

Regular Town Council Meeting November 25, 1980

Mayor Capurro convened the meeting with Councilmembers Toal, Convis, Wooliever and Buckle present.

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. APPOINTMENTS

a. Marin/Sonoma Mosquito Abatement District Board of Trustees.

Councilman Toal nominated Paul Brand for term through 12/31/82. Appointment at next Council meeting.

b. Park & Recreation Commission.

The Administrator reported that high schools had been contacted regarding the opening, with no response. An application from Inge Toal (a high school student) was presented to the Administrator, and Mayor Capurro placed her name in nomination.

An application had been received from Don Ricketts, and Councilmember Toal placed the name of Don Ricketts in nomination.

Appointment to be made at next Council meeting.

4. PUBLIC HEARING TO DETERMINE WHETHER NOTICE TO CONSTRUCT SIDEWALKS SHALL BE GIVEN TO OWNERS OF 70 & 100 FORBES AVENUE: PORTION OF COST TO BE ASSESSED

Attorney Charles Coyne appeared with W. D. Griffis, owner of 70 Forbes Avenue. Mr. Coyne stated that Mr. Griffis is prepared to be a good neighbor by paying a share based on an 80 foot frontage, (26% or \$1,216). Owners of 100 Forbes were not present although noticed.

The Public Works Director reported that he had met with 16 - 18 residents of the area, and while under no obligation to participate, most said they would contribute. Mr. Heitner, 208 Forbes, and Mrs. Metz, 55 Forbes Ave., confirmed the interest of the residents.

The Council directed the Director of Public Works to send the two property owners notice to construct and set protest hearing for December 23, 1980, thus giving the residents time to collect funds or pledges for 50% of the balance, to be matched by Town (Alternative #4, staff report of 10-22-80).

5. DIRECTOR OF PUBLIC WORKS RECOMMENDING SIDEWALK INSTALLATION, LOWER SEQUOIA DRIVE, ON SHARED COST BASIS.

Mrs. Kay Corlett said the neighborhood had started a raffle to raise the \$1,000 needed for its share of the proposed construction per the staff report of 12-12-80. She expressed the community's appreciation to the merchants of the area who had donated 25 prizes, and asked the Council to draw the 25 winning tickets at the commencement of the meeting of December 9th. Council agreed.

M/S Toal, Wooliever to approve installation of sidewalk on west side of Sequoia Drive between Redhill and Hilldale subject to residents contributing \$1,000, the Town \$540. Passed unanimously.

6. PUBLIC HEARING: Planning Commission recommending rezone 7 Santa Barbara from PPDR-1 to Straight R-1.

John Colteaux requested from the audience that Council approval be conditioned on prohibition of future subdivision. The Town Attorney expressed doubt as to legal ability to do so. Robert Keast, applicant, stated he had no intent to subdivide, and explained his preference for rezoning over SPD procedure.

M/S Buckle, Toal to waive reading of ordinance.

M/S Buckle, Toal to introduce ordinance amendment rezoning 7 Santa Barbara from PPDR-1 to straight R-1 zoning. Passed by the following vote:

AYES: Wooliever, Buckle, Convis; NO: Capurro; Abstain: Toal

7. PLANNING COMMISSION RECOMMENDING ADOPT RESOLUTION MODIFYING SECOND UNIT NEIGHBORHOOD DENSITY ALLOCATIONS (RESCINDING RESOLUTION 1682 ADOPTED OCTOBER 14, 1976).

The Planning Director explained the reasons for adjusting the figures, stating the revision is a realistic approach to what exists and what is needed, and is recommended on its merits, not in conjunction with the elevation density ordinance. After public comment and Council discussion, Councilmember Toal moved to adopt with restoration of the original Resolution 1682 figures, plus addition of 74 units in the nine districts where the total of existing units is higher. Motion died for lack of a second.

M/S Buckle, Wooliever to refer the item back to the Planning Commission for further consideration. Motion failed on a 2 - 3 vote, with Councilmembers Toal, Convis and Capurro voting no.

Thereafter, M/S Convis, Capurro to adopt Resolution No. 1854 establishing the maximum number of second units to be permitted in each neighborhood in the Town of San Anselmo as submitted and rescinding Resolution No. 1682. Motion passed on a 3 - 2 vote with Councilmembers Wooliever and Toal voting no.

11. (Out of Order) FAIRFAX ORGANIZATIONS REQUESTING USE OF COMMUNITY CENTER LAWN FOR CHRISTMAS TREE SALE LOT

Mr. & Mrs. Hans Yeager protested use of the Community Center lawn to sell Christmas trees, based on the noise generated by chain saws, hammers and added traffic. Jose Casalnuovo, representing the groups involved, spoke and presented petition signed by residents and business people in the area in favor of the use.

M/S Wooliever, Buckle to approve request for use of lawn in front of the Community Center with the following conditions:

- a. Time limits 10:00 A.M. - 9 P.M., November 29 - December 26.
- b. Adult supervision on premises at all times.
- c. Advance payment of \$210 fee.
- d. The property be restored to its original condition or better.

Motion passed on a 4 - 1 vote with Councilmember Toal voting no.

8. PUBLIC HEARING: PLANNING COMMISSION FORWARDING ORDINANCE (a) ADDING NEW CHAPTER TO SAN ANSELMO MUNICIPAL CODE ESTABLISHING ELEVATION DENSITY REQUIREMENTS; AND (b) AMENDING MISCELLANEOUS CODE SECTIONS AS TO DESIGN REVIEW, TENTATIVE MAPS, ETC.

M/S Toal, Convis to separate sections 2 through 9 to be rewritten as a separate ordinance, for return to an early agenda for introduction. Passed unanimously.

Council agreed to accept suggestion from John Colteaux that the entire language of each section be spelled out, rather than changes only, since it is difficult for people who do not have a code book to understand what is being changed.

M/S Toal, Capurro to accept, for the time being, section one of the proposed ordinance, labeled "Elevation Density", and to direct staff to prepare necessary General Plan amendments for Planning Commission and Council consideration and action prior to final consideration of the ordinance by the Council.

The Planning Director and Town Attorney stated that the General Plan revision process also will include changes in the Housing Element required by recent State legislation, and will be subject to environmental review.

Jonathan Braun stated he did not think the Council should accept the ordinance since he felt it was neither complete nor adequate.

Motion passed by unanimous vote.

9. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF

Councilmember Wooliever stated information would be forthcoming concerning Fairfax/San Anselmo cooperation.

The Planning Director reported the Schenk Development proposal is being revised to show 10 single family detached dwelling units only, with a 90-day extension for County processing. He also stated LAFCO will consider the San Francisco Boulevard annexation at its January 8 meeting.

The Planning Director also reported that the Town Attorney's opinion is that the new State combining law has no effect on San Anselmo's combining ordinance.

The Director called attention to the deteriorated condition of the wooden pedestrian bridge next to Alexander's. It is his feeling the bridge which is not heavily used, should be closed to the public until it can be repaired. Councilmember Capurro asked that each entrance to the bridge be signed to indicate why the bridge is closed. The Director will have it closed on December 2, 1980.

Town Administrator announced that San Anselmo has been dropped as a defendant in Powers & Bjork vs. County of Marin, et al.

10. DIRECTOR PUBLIC WORKS RECOMMENDING STREET LIGHT, SOUTHVIEW TERRACE

M/S Toal, Buckle to authorize a street light at 18 Southview Terrace, and to authorize the Director of Public Works to proceed in a similar fashion in the future whenever similarly strong warrants are presented. Passed unanimously.

12. MINOR CLARIFYING REVISIONS OF BUSINESS LICENSE TAX ORDINANCE

M/S Toal, Wooliver to waive reading. Passed unanimously.

M/S Toal, Convis to introduce ordinance clarifying Sections 6-1.10 and .21 of the San Anselmo Municipal Code. Passed unanimously.

13. ORDINANCE AMENDMENTS REGULATING CAMPING

M/S Buckle, Toal to adopt ordinance No. 792 amending Chapter 5 of Title 5 of the San Anselmo Municipal Code affecting trailers and camp cars and imposing new regulations re camping. Passed unanimously.

14. CONSENT AGENDA

M/S Toal, Convis to approve Consent Agenda. Passed unanimously.

- a. Approved minutes of meeting of November 11, 1980.
- b. Approved warrant register for 11/1-15/80.
- c. Approved final map, Ross Valley Apartments, condominium conversion, 84 Madrone.
- d. Scheduled session with Robson-Harrington House Association Board of Directors for meeting of January 13, 1981.
- e. Approved and authorized Administrator to sign Signal Maintenance Agreement.
- f. Appropriated \$2,028 from added revenue in Account 353 to Account 491-44 for Recreation Center parking lot improvements.
- g. Transferred \$562 from Acct. 492-60 Reserve for Contingencies to 481-19A for lease of security system, Recreation Center Building.
- h. Rejected claim of Bryan Parker.

ADJOURNED at 11:10 P.M. to regular meeting of December 9, 1980.

THELMA FOSTER, Secretary