



**AGENDA**  
**REGULAR MEETING of the ROSS TOWN COUNCIL**  
**THURSDAY, SEPTEMBER 12, 2019**

*The public is invited to attend a reception outside Town Hall from 5:15 p.m. to 6:00 p.m.  
honoring retiring Public Works Superintendent Robert Maccario.*

1. 5:00 p.m. Commencement.
2. Posting of agenda.
3. Open time for matters pertaining to the closed session item in agenda item 4.
4. Closed Session.  
Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):  
(1 Potential Case)
5. 6:00 p.m. Open Session. Council will return to open session and announce actions taken, if any.
6. Minutes.
7. Demands.
8. Town Council recognition of Public Works Superintendent Robert Maccario upon his retirement. (Mayor/Chinn)
9. Introduction and welcome to new employees John Adams, Police Sergeant, and Matthew Weintraub, Planner. (Masterson/Scoble)
10. Town Council consideration of adoption of Resolution No. 2125 honoring Cedars on their 100-year Centennial. (Mayor, 5 minutes) 📖
11. Presentation of World Health Organization Age Friendly Community Certificate to the Town of Ross by AARP representatives. (Armstrong/Dowling)

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. Open Time for Public Expression. (5 minutes)**

Limited to three minutes per speaker on items not on agenda.

**13. Mayor's Report. (5 minutes)**

**14. Council Committee & Liaison Reports. (5 minutes)**

**15. Staff & Community Reports. (5 minutes)**

a. Town Manager

b. Ross Property Owners Association.

**16. Consent Agenda. (5 minutes)**

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

a. Town Council acceptance of FY19 Q4 Financial Summary Report. (Chinn)

b. Town Council response to Marin County Civil Grand Jury Report released June 13, 2019, entitled "Marin's Telecommunications Disconnect". (Chinn) 📄

c. Town Council consideration of adoption of Resolution No. 2123 authorizing the Town Manager to enter into an Agreement Between the Town of Ross and Ross School District for the Maintenance and Scheduling of the Ross Common. (Chinn) 📄

d. Town Council consideration of adoption of Ordinance No. 697, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 15.50, "Time Limits for Completion of Construction", by amending certain time limits for construction completion, some extension provisions, and some elements of construction completion deposits. (Chinn) 📄

e. Town Council consideration of adoption of Ordinance No. 698, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 15.36 "Flood Damage Prevention", to clarify substantial improvement parameters, elevation datum, construction within a Special Flood Hazard Area and finish floor elevation requirements above the FEMA 100-year base flood elevation. (Simonitch) 📄

f. Town Council consideration of adoption of Ordinance No. 699, an Ordinance of the Town of Ross amending Ross Municipal Code Chapter 6.18 "Smoking Regulations" Section 6.18.065, to amend the existing smoking regulations to prohibit the sale of flavored tobacco products. (Scoble) 📄

g. Town Council authorization of Contract Change Orders to John Pope Construction related to site accessibility and unforeseen changes in site conditions for the Natalie Coffin Greene Park rehabilitation project. (Simonitch) 📄

- h. Town Council approval of Consultant Services Agreement with Thomas Ahrens for Building Official Services. (Chinn/Scoble) 📄**
- i. Town Council authorization of Mayor to sign letter supporting the advance of S.500 and H.R. 1225 legislation to dedicate federal funding for National Park lands. (Chinn) 📄**

**End of Consent Agenda.**

**17. Public Hearings on Planning Projects - Part I.**

*Public hearings are required for the following planning application. Staff anticipates that this item may be acted upon quickly with no oral staff report, Council discussion, or public comment. If discussion or public comment is requested, the Council may consider the item later in the agenda.*

**a. 46 Chestnut Avenue, Nonconformity Permit and Hillside Lot Permit No. HL-NCP 19-003, and Town Council consideration of adoption of Resolution No. 2126. (Scoble, 3 minutes) 📄**

Susan and Harry Neuwirth, 46 Chestnut Avenue, A.P. No. 073-291-28, R-1:B-20 (Single Family Residence, 20,000 sq.ft. min. lot size), Low Density (1-3 Units/Acre), Zone X (outside of 1-percent annual chance floodplain).

**Project Description**

The applicant is requesting a Nonconformity Permit and Hillside Lot Permit to allow for the reconstruction of a failing retaining wall that varies in size from four-feet to seven-feet tall. The new retaining wall will replace the existing wood retaining wall with a steel I-beam and pressure treated wood retaining wall.

**End of Public Hearings on Planning Projects – Part I.**

**Administrative Agenda.**

- 18. Discussion of the Branson School Initiative Petition Process and possible direction to staff to prepare an Elections Code 9212 Report on the initiative measure. (Chinn, 15 minutes) 📄**
- 19. Citygate Associates Presentation and Council discussion of Ross Valley Fire Standards of Coverage Assessment Report and findings related to Ross Fire Station services and overall Ross Valley Fire services. (Citygate/Weber/Chinn, 25 minutes) 📄**
- 20. Fire Chief Weber presentation and Council discussion of Marin Wildfire Prevention Authority. (Weber, 20 minutes)**

**End of Administrative Agenda.**

**Public Hearings on Planning Projects – Part II.**

21. **Town Council consideration of the adoption Resolution No. 2128 to allow modifications to landscape improvements to the Ross Common to passively connect 6 Redwood Drive with the remainder of the Ross Common Park and a Variance to allow the construction of an 8-foot tall wooden sound barrier fence that will be constructed adjacent to the common property line between 6 Redwood Drive and 8 Redwood Drive. (Scoble, 15 minutes)** 🗨️
22. **4 Canyon Road, Design Review and Hillside Lot Permit No. HL-NCP 19-0002, and Town Council consideration of adoption of Resolution No. 2127. (Scoble, 10 minutes)** 🗨️  
Mary and Chris McFadden, 4 Canon Road, A.P. No. 072-092-08, R-1:B-A (Single Family Residence, 1 Acre min. lot size), Very Low Density (1-3 Units/Acre), Zone X (outside of 1-percent annual chance floodplain).

**Project Summary Data**

Lot Area- Gross	57,688 sq. ft.	
Lot Area- Net	40,137 sq. ft.	
Existing Floor Area/Ratio	4,085 sq. ft.	10.2% (15% permitted)*
Proposed Floor Area/Ratio	4,202 sq. ft.	10.4%
Maximum FAR per HLO	N/A	28% Average Slope
Existing Lot Coverage	5,307 sq. ft.	9.2% (15% permitted)
Proposed Lot Coverage	NO CHANGE	
Existing Impervious Surfaces	6,136 sq. ft.	10.6%
Proposed Impervious Surfaces	6,736 sq. ft.	11.6%

***Pursuant to Section 18.12.200 of the Ross Municipal Code, "Lot area" means the total area included within a lot excluding vehicular easements serving other property. Pursuant to Section 18.12.130 of the Ross Municipal Code, "Floor area ratio" means the floor area of the building or buildings on a lot, divided by the area of that lot. As such, the Floor area ratio for the project site is based on the net Lot area.***

**Project Description**

The applicant is requesting Design Review and a Hillside Lot Permit to allow a 117 square foot addition within the existing footprint of the residence and the new construction of a swimming pool. A Hillside Lot Permit is required because a previous Hillside Lot Permit was granted for the project site, and Design Review is required to allow for the grading of 50-cubic yards to accommodate a swimming pool.

**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*

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*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.*