)
Approved Lot Coverage	7.0%
Proposed Lot Coverage	7.0% (15% permitted)

The existing residence is nonconforming in setbacks, maximum height, and number of stories. Existing accessory structures are nonconforming in setbacks.

18. **94 Sir Francis Drake, Variance and Design Review No. 1643**
Gus Shuwayhat, 94 Sir Francis Drake Boulevard, A.P. No. 72-151-04, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). Variance and design review to permit a 603 square foot single-story addition to the rear of the existing residence within the north side setback (15 feet required, 3 feet proposed).

Lot area (per applicant)	11,900 square feet
Existing Floor Area Ratio	14.6%
Proposed Floor Area Ratio	19.7% (20% permitted)
Existing Lot Coverage	14.6%
Proposed Lot Coverage	19.7% (20% permitted)

The existing residence is nonconforming in setbacks and legal covered parking (1 space required).

19. **31 Upper Road, Design Review No. 1640**
Judy and Tom Hyde, 31 Upper Road, A.P. No. 73-111-10, R-1:B-5A (Single Family Residence, 5 Acre Minimum Lot Size). Design review to allow: 1.) expansion of the garage from 555 square feet to 938 square feet; 2.) 570 square foot addition above the garage for a guest bedroom suite; 3.) 340 cubic yards of cut associated with re-sloping and widening the driveway; and 4.) retaining walls up to 10.25 feet in height along the driveway. The project also involves construction of a new covered entryway and modification to the existing dormers.

Lot area	112,820 square feet
Existing Floor Area Ratio	5.6%
Proposed Floor Area Ratio	6.4% (15% permitted)
Existing Lot Coverage	4.5%
Proposed Lot Coverage	5.3% (15% permitted)

20. 31 Winship Avenue, Variance and Design Review No. 1646
Kevin Howley, 31 Winship Avenue, A.P. No. 72-153-10, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). Variance and design review to allow the following modifications to the existing residence: 1.) modification of the lower level to reduce the size of the garage and mechanical area from 558 square feet to 337 square feet and create 230 square feet of living area; 2.) reconstruction of the roof over the master bedroom to increase the maximum building height by approximately 2 feet within a side setback (15 feet required, 9.25 feet existing) ; 3.) construction of an outdoor fireplace within the side setback (15 feet required, 3 feet proposed) and rear setback (40 feet required, 30 feet proposed); 4.) modification of existing entry stairs on the west and south elevations; 5.) 350 square foot rear deck; and 6.) extension of patio areas within the north and south side setbacks (15 feet required, 0 feet proposed) and rear setback (40 feet required, 20 feet proposed).

Lot area	12,072 square feet
Existing Floor Area Ratio	20.3%
Proposed Floor Area Ratio	20.4% (20% permitted)
Existing Lot Coverage	17.5%
Proposed Lot Coverage	18.5% (20% permitted)

21. 24 Upper Road West, Design Review No. 1642
Timothy J. Peterson (applicant), Mohammed Diab (owner), 24 Upper Road West, A.P. No. 73-011-25, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size). After-the-fact design review for a new 32 foot by 24 foot water storage tank within 25 feet of a watercourse to serve the applicant's property at 13 Woodhaven Road and the property at 24 Upper Road West.

Lot area	43,560 square feet
Existing Floor Area Ratio	7.0%
Proposed Floor Area Ratio	7.0% (15% permitted)
Existing Lot Coverage	4.1%
Proposed Lot Coverage	5.8% (15% permitted)

22. 16 Walters Road, Amendment to Hazard Zone, Hillside Lot and Design Review No. 1641
Rocky Stich, 16 Walters Road, A.P. No. 72-171-06, R-1:B-A (Single Family Residence, One Acre Minimum Lot Size). Amendment of hazard zone 3 use permit, hillside lot and design review application approved on January 9, 2003, to allow a 650 square foot addition to the existing residence. The addition to the east side of the residence would add 119 square feet to the main level in the area of an existing patio and 531 square feet to the upper level, increasing the size of the residence from 2,783 square feet to 3,433 square feet.

April 5, 2007 Agenda

Lot area	65,675 square feet	
Existing Floor Area Ratio	4.9%	
Proposed Floor Area Ratio	5.9%	(15% permitted*)
Existing Lot Coverage	3.5%	
Proposed Lot Coverage	3.6%	(15% permitted)

**The lot slope is 39%. The Hillside Lot Ordinance guidelines would recommend a maximum floor area ratio of 6.6%.*

- 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.