



AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, DECEMBER 8, 2016

- 1. 5:00 p.m. Commencement.**
- 2. Posting of agenda.**
- 3. Open time for matters pertaining to the closed session items in agenda item 4.**
- 4. Closed Session.**
Conference with Legal Counsel—Existing Litigation
Government Code Section 54956.9(d)(1)
In the Matter of the Appeal Regarding PERS Membership Eligibility of Gary Broad,
PERS Case No. 2014-914, OAH Case No. 201520995.

Conference with Legal Counsel—Existing Litigation
Government Code Section 54956.9(d)(1)
In the Matter of the Appeal Regarding Membership Eligibility of Patricia M. Riley, PERS
Case No. 2016-005, OAH Case No. 2016080840.
- 5. 6:00 p.m. Open Session. Council will return to open session and announce actions 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. Introduction of new Public Works Director/Town Engineer Richard Simonitch. (Chinn, 2 minutes)**
- 10. Mayor's Report. (5 minutes)**
- 11. Council Committee & Liaison Reports. (5 minutes)**

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.

12. Staff & Community Reports. (10 minutes)

- a. **Town Manager.**
- b. **Marin Art & Garden Center.**
- c. **Ross Property Owners Association.**
- d. **Ross School.**
- e. **Ross Historical Society/Moya Library.**

13. Consent Agenda. (5 minutes)

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

- a. **Town Council consideration of adoption of Resolution No. 1977 certifying the results of the Municipal Election held on November 8, 2016. (Lopez) ☐**
- b. **Town Council consideration of adoption of Resolution No. 1978 changing the April 2017 regular Council meeting date. (Chinn) ☐**
- c. **Town Council consideration of adoption of Resolution No. 1979 reaffirming the Town Investment Policy. (Chinn) ☐**
- d. **Town Council authorization to extend current Dispatch Services Agreement between the Town of Fairfax and the Town of Ross Police Departments. (Masterson) ☐**

End of Consent Agenda.

14. Public Hearings on Planning Projects

Public hearings are required for the following planning applications. Staff anticipates that these items may be acted upon quickly with no oral staff report, Council discussion, or public comment. If discussion or public comment is requested for any item, the Council may consider the item later in the agenda. The Council will act on each item separately.

- a. **2 Canyon Road, Nonconformity Permit No. 2016-047, and Town Council consideration of adoption of Resolution No. 1980. (Scoble, 3 minutes) ☐**

Ben and Patti Shimek, 2 Canyon Road, A.P. No. 072-092-06, R-1:B-A (Single Family Residence, 1 acre min. lot size), Very Low Density (.1-1 unit/Acre). The applicant is requesting a Nonconformity Permit to allow a 43 square foot second floor addition within the footprint of an existing single family residence. The residence has an existing nonforming roof height of 34 feet 2 inches. The Nonconformity Permit is required to allow for structural alterations to a nonconforming building.

Existing and proposed conditions:

Lot Area	42,646 square feet
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Existing Floor Area/Ratio	5,926 sq. ft.	13.9% *(15% permitted)
Proposed Floor Area/Ratio	5,969 sq. ft.	14%
Existing Lot Coverage	4,459sq. ft.	10.5% *(15% permitted)
Proposed Lot Coverage	No Change.	
Existing Impervious Surfaces	No Change	
Proposed Impervious Surfaces	No Change	

b. 137 Bolinas Avenue, Nonconformity Permit No. 2016-044, and Town Council consideration of adoption of Resolution No. 1981. (Scoble, 3 minutes) ☐

Kimberly Tully-Sutton, 137 Bolinas Avenue, A.P. No. 073-041-02, R-1 (Single Family Residence, 5,000 square feet min. lot size), Medium Density (6-10 units/Acre). The applicant is requesting a Nonconformity Permit to allow the renovation and installation of new dormers and skylights within the footprint of an existing attic space. The existing residence is considered legal nonconforming because the residence is located within the front and rear yard setback.

Existing and proposed conditions:

Lot Area	4,836 square feet	
Existing Floor Area/Ratio	1,618 sq. ft.	33% *(20% permitted)
Proposed Floor Area/Ratio	No Change	
Existing Lot Coverage	1353 sq. ft.	27.9% *(20% permitted)
Proposed Lot Coverage	No Change.	
Existing Impervious Surfaces	No Change	
Proposed Impervious Surfaces	No Change	

End of Public Hearings on Planning Projects.

Administrative Agenda

- 15. Town Council discussion/action on preferred future use of the portion of the Ross Common that is currently the site of the Town-owned property known as 6 Redwood Drive. (Chinn, 1 hour) ☐**
- 16. Town Council consideration of introduction of Ordinance No. 677, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 18.52 “Nonconforming Structures and Uses” to clarify what constitutes the repair, maintenance, and alteration of a nonconforming structure. (Scoble, 30 minutes) ☐**
- 17. a. Town Council consideration of adoption of Urgency Ordinance No. 678, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 18.42 “Residential Second Units” to address development standards for Second Unit/Accessory Dwelling Unit.**
b. Town Council consideration of introduction of Ordinance No. 679, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 18.42 “Residential Second

Units” to address development standards for Second Unit/Accessory Dwelling Unit. (Scoble, 20 minutes) ☞

- 18. a. Town Council consideration of adoption of Urgency Ordinance No. 680, an Ordinance of the Town of Ross amending Ross Municipal Code Chapters 18.12.223 “Medical Marijuana Dispensary” and 18.40.210 “Medical Marijuana Dispensaries Prohibited” to expressly prohibit the cultivation of non-medical Marijuana, prohibiting commercial non-medical Marijuana activity in all zones in the Town and prohibiting the delivery of non-medical Marijuana and mobile Marijuana dispensaries.**
- b. Town Council consideration of introduction of Ordinance No. 681, an Ordinance of the Town of Ross amending Ross Municipal Code Chapters 18.12.223 “Medical Marijuana Dispensary” and 18.40.210 “Medical Marijuana Dispensaries Prohibited” to expressly prohibit the cultivation of non-medical Marijuana, prohibiting commercial non-medical Marijuana activity in all zones in the Town and prohibiting the delivery of non-medical Marijuana and mobile Marijuana dispensaries. (Scoble, 5 minutes) ☞**

End of Administrative Agenda.

- 19. No Action Items: (Mayor, 5 minutes)**
- a. Council correspondence**
 - b. Future Council items**

20. 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.