

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

1. 5:00 p.m. Commencement.

Mayor Elizabeth Brekhus, Mayor Pro Tempore Julie McMillan; Council Member Beach Kuhl; Council Member Elizabeth Robbins; Council Member Rupert Russell; and Town Attorney Benjamin Stock.

2. Posting of agenda.

Town Manager Joe Chinn reported that the agenda was posted according to government requirements.

3. Open time for matters pertaining to the closed session item in agenda item 4 - None

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. Town Council voted unanimously to approve the settlement agreement.

6. Minutes - August

Mayor Brekhus asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore McMillan seconded, to approve the August 8th, 2019 Regular Meeting Minutes as submitted. Motion carried unanimously.

7. Demands.

The demands were met.

8. Town Council recognition of Public Works Superintendent Robert Maccario upon his retirement.

The Town recognized Robert Maccario for his service to the Town with a reception held in his honor outside Town Hall prior to the Council meeting. He was honored for his many years of excellent service to the Town, and presented with commemorative gifts and well wishes. The Town thanked him for his dedication, hard work, and commitment to outstanding service and wished him all the best in his retirement, and much happiness with his grandchildren, and with his beloved farm.

9. Introduction and welcome to new employees John Adams, Police Sergeant, and Matthew Weintraub, Planner.

Town Manager Joe Chinn introduced John Adams, who joined the Ross Police Department on September 8th, replacing Steve Nelson who recently retired. Sergeant Adams began his law enforcement career in 2004 and has served with several local law enforcement agencies such as

Eldridge PD, City College of San Francisco, and most recently with the College of Marin Police Department starting as an officer and moving up the ranks to lieutenant. He has a wide range of skills that are beneficial to the Ross Police Department including being a Field Training Officer Coordinator, Range Master, Active shooter instructor, Taser instructor, and is certified as a Criminal Investigator (*ICI*). Sergeant Adams is also in the process of completing the Sherman Block Leadership Institute course and has been an asset to the Ross community for the past several years working as a Reserve Police Officer for the Ross Police Department.

Planning and Building Director Heidi Scoble introduced Matthew Weintraub who joined the Planning and Building Department on September 3rd filling the newly created planner position. Matthew, a current resident of Fairfax, holds both a Bachelor of Arts degree and Master of Arts degree in geography and has been a practicing planner for over 18 years. Matthew's breadth of experience includes both current and advanced planning practices, California Environmental Quality Act analysis, historic preservation planning, and geographic information systems (*GIS*) programming. Previously Matthew has worked as a planner for the Cities of Sausalito, Oakland, Palo Alto, San Francisco, Livermore, and Newport, RI.

10. Town Council consideration of adoption of Resolution No. 2125 honoring Cedars on their 100-year Centennial.

Mayor Brekhus presented Cedars staff representatives with a resolution commending them on their 100-year anniversary. Founded in October 1919 by Cora Myers and Gabrielle Renshaw, Cedars opened with a private school in Ross. Cedars was one of the first residential schools in the western United States to offer individuals with intellectual and developmental disabilities the opportunity to build a life in a community based home.

Jeanne Lipson, Director of Development, Cedars, thanked the Town for this honor and appreciated the support of how the Ross community embraced their organization over the years and very grateful to the Branson School for their partnership as well.

Mayor Brekhus asked for a motion.

Council Member Kuhl moved and Mayor Pro Tempore McMillan seconded, to adopt Resolution No. 2125 honoring Cedars on their 100-year Centennial. Motion carried unanimously.

11. Presentation of World Health Organization Age Friendly Community Certificate to the Town of Ross by AARP representatives.

Mike Armstrong, Recreation Manager, thanked Teri Dowling who has been instrumental in helping the Town achieve this certification. He then introduced Anne Hinton, AARP Representative, who presented the World Health Organization (*WHO*) Age Friendly Community Certificate to the Town of Ross. The Town of Ross is now a part of a growing global movement of communities, cities and other subnational levels of government that are striving to better meet the needs of their older residents. By joining the network, Town of Ross commits to sharing and promoting the values and principles central to the WHO age-friendly approach, by providing age-friendly local environments, and actively participating in the network including the sharing of experiences with other members. The County of Marin is now a WHO Age Friendly county and all the cities and towns in Marin are currently Age Friendly or in the process of becoming Age Friendly.

12. Open Time for Public Expression.

Diane Doodha, Ross resident, discussed the underground utility district and believed there are unanswered questions. She encouraged the Council to consider slowing down a bit on granting the district until some of the unanswered questions are addressed and make sure everyone understands the full responsibility and economic challenges involved.

13. Mayor's Report.

Mayor Brekhus reported that this month the Town recognized Public Works Superintendent Robert Maccario who has been taking care of this Town for 27 years and the Town will miss his dedication to the Town. It is incredible to consider that Robert has maintained our Town, its infrastructure and improvements, its parklands, its streets and all public space. What a massive responsibility. Robert is a well-known and universally liked Town employee and on behalf of the Town, she wanted to say a huge thank you for doing such a fabulous job all these years. Robert informed the Mayor that he began during a year that my father was Mayor and said it seemed fitting to him that he would conclude his work with the Town the year that I am Mayor. She wished Robert many years of pleasant retirement and hope he will stop by to say hello in the future.

Also, the Town recognized the Cedars, a residential home and school for people with intellectual and developmental disabilities that has very impressive and innovative programs. This organization is celebrating its 100-year Centennial. She was surprised to learn that Cedars began in 1919 in the Town of Ross. On behalf of the Town, She wanted to say that they are proud of the Cedars success and they view the individuals served by the Cedars as important and well-regarded neighbors in our community. Congratulations to the Cedars for its continuing success. They also encourage residents to read the report that is item 19 on our September agenda, a study commissioned by the Town and Ross Valley Fire Department concerning fire response times and standards. One impetus for the report and study was the desire to know whether the Town needs to maintain its fire department facility. The facilities are in very poor repair, and will have to be replaced at considerable cost, and so the question was, does the Town need to plan on rebuilding its fire station or are they well served by the other Ross Valley fire stations? With this report and information, they have good data to understand whether the expense associated with the building of a new Fire Station is appropriate. They will have discussions about Town Hall and our fire and police building and replacement needs in the future. If anyone has any thoughts or concerns regarding the Town, feel free to contact the Mayor. One of the nice things about serving on the Council is hearing from residents about what they think about our Town.

14. Council Committee & Liaison Reports.

Mayor Pro Tempore McMillan announced that Winship Park had two Firewise neighborhood walkthroughs.

15. Staff & Community Reports.

a. Town Manager

Town Manager Joe Chinn reported that after many months of anticipation, Natalie Coffin Greene Park and a restored Three Bear Hut opened with a ribbon-cutting ceremony to a crowd of approximately 75 people from the Ross community including the third grade classes from the Ross School. The park restoration project also includes the addition of a new bench seating area,

a new permeable accessible pathway and platform, and replacing and adding additional picnic benches throughout the park. They hope the community will enjoy the park for many generations to come. Guest speakers at the event included Mayor Elizabeth Brekhus, Ford Greene (*grandson of Natalie Coffin Greene*), and John Pope (*John Pope Construction*).

Town Manager Chinn thanked RPOA for donating to the downtown streetlights. Also, registration is open for the annual Ross Town Dinner scheduled for Friday, September 27th. Please join us for this Town beloved community event.

b. Ross Property Owners Association – No report

16. Consent Agenda.

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.

b. Town Council response to Marin County Civil Grand Jury Report released June 13, 2019, entitled “Marin’s Telecommunications Disconnect.”

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.

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.

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.

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.

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.

h. Town Council approval of Consultant Services Agreement with Thomas Ahrens for Building Official Services.

- 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.**

Mayor Brekhus asked for a motion.

Council Member Kuhl moved and Mayor Pro Tempore McMillan seconded, to adopt the Consent Agenda as submitted. Motion carried unanimously.

End of Consent Agenda.

Council Member Kuhl recused himself from Item 17a because he lives within 500 feet of the property.

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.

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.

Planning and Building Director Heidi Scoble summarized the staff report and recommended that the Council approve Resolution No. 2126 for 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 at 46 Chestnut Avenue.

Mayor Brekhus opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Brekhus asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore McMillan seconded, to approve 46 Chestnut Avenue, Nonconformity Permit and Hillside Lot Permit No. HL-NCP 19-003, and adopt Resolution No. 2126. Motion carried 4-0. (Kuhl recused)

End of Public Hearings on Planning Projects – Part I.

Council Member Kuhl resumed his seat at the dais.

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.

Town Manager Joe Chinn summarized the Branson School Initiative Petition process and asked the Council to provide direction to staff in regard to preparing an Elections Code 9212 Report on the initiative measure.

Mayor Brekhus assumed information will be needed from Branson to prepare that report and asked staff what type of information will the Town be requesting from Branson in regard to general plan consistency. Planning and Building Director Heidi Scoble responded that in regard to general plan consistency they will be looking at land use, density, relationship to land use relative to policies, environmental consistency, health and safety consistency, historic consistency and design consistency, A variety of items. Staff would be looking at background information relative to Branson's current enrollment and how it actually applies to the current use permit. The report would include the process in terms of what would be required for the additional increase in enrollment. Identifying zoning and maximum densities associated such as circulation, access, neighborhood compatibility, and impacts to privacy, lighting, screening, parking, etc.

Mayor Brekhus asked if Branson submitted a traffic plan. Planning and Building Director Scoble explained the most recent plan received was from 2007. An updated traffic study would be required. Mayor Pro Tempore McMillan clarified with staff that the traffic study would be done after the ballot measure passed as part of the CEQA (*California Environmental Quality Act*) review for the use permit. Planning and Building Director Scoble responded in the affirmative.

Mayor Brekhus felt it would be helpful to understand where the additional 100 students would park.

Council Member Kuhl understands that the first process, the ballot measure, would give the Council the power to grant Branson the right to have more than 320 students. Then Branson would come to the Council with a proposed amendment to the use permit, and at that time, the Council would study the effect in regard to an increased enrollment. Town Manager Chinn agreed that would be the formal process. Council Member Robbins asked staff why Branson is not providing the report, why is it the responsibility of the Town to provide such report. Town Manager Chinn explained under the Elections Code staff can provide a report. To the degree Branson provides information, staff could provide more detail.

Council Member Kuhl added that the Council makes no decision until the ballot measure passes. Branson then comes to the Council and makes a specific request for a change to their use permit. For example, he heard there is potential that they might ask to make this increase in four, 25-student increments over a four-year period. If that occurs, they would require a different traffic report. This is premature trying to collect traffic study at this point until they know whether the measure passes and what is being requested as a result of the passage of the measure.

Mayor Brekhus wanted to know the role of the Council in this vote because several residents have asked for information about this increase and have not received any information. What information should the voters have and what is the Council's role in helping residents receive information. Some of this information would be helpful. They must be transparent throughout the process. There is no harm in asking Branson to provide information so residents can make an informed decision about impacts. If the voters vote to approve then it comes to the Council. The public must be informed. Town Manager Chinn noted that the report would be presented to the Town Council and then the next step would be to place it on the ballot and the report would be a public report for all to review.

Mayor Pro Tempore McMillan believes their role is to help facilitate information and transparency, so the voters can be as informed as possible prior to voting in March.

Mayor Brekhus opened the public hearing on this item.

Sam Lushtak, Ross resident and former Branson student, felt Branson is an asset to the community. Academically, Branson is not able to compete with other schools with the current enrollment limit. Branson could not offer the same programs as other schools. Existing clubs and extracurricular activities had a lot of trouble surviving long term. Expanding the enrollment would be a benefit to the community. The school is a valuable asset both for educating children and for increasing property values. Expanding the school is incredibly important and it should be welcomed.

Peter Nelson, Circle Drive resident, shared an experience three years ago when he arranged a traffic count on his street, and his understanding is the Town has no record of traffic counts on Bolinas, Shady Lane or Norwood. They must have a baseline. The idea would be to establish a baseline in order to move forward. This is a holistic approach that would very much serve the Town.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Brekhus asked for a motion.

Council Member Kuhl moved and Mayor Pro Tempore McMillan seconded, to authorize staff to prepare an appropriate Elections Code Report. Motion carried unanimously.

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.

Town Manager Joe Chinn reported that in the past year, the Town and the Ross Valley Fire Department (RVFD) have had to assess fire services related to multiple long-term decisions surrounding facilities and services levels. In 2005, prior to the merger of Ross Fire Department with the Ross Valley Fire Department, a Standards of Coverage (SOC) Assessment was completed by RVFD, which did not include the Town of Ross. The RVFD retained Citygate Associates to conduct a comprehensive SOC assessment to provide a foundation for future fire service planning. The goal of the assessment is to identify both current services and desired service levels

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and then to assess the Departments ability to provide them. Another goal of this assessment is of the impact on the current level of services if the fire engine in the Town of Ross was relocated, and alternatively, the fire engine and ambulance were relocated from their present location in Town.

Stewart Gary, Citygate Associates, presented a powerpoint presentation to the Council in regard to "*Standards of Coverage Assessment*" and asked the Council to consider the findings from the study, adopt as the Fire Board desires, revised performance goals and consider looking at ways to possibly increase staffing on the engines.

Mayor Pro Tempore McMillan asked why they chose to only use two years of data. Mr. Gary responded that the electronic records systems prior to the merger were not compatible and easy to digest in a cost effective way. Typically, they would use three to five years.

Council Member Russell is a bit confused in terms of what is being recommended and felt the focus should be on EMS and related type incidents. Mr. Gary stated most EMS events take 4 to 6 people to handle the patient situation, so by having the engine here you have the quick fire fighting capacity.

Council Member Robbins felt the first minute matters, and statistics indicate that 90% of hospital cardiac arrest patients die and she is not sure how important it is to get there within seven minutes. Mr. Gary agreed survival is almost deminimis of receiving medical care within the first two minutes, which is almost impossible to achieve.

Mayor Pro Tempore McMillan believed it is all or nothing and wondered if there is some kind of unique, creative approach that is not an all or nothing, somewhere in between to maintain an acceptable level of service. Mr. Gary stated if there are no crews in Ross, it is two minutes longer. It is within their purview to set a customer service goal. They will occasionally run the risk of longer response times. They could leave the ambulance in Ross, and move the fire crew out and leave the two-person paramedic crew. There is no right or wrong, this is a very challenging, physical situation to provide that level of customer service that you're use to even though it's not accessed frequently for severe situations.

Mayor Brekhus felt Mr. Gary is assuming if they eliminate Station 18, they would eliminate an additional crew, but another option would be to have two crews at the San Anselmo house and have them available to fight fires in Ross and San Anselmo. They could leave an ambulance in Ross and continue to have a San Anselmo crew and instruct that crew to be parked in Ross during peak hours. Mr. Gary stated if they have an ambulance and daytime crew they still have a building problem. Fire Chief Jason Weber pointed out that Station 19 would require modification and a discussion with the Fire Board since this would be a jurisdictional impact.

Council Member Kuhl stated part of this is what is the cost going to be and they don't have that side of the equation. They must decide how much risk they are willing to take rather than spending more money. Fire Chief Weber indicated that in San Rafael the Station across from the Civic Center, they are north of \$13m and that does not include City Hall staff or law enforcement, so probably in the \$20m range. Town Manager Chinn stated fire station is estimated at \$12 to \$15m before we have any design based on others experience. He would say around \$20m for all

civic center facilities. Ross is so small their public safety tax for operation services is from 836 parcels, which would generate using current interest rates \$12 to \$13m for facilities with another \$1,000 tax on top of the existing \$1,039 public safety tax.

Mayor Pro Tempore McMillan asked staff procedurally is the Council supposed to decide because it seems they need more input from residents. Town Manager Chinn stated this is the start of the conversation, which is a critical part. They needed the information from Citygate to layout the real service impacts. There will be a lot of community meetings. Tonight staff wanted all questions answered related to service implications with and without a fire station while the expertise of Mr. Gary is present. Once they come to a decision they will discuss the Civic Center master plan.

Council Member Robbins assumed Ross's fire fighters and paramedics respond more to other neighborhoods than just Ross, and wondered if there would be some participation in funding a fire station in Ross. Fire Chief Weber stated most likely not. They have come to rely on each other. The Town of Ross could not be successful if just Ross and the same applies to Kentfield and San Anselmo.

Council Member Russell stated in reality when they have any emergency such as a flood or an earthquake, several will be impacted and Ross's fire service is helpful for the day-to-day operations.

Mayor Brekhus opened the public hearing on this item, and seeing no one wishing to speak on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion.

Council Member Kuhl wanted to know the possibility of using volunteer fire fighters. Mr. Gary stated in the last 20 years the State of California has imposed safety and training standards for volunteers. By the time they find a volunteer they must be put through the academy and maintain continued education, so volunteerism is dwindling. Fire presentation, weed abatement, paper record keeping at headquarters and IT specialist is a great idea in regard to volunteers. But pulling hoses, raising ladders and hiking up a mountain during a wildfire, volunteers must be fit and equipped.

Mayor Pro Tempore McMillan stated it is really difficult just to find Block Captains, so volunteers sounds great in concept, but is not a practical solution unfortunately.

Mayor Brekhus and the Council appreciated the presentation and since there were no further questions, the Council moved onto the next agenda item.

20. Fire Chief Weber presentation and Council discussion of Marin Wildfire Prevention Authority.

Fire Chief Jason Weber provided the Council with a powerpoint presentation on Marin Wildlife Prevention Authority for the Council's consideration.

Council Member Robbins asked staff why the County is not funding this. Fire Chief Weber stated the county would not fund this. Each of these agencies carries jurisdictional authority, so the

Town is responsible for this level of work locally. Council Member Robbins asked what is the duration of the tax. Fire Chief Weber stated 8, 12 and 18 years were polled in a survey. Between 8-18 years did not poll at the two-thirds vote needed to pass. Also, the Citizen Oversight Committee will review the programmatic piece. Mayor Brekhus felt polling is not the best way to make decisions on tax. She agrees something needs to be done in regard to the watershed, but \$20m each year forever is an insane figure. She is not sure it is fair or right and worries they are creating something they cannot take back. Fire Chief Weber stated that the JPA would not be allowed to use eminent domain, which is specifically written in. It is a large amount of money and across the entire landscape it gets used rather quickly. In perpetuity it is concerning. It is a balance between success or not. They cannot do enough right now for him to feel comfortable. Again it is a recommendation, the Council sets policy.

Council Member Robbins wanted to know how the \$20m is spent each year. Fire Chief Weber stated they want to develop a flexible JPA. First goal is to get people out alive. Investments would be enhancements to siren system, traffic flow, and safe refuge areas. There cannot be more than \$1.2m in employees in regard to overhead costs. There's no intention of this JPA to be able to join PERS, so the JPA would not accrue any unfunded liabilities. Vegetation management is \$8m annually. Town Manager Joe Chinn stated the money is being decided regionally how best to protect the communities. Fire knows no jurisdiction. The speed of the fire that happened in Paradise was one football field a second. Clearly, they need a regional solution.

Council Member Kuhl expressed concern that they will need a board of 19 people since every jurisdiction wants to have a voice. Starting a new agency with 19 new people will be difficult. Somehow they will need to finance this agency and how will that work. Fire Chief Weber pointed out that they are looking at the staff. If it ends up on the ballot and it is successful funding can start as early as July 2020. It is clear that a general manager or executive officer will be appropriate when developing work plans to make sure it is sufficient as possible. Council Member Kuhl stated this is a lot of information all at once and desired some sort of document to look over before they need to make a decision. Fire Chief Weber responded that more information could be found at: www.marinwildfire.org

Mayor Brekhus opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and since no further discussion was desired, the Council moved onto the next agenda item.

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.**

Planning and Building Director Heidi Scoble summarized the staff report and recommended that the Council consider adoption of Resolution No. 2128 to allow modification to landscape modifications 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.

Council Member Russell asked staff the projected cost. Planning and Building Director Scoble indicated between \$130,000 - \$140,000.

Mayor Brekhus opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Mayor Brekhus asked for a motion.

Mayor Pro Tempore McMillan moved and Council Member Kuhl seconded, to adopt 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. Motion carried 4-1. (Robbins opposed)

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.

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.

Planning and Building Director Heidi Scoble summarized the staff report and recommended that the Council approve Resolution No. 2127 for a Hillside Lot Permit and Design Review to allow a 117 square-foot addition within the existing footprint of the residence and the new construction of a swimming pool at 4 Canyon Road.

Mayor Brekhus opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Brekhus asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore McMillan seconded, to approve 4 Canyon Road, Design Review and Hillside Lot Permit No. HL-NCP 19-0002, and adopt Resolution No. 2127. Motion carried 4-1 (Russell opposed).

End of Public Hearings on Planning Projects – Part II.

23. No Action Items:

a. Council correspondence - None

b. Future Council items

- Crosswalk on Sir Francis Drake Blvd near border of Kentfield – consider installing lighting to address safety concerns.

24. Adjournment.

Mayor Brekhus moved to adjourn the meeting at 9:20 p.m.


Elizabeth Brekhus, Mayor

ATTEST:


Linda Lopez, Town Clerk