



## AGENDA

Regular Meeting of the Ross Town Council  
Thursday, December 14, 2023

Town Hall  
31 Sir Francis Drake Boulevard  
Ross, CA 94957

*The meeting will be held in person. As a courtesy, and technology permitting, members of the public may participate remotely and provide public comment via Zoom. Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. Council meetings will not be canceled due to technical difficulties. If no members of the Town Council are attending the meeting via teleconference, and a technical error or outage occurs on the teleconference feed, the Town Council will continue the meeting in person in the Ross Town Hall, 31 Sir Francis Drake Boulevard, Ross, CA.*

Zoom Webinar: <https://us02web.zoom.us/j/86977621743>

Webinar ID: 869 7762 1743# or Call-in Number: +1 (669) 900-9128

Submit public comment by:

1. Emailing [cmartel@townofross.org](mailto:cmartel@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. **5:15 p.m. Call to Order.**
  2. **Posting of agenda/changes to agenda.**
  3. **Closed Session.**
    - a. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Property: (33 Sir Francis Drake Blvd., Ross CA 94957)  
Town negotiator: (Town Manager)  
Negotiating parties: (Ross Valley Paramedic Authority)  
Under negotiation: (Instruction to negotiator on both price and terms of lease payments)
  4. **6:00 p.m. Open Session. Town Council will return to open session and announce actions taken, if any.**
  5. **Five Year Service acknowledgement for Eric Robbe, Senior Building Inspector.**

 Full agenda packet available online by clicking [here](#).

6. **Mayor's Report.**
7. **Council Committee & Liaison Reports.**
8. **Staff & Community Reports.**

- a. **Town Manager**
- b. **Ross Property Owners Association**

9. **Consent Agenda.**

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

- a. **Minutes: 11/9/23 Meeting & 11/9/23 Special Meeting Closed Session**  
- b. **Demands. (Johnson)** 
- c. **Town Council consideration and adoption of Resolution No. 2345 accepting the Fiscal Year Ended June 30, 2023 Annual Report on Development Impact Fees (AB 1600 Report). (Johnson)** 
- d. **Town Council recommendation to hold a public hearing, waive the second reading and adopt Ordinance No. 725 amending Ross Municipal Code (RMC) Chapter 10.28 (Stopping, Standing, Loading & Parking) which was introduced at the November 9, 2023 Council meeting. (Simonitch)** 
- e. **Town Council consideration and adoption of Resolution 2349 for a one-year time extension for Design Review, Nonconformity Permit, Hillside Lot Permit, and Accessory Dwelling Unit Permit Exception to construct a new second-story accessory dwelling unit (ADU) above the existing detached garage; expand the existing accessory building at the first floor; and modify the existing entry gate and walls at 210 Lagunitas Road. (Lopez-Vega)** 
- f. **Town Council consideration and adoption of Resolution No. 2350 approving the second amendment to the Town Manager's Employment Agreement to increase her annual salary 5% to \$259,087.50 effective November 8, 2023; 3% to \$266,860.12 effective November 8, 2024; amending the Town's salary schedule to reflect the amendment; and authorizing the Mayor to execute the Amendment. (Stock)** 

**End of Consent Agenda.**

**10. Public Hearings on Planning Projects – Part 1.**

*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. 45 Poplar Avenue, Design Review, a Non-conformity Permit, Demolition Permit and a Variance, and Town Council consideration of Resolution No. 2342. (Feliciano) **

Kyle and Kathryn Rosseau, 45 Poplar Avenue, A.P. No. 073-273-02, Zone: R-1:B-7.5, General Plan: ML (Medium Low Density), Flood Zone: AE (Floodway)

**Project Description:**

The applicant requests consideration for Design Review, a Nonconformity Permit, Demolition Permit, and Variance. The project involves the demolition of an existing single-family residence. The applicant proposes a new two-story single-family residence in the same location as the existing home, maintaining the existing nonconforming front and side yard setbacks. The proposed residence consists of an 807 square-foot (SF) second floor and 1,005 SF first floor. The roof height will be raised from its existing height of 26'- 1" to 30'. Additionally, a new accessory structure will be constructed within the rear yard setback. The proposed exterior building materials are wood shingles and stone ledge siding. A new wooden deck is proposed in the rear yard providing an inviting outdoor space, and new pavers will be installed for a walkway in the front entrance area. The project also includes rehabilitating the existing landscape. A Variance is required for a new accessory structure within the rear yard setback. A Nonconformity Permit is required to reconstruct the existing nonconforming structure with regards to the north and south side yard setbacks. A separate application has been submitted for ministerial review of a 635 SF Accessory Dwelling Unit (ADU) in the front portion of the residence. The ADU is not subject to discretionary review.

**End of Public Hearings on Planning Projects – Part 1.**

**Administrative Agenda.**

**11. Town Council to receive a presentation regarding the evaluation of the Town of Ross Emergency Management Program conducted by Jeffries Public Safety Consulting. (Pata) **

**12. Town Council consideration to conduct a public hearing and adoption of Resolution No. 2346 authorizing maximum rates imposed and collected by Marin Sanitary Service for Refuse and Recyclable Material Collection and Disposal Services to be effective January 1, 2024, and determining that the Town's franchise fees are justified by the Town's costs providing solid waste services and reasonable charges for the use of Town property for solid waste services. (Johnson) **

13. It is recommended that the Town Council:
- a. Adopt Resolution No. 2351 of the Town Council of the Town of Ross amending the Town of Ross May 31, 2023 adopted 2023-2031, 6<sup>th</sup> Cycle Housing Element; and
  - b. Waive First Reading, Read by Title Only, and Introduce Ordinance 724, amending and adding language to Chapter 18.16, Single Family Residence (R-1) District, and Chapter 18.40, General Regulations, of the Town of Ross Municipal Code to facilitate Workforce Housing for Staff and Faculty at the Branson School to Implement the 2023-2031, 6th Cycle, Housing Element and direct staff to return for second reading and adoption on January 11, 2024. (Woltering) 

End of Administrative Agenda.

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

14. Right-of-Way in front of 77 Laurel Grove Avenue (DRP23-0022), Design review and Town Council consideration of Resolution No. 2348. (Simonitch) 
- Town of Ross, Right of Way in front of 77 Laurel Grove Avenue, A.P. No. 072-031-15, Zone: R-1:B-5A, General Plan: VL (Very Low Density), Flood Zone: X (Minimal Flood Hazard)

#### Project Summary:

The applicant is requesting approval for Design Review to allow for the construction of a new variable-height concrete wall along Laurel Grove Avenue. The new wall will be slightly over 100-feet long and a maximum height of four-feet nine-inches high, constructed of reinforced concrete with a decorative stone facade, and a one-foot debris bench behind the wall. The new wall is required to allow the realignment of Laurel Grove Avenue to accommodate the construction of the "Laurel Grove Safe Pathways Phase IIB" project (the Project). The wall will be located within portions of the existing and future public right of way along the frontage of 77 Laurel Grove Avenue and is therefore its construction is contingent upon the Council's acceptance of a pending Offer of Dedication of a portion of 77 Laurel Grove Avenue for roadway purposes. Some landscaping will be removed as part of the project and replaced to restore screening to the residence of 77 Laurel Grove Avenue. The amount of new landscaping is less than the 2,500 square foot trigger for Design Review.

15. 23 Ross Common #4B, Use Permit to operate an educational services use located at 23 Ross Common Unit #4B and Town Council consideration of adoption of Resolution No. 2343 approving a use permit for an educational services use, subject to conditions. (Feliciano) 
- Peter Maguire, 23 Ross Common #4b, A.P. No. 073-273-10, Zone: C-L (Local Service Commercial), General Plan: C (Local Service Commercial), Flood Zone: AE (High Risk Area)

**Project Description**

The applicant, Mathew Salter on behalf of Ross Bridges, requests consideration of a Use Permit to operate an educational services use. The proposed site is inside the Ross Garage building located at 23 Ross Common #4B. The educational services company would have two (2) staff members and a cap of 12 students. The proposed hours of operation are from 9:00 AM to 5:00 PM, Monday to Friday.

**16. 20 Allen Avenue, Design review and Town Council consideration of Resolution No. 2347. (Lopez-Vega) **

Steve Akram, 20 Allen Avenue, A.P. No. 073-241-17, Zone: R-1: B7\_5, General Plan: ML (Medium Low Density), Flood Zone: AE (Floodway)

**Project Description:**

The applicant requests approval for Design Review. The project involves rehabilitation and renovation of existing landscaping over 2,500 square feet. The project proposes to install new cobblestone driveway apron at Allen Avenue, as well as repair the existing driveway with stabilized decomposed granite to meet Ross Valley Fire Department (RVFD) regulations. Additionally, the project includes a new bluestone pathway, entry walkway, rear patio expansion, and vegetable garden. The applicant proposes to install artificial turf in both the front yard and rear yards of the home and new trees and shrubs along the perimeter of the lot to provide screening. A new pool is proposed in the front of the house measuring 12 x 24 feet and the pool equipment will be placed in an enclosure with added acoustic insulation for noise dampening on the west side of the garage all within the buildable envelope. As Shown on sheet L2 of the Project Plans, the applicant is proposing a bioretention area and will improve the existing drainage swales to mitigate the impact of increase impervious surfaces and meet the no net runoff policy.

**End of Public Hearings on Planning Projects – Part II.****17. No Action Items: (Mayor)**

- a. Council correspondence
- b. Future Council items

**18. Open Time for Public Expression.**

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

**19. 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.*