### AGENDA REGULAR MEETING of the ROSS TOWN COUNCIL THURSDAY, JUNE 14, 2012

The public is invited to attend a reception at Town Hall prior to the meeting from 5:30 p.m. to 6:30 p.m. honoring retiring Fire Chief Tom Vallee.

- 1. 6:30 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.
  - a. Conference with Legal Counsel Anticipated Litigation Government Code Section 54956.9(b): One case
  - b. Conference with Legal Counsel Existing Litigation Government Code Section 54956.9(a): James Reis, Workers Comp Case No. ABCF 536395
- 5. Open Session. Council will return to open session and announce actions taken, if any.
- 6. Minutes.
- 7. Demands.
- 8. Open Time for Public Expression. (5 minutes)
  Limited to three minutes per speaker on items not on agenda.
- 9. Town Council consideration/adoption of Resolution No. 1770 commending Fire Chief Tom Vallee upon his retirement. (Small, 5 minutes)
- 10. Report from Mayor. (5 minutes)
- 11. Report from Interim Town Manager. (5 minutes)
- 12. Report from Committee Heads.

Community Protection

- Council member Hunter

- Public Safety update
- Transportation Authority of Marin (TAM) update

For information as to which item the Council is hearing, please call 415-453-1453, option 4, after 6:30 p.m. on the night of the meeting. Times shown are estimates only.

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.

■ Report available online at http://www.townofross.org/pages/town\_council/staff\_reports.html

Public Works

- Council member Strauss

- Public Works update
- 13. Report from Ross Property Owners Association. (5 minutes)
- 14. Flood Control Report. (5 minutes)
- 15. 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/adoption of Resolution No. 1771 Making Certain Findings and Determinations in Compliance with Section XIII B of the California Constitution (GANN Initiative) and Setting the Appropriation Limit for the Fiscal Year Ending June 30, 2012. (Thompson)
- b. Town Council consideration/approval of reappointment of Teri Dowling to the Marin County Commission on Aging for a three-year term. (Thompson)
- c. 33 Winship Avenue, Design Review and Demolition Permit No. 1808 (Semonian) 
  Chris and Mary Ann Neumann, 33 Winship Avenue, A.P. No. 72-153-09, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre), Zone X (area outside the 1-percent annual chance floodplain). Request for design review and a demolition permit to replace the shingle siding with horizontal wood siding. The project also includes modification to the windows north of the entry and deletion of one window on the north elevation.

5,500 square feet	
36.9%	
44.8%	(20% permitted)
32.3%	
32.3%	(20% permitted)
56.6%	
46.8%	
	36.9% 44.8% 32.3% 32.3% 56.6%

# d. 42 Fernhill Avenue, Exception to Variance & Design Review No. 1867 (Semonian)

Tim Wood, 42 Fernhill Avenue, A.P. No. 73-041-26, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1-3 units per acre), Zone X (outside 1-percent annual chance floodplain). Request for the Town Council to delete a condition of the June 8, 2006 Variance and Design Review approval that restricted improvement of the basement area. Basement Exception to allow approximately 400 square feet of basement area to be finished. No exterior changes are proposed.

Lot area	20,440 square feet
Existing Floor Area Ratio	28.9%
Proposed Floor Area Ratio	30.8% (20% permitted)
Existing Lot Coverage	18.7%
Proposed Lot Coverage	18.7% (15% permitted)

#### Existing/Proposed Impervious Areas no change

The existing residence is nonconforming in setbacks.

### End of Consent agenda.

#### 16. Public Hearings on Planning Applications – 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 for any item, the Council may consider the item later in the agenda under Public Hearings on Planning Applications Part II. The Council will act on each item separately.

# a. 93 Bolinas Avenue, Extension of Variance and Design Review No. 1747 (Semonian, 2 minutes) ■

Paul and Tori Steege, 93 Bolinas Avenue, A.P. No. 73-041-15, R-1 (Single Family Residential), Medium Density (6-10 Units/Acre), Zone C (outside 1-percent annual chance floodplain). Request for re-approval of an application for variance and design review for a project approved by the Town Council on July 9, 2009, but not constructed. The project would allow the following modifications to the existing residence: 1.) modification of existing dormers on the north facing roof; 2.) new gable roof for existing carport and extension of the carport 8 feet towards the front yard; 3.) replacement of the existing porch with a new porch and second floor roof deck; and 4.) a new hot tub within the rear yard setback (40 feet required, 3.5 feet proposed) and east side yard setback (15 feet required, 3.5 feet proposed). The hot tub would be located on an existing deck that covers a seasonal stream contained in a concrete channel.

Lot area	6,400 square	feet
Existing Floor Area Ratio	1,943 sq. ft.	30.3%
Proposed Floor Area Ratio	2,037 sq. ft.	31.8% (20% permitted)
Existing Lot Coverage	1,393 sq. ft.	21.8%
Proposed Lot Coverage	1,487 sq. ft.	23.2% (20% permitted)
Impervious Surfaces	no change	

The existing residence and carport are nonconforming in side and rear setbacks

# b. 19 Woodside Way, Extension of Variance, Design Review and Demolition Permit No. 1816 (Semonian, 2 minutes) ■

Todd and Julie Boes, 19 Woodside Way, A.P. No. 73-252-03, R-1:B-6 (Single Family Residence, 6,000 sq. ft. minimum lot size), Medium Density (6-10 units per acre). Request for re-approval of plans approved May 12, 2011, expired May 12, 2012, to allow a building permit to be issued for the project. The plans included approval of design review, demolition permit and variances to allow partial demolition of the existing residence, demolition of the garage, and an addition and significant remodel to the remaining structure. The project includes removal of the garage and southwest bedroom wing and demolition of walls, windows and doors on each elevation of the remaining residence. A new garage and two-story addition would be constructed. The applicants request a setback variance to locate a covered entry porch in the area of the existing entry, maintaining the existing encroachment into the northwest side yard setback (15 feet required, approximately 8 feet existing and proposed). Variances are also requested to retain the existing den and living room within the rear yard setback (40 feet required,

21.5 feet existing) and to modify the existing stairs and deck in the rear yard area (40 feet required, 22 feet existing and proposed). Design review of associated landscaping including realignment of the driveway, a new 6-foot-tall auto gate and entry columns, 170 feet of retaining wall ranging from 3 feet to 11 feet tall, and 80 cubic yards of grading (cut). Design review and an encroachment permit is requested to locate a new 6-foot-tall pedestrian gate and landscaping within the Spring Road right-of-way. Total existing floor area is 2,962 square feet. Total floor area of 4,524 square feet is proposed.

Lot area	23,516 sq. ft.	
Existing Floor Area	12.6%	
Proposed Floor Area	19.2%	(20% permitted)
Existing Lot Coverage	18.0%	
Proposed Lot Coverage	18.4%	(20% permitted)
Existing Impervious Areas	19.1%	
Proposed Impervious Areas	23.8%	

c. 20 Olive Avenue, Variance and Design Review No. 1879 (Semonian, 2 minutes) Ezra and Kate Ripple, 20 Olive Avenue, A.P. No. 73-171-09, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre), Zone X (outside 1-percent annual chance floodplain). Application for design review and variances. The project includes: 1) 121 square foot addition at the rear of the residence; 2.) remodel of front elevation, including extension of the existing roofline over the front entry area and modifications to the front porch and entry stairs; 3.) demolition of 268 square foot carport; 4.) reconfiguration of front parking area and replacement of asphalt with pavers; 5.) relocation of pool equipment from east side yard to enclosed area on west side of residence; and 6.) landscape retaining walls.

Lot Area	7,265 square feet	
Existing Floor Area Ratio	33.9%	
Proposed Floor Area Ratio	31.9% (20% permitted)	
Existing Lot Coverage	25.9%	
Proposed Lot Coverage	24.0% (20% permitted)	
Existing Impervious Areas	68.3%	
Proposed Impervious Areas	45.6%	

The existing residence and parking structures are nonconforming in setbacks.

# d. 662 Goodhill Road, Variance, Design Review and Hillside Lot Permit No. 1876 (Semonian, 2 minutes)

Steve Scarpa, 662 Goodhill Road, A.P. No. 73-211-45, R-1:B-5A (Single Family Residential, 5-acre min. lot size), Very Low Density (.1-1 Unit/Acre) and Limited Specialized Recreational/Cultural. Applications for design review, variance and hillside lot permit to enclose the 369 square foot covered loggia/porch on the west elevation to enlarge the family room. The area was counted towards the maximum permitted floor area for the site when the residence was approved.

Lot Area	776,675 sq. ft. (17.83 acres)
Existing Floor Area Ratio	1.1%
Proposed Floor Area Ratio	1.2%
Existing Lot Coverage	0.9%

Proposed Lot Coverage 0.9% (15% permitted)
Existing/proposed Impervious Areas no change

The slope of this lot is 41%. The Hillside Lot Ordinance would recommend a maximum floor area of 6,926 square feet, or 0.8% floor area ratio, for the site.

# e. 27 Upper Road, Basement Exception and Hillside Lot Permit No. 1882 (Semonian, 2 minutes)

Eric Greenberg, 27 Upper Road, A.P. No. 73-111-11, R-1:B-5A (Single Family Residence, 5-Acre min. lot size), Very Low Density (.1-1 units per acre), Zone X (outside 1-percent annual chance floodplain). Request for basement exception and hillside lot permit to retain finished basement area.

Lot area 123,710 sq. ft.

Effective Lot Area 81,327 sq. ft.

Existing Floor Area 11.9%

Proposed Floor Area 14.1%

Existing/Proposed Lot Coverage no change

Existing/Proposed Impervious Areas no change

f. 14 Madrona Avenue, Variance No. 1801 (Semonian, 2 minutes) Elika and Michael Rosenbaum, 14 Madrona Avenue, A.P. No. 73-232-42, R-1:B-10 (Single Family Residence, 10,000 Square Foot Min. Lot Size), Medium Low Density (3-6 Units/Acre). Setback variance to install an emergency generator within the front yard setback (25 feet required, 0 feet proposed). The unit would be located to the west of the pool equipment.

End of Public Hearings on Planning Applications- Part I.

- 17. Town Council consideration/approval of Special Events Permit for Campout on the Common September 7-8, 2012. (Thompson, 5 minutes)
- 18. Town Council consideration of approving Marin County Bicycle Coalition's (MCBC) request to install a Class II Bike Lane in the eastbound direction on Sir Francis Drake Boulevard from Sir Francis Drake Bridge to Ross Terrace.

  \*\*This item has been removed from the agenda\*\*
- 19. Presentation by Stetson Engineers of FEMA's revised flood insurance rate maps. (15 minutes) □
- 20. Town Council consideration/adoption of Resolution No. 1772 final draft of Council Procedures Manual and descriptions of Standing Committees developed by the General Government Committee. (Martin, 10 minutes)
- 21. Town Council consideration/adoption of Resolution No. 1773 establishing additional twenty-minute restricted parking on Ross Common. (Masterson, 10 minutes)
- 22. Public Hearing: Presentation of the draft Town of Ross Budget for Fiscal Year 2012-2013 and Town Council consideration of adoption of Resolution No. 1774 adopting the budget. (Thompson, 20 minutes) ■

- 23. Town Council discussion and approval of Marin Clean Energy for Renewable Energy (electric) service or initiating an opt-out provision for Town to remain with PG&E. (Thompson, 10 minutes)
- 24. No Action Items: (Small, 5 minutes)
  - a. Council correspondence received
  - b. Future Council items
- 25. Discussion of the five Town Council goals for FY 2011-2012 developed at the Town Council retreat and the implementation of these goals. (15 minutes)
  - a. Development of right-of-way regulations (Small)
  - b. Development of Council procedures (Martin)
  - c. Development of overlay landscape plan (Strauss)
  - d. Fire consolidation (Hunter)
  - e. Post-emergency permitting and nonconforming structure regulation review (Russell)

Public Hearings on Planning Applications - Part II.

26. 8 Southwood Avenue, Design Review No. 1820 (Semonian, 20 minutes) Cam and Edward Lanphier, 8 Southwood Avenue, A.P. No. 73-151-25, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1 - 3 units per acre), Area outside of creek Zone X (outside 1-percent annual chance floodplain), creek is in a special flood hazard area. Town Council consideration of the adequacy of the landscape screening for a design review project approved on March 11, 2011, for design review for a new 532 square foot pool house/garden house with an unfinished understory storage and mechanical area, and associated landscape work.

Lot Area	42,366 square feet	
Existing Floor Area Ratio	14.8%	
Proposed Floor Area Ratio	14.9%	(15% permitted)
Existing Lot Coverage	9.1%	
Proposed Lot Coverage	9.2%	(15% permitted)
Existing Impervious Areas	12.3%	
Proposed Impervious Areas	13.6%	

- 7 Hillgirt Avenue, Variance and Design Review No. 1880 (Semonian, 20 minutes) Tony Curtiss and Marta Osterloh, 7 Hillgirt Avenue, A.P. No. 73-232-42, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1-3 units per acre), Zone X (area outside of 1-percent annual chance floodplain). Design review of 6-foot tall front yard fence made of wood and galvanized metal grid, 6-foot tall redwood driveway gate, 6-foot tall entry columns finished with bluestone and rock, and an 8' 6" tall wood arbor entry structure.
- 28. 4 Canyon Road, Amendment to Variance, Design Review and Demolition Permit No. 1821 (Semonian, 20 minutes) 
  Christian Lind and Lisa Bernardi, 4 Canyon Road, A.P. No. 72-092-08, R-1:B-A (Single Family Passidenes, 1 Agra minimum let size). Vary Law Density (1 layrite non agra)

Family Residence, 1-Acre minimum lot size), Very Low Density (.1-1 units per acre), Zone X (area outside the 1-percent annual chance floodplain). Amendment to plans for a demolition permit, design review and side setback variance for an addition and remodel to the residence, including associated landscaping. The applicants request after-the-fact

watercourse design review approval of a side entry deck constructed within 25 feet of the top bank of the creek. The project also includes a request for a new swimming pool, spa and patio area south of the residence, which complies with the 25-foot side yard setback and 40-foot rear yard setback.\*

Lot area 57,688 sq. ft. Effective Lot Area 39,247 sq. ft. Existing Floor Area 6.9% Approved/Proposed Floor Area 9.6%/10.9% (15% permitted) **Existing Lot Coverage** 7.7% Approved/Proposed Lot Coverage 9.2%/9.2% (15% permitted) **Existing Impervious Areas** 19.8% Approved/Proposed Impervious Areas 19.2%/20.95%

# 29. 6 Southwood Avenue, Variance, Design Review, and Demolition Permit No. 1859 \*\*This item has been continued.\*\*

Darr and Sandy Aley, 6 Southwood Avenue, A.P. No. 73-151-20, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1 - 3 units per acre), Zone X (outside 1-percent annual chance floodplain. Request for design review and a demolition permit to alter the barn structure to add skylights on the ridge and new sliding glass doors on the north, east and south elevations.

#### End of Public Hearings on Planning Applications- Part II.

### 30. 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.

<sup>\*</sup>The existing residence is nonconforming in setbacks. The slope of the lot is 28%. The project no longer falls under the hillside lot regulations because a site-specific engineer analysis concludes that the site is not within Slope Stability Zones 3 or 4.