



**Staff Report**

**Date:** February 15, 2024

**To:** Mayor Brekhus and Council Members

**From:** Roberta Feliciano, Planning and Building Director

**Subject:** Town Council Re-appointment of the Advisory Design Review (ADR) Group

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**Recommendation**

It is recommended that the Town Council adopt Resolution No. 2355 re-appointing Josefa Buckingham, Mark Fritts, Stephen Sutro, and Mark Kruttschnitt to serve three-year terms, and Laura Dewar to serve a two-year term on the Town of Ross Advisory Design Review Group (ADR).

**Background and Discussion**

On March 9, 2017, the Town Council adopted Resolution 1990 amending and establishing new ADR policies and procedures.

On August 13, 2020, the following residents were appointed by the Town Council to the ADR Group:

Design Professionals

- Josefa Buckingham
- Laura Dewar
- Mark Fritts
- Stephen Sutro

At-Large

- Mark Kruttschnitt

The Town Council and staff wish to thank the ADR Group for their years of service to the community. The Town takes pride in its small-town aesthetic, commitment to nature and the environment, and the superior design of its structures and properties.

**Fiscal, resource and timeline impacts**

No financial impact from accepting this report.

**Alternative actions**

The Town Council could direct the Town Clerk to initiate a recruitment of applicants interested in serving on the ADR.

**Environmental review (if applicable)**

N/A

**Attachments**

1. Resolution No. 2355
2. ADR Group Policy, established via Resolution No. 1990 on March 9, 2017

# ATTACHMENT 1

# TOWN OF ROSS

## RESOLUTION NO. 2355

### A RESOLUTION OF THE ROSS TOWN COUNCIL RE-APPOINTING THE EXISTING ADVISORY DESIGN REVIEW (ADR) GROUP MEMBERS

**WHEREAS**, on February 10, 2010, the Ross Town Council adopted Resolution No. 1694 establishing an Advisory Design Review (ADR) Process and creating an ADR Group, and superseding Resolution No. 1644; and

**WHEREAS**, on March 9, 2017, the Ross Town Council adopted Resolution No. 1990 establishing amended ADR policies and procedures, and superseding Resolution No. 1694; and

**WHEREAS**, on August 13, 2020, the Ross Town Council appointed Josefa Buckingham, Mark Fritts, Stephen Sutro, and Mark Kruttschnitt to serve a three-year term, and Laura Dewar to serve a two-year term on the Town of Ross, ADR Group; and

**WHEREAS**, on February 15, 2024, the Ross Town Council re-appoints Josefa Buckingham, Mark Fritts, Stephen Sutro, and Mark Kruttschnitt to serve another three-year term ending on August 13, 2026, with Laura Dewar to serve another two-year term ending on August 13, 2025, to the Town of Ross, ADR Group; and

**WHEREAS**, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information, and has received public comment; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Ross does hereby adopt Resolution No. 2355.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 15<sup>th</sup> day of February 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

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Cyndie Martel, Town Clerk

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Elizabeth Brekhus

# ATTACHMENT 2

# TOWN OF ROSS

## RESOLUTION NO. 1990

### A RESOLUTION OF THE ROSS TOWN COUNCIL ESTABLISHING AMENDED ADVISORY DESIGN REVIEW POLICIES AND PROCEDURES REGARDING PURPOSE, APPLICABILITY, COMPOSITION, PROCESS, DUTIES, AND RESPONSIBILITIES (AND SUPERSEDING RESOLUTION NO. 1694)

**WHEREAS**, Program 3.A of the Ross General Plan 2007-2025 calls for the Town to develop a process for incorporating design review of development proposals utilizing an advisory group of local volunteer design professionals to provide technical assistance to staff; and

**WHEREAS**, the General Plan envisions an Advisory Design Review process that provides professional review of design-related issues, including site planning, building massing, setbacks, light/air, privacy, etc., as well as material selection in architectural and landscape design; and

**WHEREAS**, the General Plan states that the objective of Advisory Design Review is to provide helpful advice early in the review process and to offer early opportunity for neighbor input and feedback, and professional design suggestions and solutions in an informal setting conducive to dialogue and collaborative problem-solving; and

**WHEREAS**, the General Plan states that the overarching goal of an advisory design review process is to produce better quality design and a smoother, less stressful, more-efficient design review process; and

**WHEREAS**, the Ross Town Council previously held three public hearings on July 12, 2007, September 11, 2007, and November 8, 2007, to consider the establishment of a design review process and Town staff published reports of each of these discussions in the Town's newsletter *The Morning After*; and

**WHEREAS**, the Ross Town Council finds that enhanced Advisory Design Review policies and procedures will provide more consistency and continuity in the discretionary land use permit review process resulting in projects that are better designed and more appropriate to their contextual setting and therefore seeks to adopt an amended resolution to supersede adopted Resolution 1694; and

**WHEREAS**, the Ross Town Council finds that the more formalized Advisory Design Review process will provide a forum for all stakeholders to provide input and thoughts and could help to reduce potential neighbor conflicts and result in proposals that are respectful of neighbors' concerns;

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Ross does hereby adopts revised policies and procedures for the Town's Advisory Design Review Group subject Exhibit "A".

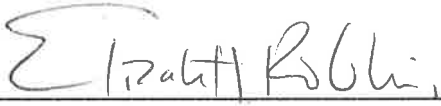
The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 9<sup>th</sup> day of March 2017, by the following vote:

**AYES:** Council Members Kuhl, Robbins, Russell

**NOES:** Council Member Brekhus

**ABSENT:** Council Member Hoertkorn

**ABSTAIN:**

  
Elizabeth Robbins, Mayor Pro Tempore

**ATTEST:**

  
Linda Lopez, Town Clerk

## EXHIBIT "A"

### ADR Group Purpose, Applicability, Composition, Process, Duties, and Responsibilities

- Purpose:** In an effort to further the tradition of architectural and environmental stewardship, the purpose of the Advisory Design Review Group is to provide professional review of design-related issues, including site planning, building massing, setbacks, light/air, etc., as well as material selection in architectural and landscape design in the discretionary review process. The overarching goal of the Advisory Design Review process is to provide an opportunity for neighbor input/feedback, provide professional design suggestions and solutions prior to Town Council review in order to produce better quality design and a more efficient discretionary review (e.g., Design Review, Nonconformity Permit, etc.) process and to provide the Town Council will a formal recommendation on the merits of the project relative to the General Plan and Zoning Ordinance.
- Applicability:** Advisory Design Review is a process is required for all applicants seeking discretionary land use permits, such as Design Review, a Demolition Permit, a Nonconformity Permit, Exceptions to Attics and Basements, a Hillside Lot Permit, and/or a Variance. Prospective applicants may also seek Conceptual Advisory Design Review to elicit preliminary design related feedback early in the process and prior to formal submittal of any discretionary land use permits.
- Duties:** The Advisory Design Review Group shall consider and make formal recommendations to the Planning Manager and Town Council on applications and matters affecting the design of buildings, structures, landscaping, and other site improvements consistent with the purpose of Chapter 18.41, Design Review, of the Ross Municipal Code in order to provide excellence of design in keeping with the Town's "small town" feel, in addition to its natural and built environs. The Advisory Design Group will also ensure all applications will be consistent with the Town's General Plan, Zoning Ordinance findings, and Design Review criteria and standards per Section 18.41.100 of the Ross Municipal Code.
- Composition:** The preferred composition of the Advisory Design Review Group shall be four architects, design professionals, or building designers, and one resident-at large; however, other residents from the Town may be appointed, if necessary to complete the five-member board.



- Appointment:** The Town Council shall conduct interviews and appoint the ADR Group member. A majority vote of the Council is required for the selection of an ADR Group member.
- Council Liaison:** The Town Council shall appoint a council member to act as the liaison to the ADR Group.
- Town Staffing:** The Planning Manager, or designee of the Planning Manager shall attend the ADR group meetings and take minutes.
- Term:** All Advisory Design Review Group members will serve a three-year term.
- Meeting Attendance:** In the event an ADR Group members fails to attend either three consecutive meetings in a year, such member shall be deemed to have resigned from the ADR Group, unless such absences have been excused by action of the Town Council upon written application from that member.
- Meeting Schedule:** Meet once a month
- Quorum:** A simple majority of the voting members of the board shall constitute a quorum.
- Submittal Requirements:** Per the required Design Review requirements of the submittal checklist (includes the installation of story poles 10-days prior to the meeting and mandatory neighborhood outreach).
- For Conceptual Advisory Design Review, the minimum submittal requirements, shall include a site plan, building elevations, floor plans, cross sections, and building materials, in addition to preliminary landscaping, grading, drainage plans, and the installation of story poles.
- Application Processing:** Once an application is submitted for a discretionary permit, within the first 30-days of the project submittal, the Town staff will review the application for completeness consistent with the Submittal checklist. Once the application is deemed complete, staff will schedule the project on the next available ADR Group agenda.
- Public Notice:** Notice sent to property owners within 300 feet of the project site a minimum of 10-days prior to the meeting.
- Meeting Disclosures:** The Advisory Design Review Group members shall not participate in reviewing a project when they have a conflict of interest. A conflict of interest in any financial or personal relationship with an

applicant that would prevent an Advisory Design Review Group member from offering an unbiased opinion.

Meeting Expectations:

Chair of the Advisory Design Review Group to run meeting.

The Chair is selected annually by the members of the Advisory Design Review Group at the beginning of the year.

At the beginning of each public review item, staff will provide a brief oral report. The project applicant would then provide a brief 10 minute presentation explaining the project. The Chair of the Advisory Design Review Group would be able to allow additional time for good cause shown. After the staff and applicant presentation and/or Advisory Design Review Group questions are complete, the Chair will open the meeting for members of the public to provide testimony. After the public testimony, the Advisory Design Review Group would discuss the merits of the project and provide a formal recommendation to the Town Council regarding the on the merits of the project consistent with the requisite findings associated with the land use permits being requested, in addition to consistency with the Design Review criteria and standards of Section 18.41.100 of the Ross Municipal Code.

A majority vote of the Advisory Design Review Group is necessary to provide a recommendation to the Town Council. The vote count of the recommendation would also be forwarded to the Town Council.

Email Protocol:

To avoid possible violations of the Open Public Meetings Act (AKA Brown Act), staff advises the ADR Group do not generate group discussion emails regarding projects or participate in any back-and-forth exchange of information, viewpoints, positions or other dialogue via email or conference call among a quorum of their membership about the business of their organization. Additionally, email exchanges about project among less than a quorum which are then relayed by a participant to other members, who together would constitute a quorum, should also be avoided.

ADR Group members may receive one-way communications from members of the public and staff, including email on agenda matters. Do not reply using the "Reply all" button, as that may give rise to "serial meeting". If responding to an email from a member of the public, copy the Planning Manager and/or the staff member assigned to the project.

ADR Group members shall not use the group email as a platform to air grievances regarding projects and/or process. If an ADR Group member has a topic of concern, that concern may be addressed at a regularly scheduled meeting and a majority of the ADR Group will determine whether the topic of concern should be addressed at a future publicly agendized meeting.

Members may also be required to produce emails or documents that relate to the activities or operations of the organization in response to a public disclosure request. Staff recommends the ADR Group Members establish a separate, clearly named file within their personal email account to which they file all materials relating to the ADR Group.