



AGENDA

Regular Meeting of the Ross Town Council
Thursday, December 8, 2022

Town Hall
31 Sir Francis Drake Boulevard
Ross, CA 94957

The meeting will be held in person. Additionally, the Open Session beginning at 6:00 p.m. will be televised live on Zoom. Members of the public have the option of participating in-person or remotely via Zoom.

Zoom Webinar: <https://us02web.zoom.us/j/86018275424> | Webinar ID: 860 1827 5424#
or Call-in Number: +1 (669) 900-9128

Submit public comment by:

1. Emailing llopez@townofross.org prior to 4:00 P.M. the day before the meeting.
2. Attend the meeting in person and provide public comment.
3. If participating remotely, during the public comment portion of the Open Session select the "Raise Hand" icon in the Zoom meeting or press *9 if calling into the meeting.

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1. **5:00 pm. Call to Order.**
 2. **Posting of agenda/changes to agenda.**
 3. **Open time for matters pertaining to the Closed Session item in Agenda Item 4.**
 4. **Closed Session.**
Public Employee Performance Evaluation (Pursuant to Government Code section 54957)
Title: Town Attorney
 5. **6:00 p.m. Open Session. Council will return to open session and announce actions taken, if any.**
 6. **Town recognition of Town Clerk/Administrative Manager Linda Lopez upon her retirement. (Johnson)**
 7. **Introduction and welcome to new employee Cyndie Martel, Town Clerk/Administrative Manager. (Johnson)**
 8. **Open Time for Public Expression. (5 minutes)**
Limited to three minutes per speaker on items not on agenda.

9. Mayor's Report.

10. Council Committee & Liaison Reports. (5 minutes)


11. Staff & Community Reports. (20 minutes)

a. Town Manager

b. Ross Property Owners Association


12. Consent Agenda. (5 minutes)

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

a. Minutes: 11/10/22 

b. Demands. (Johnson) 

c. Town Council consideration of adoption of Resolution No. 2281 Assembly Bill 361 Amending Open Meeting Laws to Expand Teleconference Meeting Options During Proclaimed State of Emergencies. (Stock) 

d. Town Council consideration of adoption of Resolution No. 2288 amending the Town Manager's Employment Agreement and authorizing the Mayor to execute the Amendment, and Approval of Update to Town of Ross Salary Schedule. (Stock) 

End of Consent Agenda.


13. Public Hearings on Planning Projects – Part I.

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, the Council may consider the item later in the agenda.

a. 71 Shady Lane, Demolition and Design Review, and Town Council consideration of Resolution No. 2282. (Markwick, 3 minutes) 

Eric Spaly, 71 Shady Lane, A.P. No. 073-091-32, Zoning: R-1:B-10, General Plan: ML (Medium Low Density), Flood Zone: AE (High Risk).

Project Summary: The applicant requests approval of Demolition and Design Review to demolish the existing guest house and construction of new landscape improvements. The project proposes a new swimming pool, pool equipment, new deck, fire pit, BBQ, and plantings.

b. 118 Winding Way, Accessory Dwelling Unit and Town Council consideration of Resolution No. 2283. (Lopez-Vega, 3 minutes) 





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James and Mary Buie, 118 Winding Way, A.P. No. 072-091-13, Zoning: R-1:B-5A, General Plan: VL (Very Low Density), Flood Zone: X (Moderate risk).

Project Summary: The applicant is requesting approval of an Accessory Dwelling Unit (ADU), to construct a 788 square foot (ADU). Due to the natural grade, the ADU is over 16 feet in height, therefore requires an ADU Exception Permit. The project also proposes a new 250 square foot patio with a trellis, exterior work on the main house including a skylight above the stairs, replacement of a pair of french doors with a single door on the south elevation, and adding a small window on the east elevation.


End of Public Hearings on Planning Projects – Part I.

Administrative Agenda.

14. **Public Hearing: Town Council consideration of adoption of Resolution No. 2284 establishing Marin Sanitary Service rates for 2023. (Johnson, 5 minutes)** 
15. **Town Council discussion/action regarding the potential addition of Pickleball Courts to the Ross Town Tennis/Platform Tennis Facility, and Town Council consideration to appropriate funding in the amount of \$10,000 from the Facility and Equipment Fund to complete the work. (Simonitch/Castets, 15 minutes)** 
16. **Town Council discussion of a summary of public comments on the Draft Housing Element submitted during the 30-day review period and provide direction to staff to send the Draft Housing Element to Sacramento and start the legally-required 90-day Housing and Community Development (HCD) review. (Markwick, 30 minutes)** 
17. **Environmental Impact Report (EIR) scoping meeting to solicit input from the public and agencies on topics that should be addressed in the Environmental Impact Report for the Housing and Safety Element. No Town Council action required. (Markwick, 10 minutes)**


End of Administrative Agenda.

Public Hearings on Planning Projects – Part II.

18. **8 North Road, Demolition, Design Review, Nonconformity Permit, and Accessory Dwelling Unit, and Town Council consideration of adoption of Resolution No. 2287. (Lopez-Vega, 15 minutes)** 
Clara and Sam Ditter, 8 North Road, A.P. No. 073-173-06, Zoning: R-1:B-10, General Plan: ML (Medium Low Density), Flood Zone: X (Moderate risk).

Project Summary: The applicant requests approval of Demolition, Design Review, Nonconformity Permit, and Accessory Dwelling Unit (ADU). The project proposes to demolish a portion of the front porch, two bay windows, and an attached garage with a roof deck. The project also proposes to construct a new two-car garage which will connect to the main house by a passageway. A new deck is being proposed above the

passageway and will have painted wood guardrails. A new driveway gate, entrance gate, an outdoor kitchen is proposed in the backyard, and new landscaping and hardscape is proposed throughout the property.

19. 196 Lagunitas Road, Demolition, Design Review and Nonconformity Permit, and Town Council consideration of adoption of Resolution No. 2286. (Markwick, 15 minutes) [📄](#)

Cameron and Elizabeth Breitner, 196 Lagunitas Road, A.P. No. 073-171-11, Zoning: R-1:B-10, General Plan: ML (Medium Low), Flood Zone: X (Moderate risk).

Project Summary: The applicant requests approval of Demolition, Design Review and Nonconformity Permit to demolish the existing single-family home and accessory structures. The project proposes to construct a new 6,901 SF two-story single-family home, attached garage, outdoor dining area and pool. The project also proposes new landscaping and hardscape throughout the property, including a new driveway, and guest parking.

20. **This item has been continued to January 12, 2023 Council meeting.*

78 Shady Lane, Demolition, Design Review, and Variance, and Town Council consideration of adoption of Resolution No. 2285.

Tatyana Mirnova, 78 Shady Lane, A.P. No. 073-101-41, Zoning: R-1:B-10, General Plan: ML (Medium Low Density), Flood Zone: AE (High Risk).

Project Summary: The applicant requests approval of Demolition, Design Review, and a Variance to remodel the existing home, additions to the existing home, demolish the existing carport, and construct a garage in the side yard setbacks. The project also proposes a Nonconformity permit to two small second story additions. The proposed additions consist of 136 square feet and a lower floor addition of 116 square feet.

21. **This item has been continued to January 12, 2023 Council meeting.*

Town Council consideration of introduction of Ordinance No. 720, an Ordinance of the Town of Ross, amending Ross Municipal Code Chapter 12.24 “Planting, Alteration, Removal, or Maintenance of Trees” (Tree Protection Ordinance).

End of Public Hearings on Planning Projects – Part II.

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

- a. Council correspondence
- b. Future Council items

23. Adjournment.

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.