



AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, DECEMBER 14, 2017

- 1. 5:45 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.**
 - a. Conference with Legal Counsel—Existing Litigation**
Government Code Section 54956.9(d)(1)
Weisel v. Town of Ross, et al., Marin County Superior Court Case No. CIV 1701002
- 5. 6:00 p.m. Open Session. Council will return to open session and announce actions taken, if any.**
- 6. Swearing-in ceremony for Julie McMillan as a Ross Town Council Member. (Lopez, 5 minutes)**
- 7. Minutes.**
- 8. Demands.**
- 9. Open Time for Public Expression. (5 minutes)**
Limited to three minutes per speaker on items not on agenda.
- 10. Mayor’s Report. (5 minutes)**
- 11. Council Committee & Liaison Reports. (5 minutes)**
- 12. Staff & Community Reports. (10 minutes)**
 - a. Town Manager**

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.

- b. **Marin Art & Garden Center.**
- c. **Ross Property Owners Association.**
- d. **Ross School.**

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. 2029 requesting the Marin County Board of Supervisors to consolidate with the Statewide Primary Election and Municipal Election conducted on June 5, 2018, and requesting Election Services of the County Elections Department. (Lopez) ☐**
- b. **Town Council consideration of reaffirming the Town of Ross Investment Policy. (Chinn) ☐**
- c. **Town Council consideration of adoption of Resolution No. 2030 Appeal of Construction Delay Penalties by Brian and Erica Hunt for 73 Winship Avenue. (Lucido/Chinn) ☐**
- d. **Town Council consideration of adoption of Resolution No. 2031 authorizing execution of the pooled liability assurance network plan (PLAN) joint exercise of powers agreement. (Chinn) ☐**

End of Consent Agenda.

Administrative Agenda.

- 14. **Town Council consideration of adoption of Resolution No. 2037 recognizing the potential flood risk reduction benefits of the Corte Madera Creek Flood Risk Management Project – Phase 1, and supporting the Marin County Flood Control District in proceeding with further project development through the completion of the joint Environmental Impact Statement/Environmental Impact Report. (Simonitch, 30 minutes) ☐**
- 15. **Town Council consideration of introduction of Ordinance No. 685, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 6.18 “Smoking Regulations”, to address new and existing multi-unit residences, regulating the sale of tobacco products, updating definitions, and prohibiting smoking on active construction sites. (Scoble, 5 minutes) ☐**
- 16. **Town Council consideration of introduction of Ordinance No. 686, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 12.24 “Planting, Alteration, Removal, or Maintenance of Trees”, to clarify what constitutes a hazardous condition, and providing additional options for expenditure of in-lieu impact fees by the Town;**

and Town Council consideration of adoption of Resolution No. 2036 amending the comprehensive schedule of fees and charges for the in-lieu tree replacement fees. (Simonitch, 10 minutes) 🗨️

- 17. Town Council consideration of introduction of Ordinance No. 687, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 10.28 “Stopping, Standing, Loading and Parking” adding Section 10.28.080, and Chapter 18.40 “General Regulations” amending Section 18.40.120 to regulate the parking of Recreational Vehicles within the Town of Ross. (Masterson, 5 minutes) 🗨️
- 18. Town Council discussion of recruitment of the Ross Valley Fire Chief. (Chinn, 15 minutes)

End of Administrative Agenda.

Public Hearings on Planning Projects.

- 19. **200 Hillside Avenue, Extension of Time for Design Review, Hillside Lot Permit, Variance and Tree Removal Permit No. 2017-040, and Town Council consideration of adoption of Resolution No. 2032. (Scoble, 3 minutes) 🗨️**

Chris and Sheri Erickson, 200 Hillside Avenue, A.P. No. 73-291-29, R-1:B-5A (Single Family Residence, 5 acre minimum lot size), Very Low Density (.1-1 units per acre), Zone X (outside of High Risk Area). The applicant requests a one-year time extension of a Design Review, Hillside Lot Permit, Variance and tree removal permit to allow for the construction 5,080 square foot single family residence, modification of an existing access driveway, installation of retaining walls and landscape improvements and associated grading and tree removal that was approved by the Town Council on November 12, 2015.

Project Summary:

Lot Area	113,822 square feet (2.6 Acres)	
Existing Floor Area Ratio	0 sq. ft.	0% (15% permitted)
Proposed Floor Area Ratio	5,080 sq. ft.	4.46%
Maximum HLO Floor Area	5,115 sq. ft.	4.49%
Existing Lot Coverage	0 sq. ft.	0% (15% permitted)
Proposed Lot Coverage	3,502 sq. ft.	3.08%
Existing Impervious Surfaces	0 sq. ft.	0%
Proposed Impervious Surfaces	8,693 sq. ft.	7.64%

- 20. **205 Lagunitas Road, Use Permit Amendment No. 2017-041, and Town Council consideration of adoption of Resolution No. 2035. (Scoble, 15 minutes) 🗨️**

Lagunitas Country Club, 205 Lagunitas Road, A.P. Nos. 73-211-40, 73-221-01, R-1:B-A (Single Family Residence, 1-Acre Minimum Lot Size), RC: Limited Specialized Recreational/Cultural. Public hearing for the Town Council to consider an amendment to the January 2017 Use Permit for the Lagunitas Country Club to allow a reduction of amplified music events from nine (9) events to six (6) events and to require a biannual review of the Use Permit in perpetuity, in addition to conducting an annual review per the February 2017 Use Permit amendment.

21. 40 Madrona Avenue, Design Review and Variance No. 2017-012, and Town Council consideration of adoption of Resolution No. 2033. (Scoble, 15 minutes) ☐

Chad and Amy Lewis, 40 Madrona Avenue, A.P. No. 073-232-29, R-1:B-10 (Single Family Residence, 10,000 sq. ft. min. lot size), Medium Low Density. The applicant is requesting Design Review and a Variance to allow for the new construction of a swimming pool that would be located 27 feet from the rear property line. Other project features would include new landscape and hardscape features.

Project Summary:

Lot Area	19,979 square feet (0.46 acres)		
Existing Floor Area Ratio	0 sq. ft.	0%	(15% permitted)
Proposed Floor Area Ratio	No Change		
Existing Lot Coverage	0 sq. ft.	0%	(15% permitted)
Proposed Lot Coverage	No Change		
Existing Impervious Surfaces	4,700 sq. ft.	0%	
Proposed Impervious Surfaces	4,697 sq. ft.	7.64%	

22. 18 Sylvan Lane, Demolition Permit, Design Review, and a Nonconformity Permit No. 2017-030, and Town Council consideration of adoption of Resolution No. 2034. (Scoble, 30 minutes) ☐

Dan Little and Elena Batalla, 18 Sylvan Lane, A.P. No. 073-161-08, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1-3 Units/Acre), Zone AE (1-percent annual chance floodplain). The applicant is requesting a Demolition Permit, Design Review, and a Nonconformity Permit from FAR to allow the demolition and the new construction of a 4,595 square-foot single-family residence, including a garage, in addition to landscape and hardscape improvements, such as relocating the existing driveway and swimming pool. Driveway and parking access to the project site would be from Sylvan Lane.

Project Summary

Lot Area	20,359 square feet		
Existing Floor Area/Ratio	4,666 sq. ft.	23%	(15% FAR Permitted)
Proposed Floor Area/Ratio	4,595 sq. ft.	22.5%	
Existing Lot Coverage	3,026 sq. ft.	15%	(15% Permitted)
Proposed Lot Coverage	2,805 sq. ft.	14%	
Existing Impervious Surfaces	8,750 sq. ft.	43%	
Proposed Impervious Surfaces	5,930 sq. ft.	29%	

The applicant is requesting a Nonconformity Permit to allow floor area beyond the 15% permitted Floor Area Ratio. A Nonconformity Permit is also being requested to allow an existing legal nonconforming residence that is currently located within the side yard setbacks to be reconstructed within the existing side yard setbacks.

End of Public Hearings on Planning Projects – Part II.

23. No Action Items: (Mayor, 5 minutes)

a. Council correspondence

b. Future Council items

24. 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.