

Minutes of the regular meeting of the San Anselmo City Council held  
September 8, 1970.

All present -quorum declared. Mayor Reed, presiding

PUBLIC DISCUSSION

Paul Brand spoke on fire horn, said sometime ago there was a discussiin on not blowing the horn on Saturdays & Sundays at 8:00 a.m. Mayor said council will schedule this matter for future meeting.

PUBLIC HEARINGS: Cited to appear by Chief Bldg. Official

Miss Geil Davis & Miss Daisy Hatton owners of property located at #16 Foothill Road. (two living units)

Miss Hatton stated they purchased the property in 1958 and to her knowledge same was converted in 1946, they lived there for 10 years.

City Engineer stated there are 2 kitchens and 2 baths at this address, this would indicate two family dwelling.

Miss Davis stated they are waiting for bids for work to be done, termite work and install inner staircase, they informed renter she would have to move but Building Inspector said she can stay.

Councilman Perry said judging from what he hears, we do not have a legal non-conforming use, we have a violation and have alternative but to see this duplex use is abated.

M/S Councilman Perry-Anderson this body makes a finding that the use at 16 Foothill Road found to be unlawful and contrary to our ordinance and duplex use be abated within 60 days from this date and that this matter be re-calendared for that date for further action in the event violation has not been corrected.

Mayor Reed asked to add, unit be converted to one family living unit to satisfaction of the Building Official.

Councilman Perry said as a matter of clarification put addenda as follows: By abating duplex use, the single family use be restored and extra kitchen be removed and entire unit be one living space.

Councilman Capurro stated we are short of housing facilities in Marin County and as long as off-street parking is provided and same is up to fire code same should remain. Going to be eliminating some very fine people from San Anselmo and don't think this is fair.

Councilman Perry stated maybe a review of our policy and ordinance should be undertaken. Tonight appears to be a violation and we are to enforce the ordinance.

Councilman Capurro said if going to do something set date for cut-off, don't pick onee tonight and let others go.

Councilman Stewart said points made by Councilman Capurro and others are points that should be dealt with, not fair to give privilege to one and not the other, and read report of Housing in Marin, feels there is something wrong here, very serious problem and we should take a good hard look at the ordinance itself.

Motion passed on following vote:

Ayes Councilmen: Perry, Anderson, Stewart, Reed

Noes Councilman: Capurro

Mrs. Henriette Stratton owner of property at 28 El Cerrito Ave. Cited to appear  
Letter from City Engineer stating 3 apartments on property are occupied and asking that the building in rear of the main building and the basement apartment be vacated and all kitchen facilities removed.

M/S Councilman Anderson-Perry to turn this matter over to the City Attorney to abate both units. Motion passed on following vote:

Ayes Councilmen: Perry, Anderson, Stewart, Reed

Noes Councilman: Capurro

M/S Councilman Stewart-Capurro that the ordinance pertaining to non-conforming uses be analysed at earliest possible time and suggests Planning Commission be agency to evaluate ordinance in light of current trends and if possible citizens committee be asked to assist. Motion passed on following vote:

Ayes Councilmen: Capurro, Anderson, Stewart, Reed

Noes Councilman: Perry

Chas. Daly, owner of property #7 Hillcrest Court. Cited to appear

Letter from City Engineer stated above party failed to comply with the requirements of Sec. 10-3.504 (sideyard setbacks) M/S Councilman Anderson-Perry to refer this matter to City Attorney for court action. Passed unanimously

APPLICATION TO APPROVE A SECOND DRIVEWAY

1506 Sir Francis Drake Blvd. Owner B. Peterson - Building Ed. Bugar

City Engineer recommends approval of second driveway approach at the east property line, not to exceed 15' in width. M/S Councilman Perry-Stewart applicant be allowed to install a second curb cut on Sir Francis Drake not to exceed 15' and be situated so as to be approved by City Engineer. Unanimously passed. On Matter of Edw. Bugar, council will discuss same with City Attorney

APPLICATION FOR FREE STANDING SIGN  
TACO BELL DRIVE IN, 60 GREENFIELD AVE.

City Engineer recommends Council deny application on basis total sign area would exceed that needed for business identification and that permitted by proposed sign ordinance, that the entire building and its appurtenant structures are in themselves in toto, identification of the business and further that a free standing sign is not needed due to the clear visibility of the existing sign and structure. M/S Councilman Capurro-Stewart application for free standing sign be denied as cited by staff comments. Passed unanimously

REPORT BY PARKS & RECREATION COMMISSION  
USE OF FACILITIES AND APPROPRIATE FEES

L. Gapinski had submitted report by Parks & Recreation Commission for City Council approval, implementation to be effective with the fall, 1970 program. Following policy submitted:

1. A resident is defined as a person who resides within the city limits of San Anselmo.
2. The inclusion of non-residents in programs should not jeopardize either the quality or effectiveness, or both, of the programs. Both participating and non-participating residents should have equitable use of facilities.
3. The guidelines for the use of tennis courts and tennis lessons, as adopted by the City Council on March 24, 1970, and as outlined in a letter dated March 25, 1970, from the City Administrator, should be adhered to immediately.
4. In all other city-sponsored recreation programs on any city property, and/or city-sponsored field trips of either Parks or Recreation Depts, every non-resident be charged an appropriate fee commensurate with the cost of the program over and above the cost to a resident. This non-resident cost per individual to be determined by the Director of Recreation and appropriate individuals (City Administrator-Controller, Director of Parks, etc.).
5. A minimum quota of 50% resident participation in any class given by Park and Recreation Departments. The balance of the class may be filled with non-residents in order to meet maximum enrollment for the specific class as set by the Parks or Recreation Directors. At the end of each quarter, the Director will furnish Park and Recreation Commission with a breakdown report of number of classes, number of residents and non-residents enrolled in each program, fees per class collected, and a report on the overall effectiveness of this policy.
6. No solely non-resident class may be held on city facilities.

Mayor Reed suggested following change in No. 4: In all other city-sponsored recreation programs and city-sponsored field trips of Recreation Department. M/S Councilman Capurro-Anderson wording as amended on No. 4 be approved and approve from No. 1 thru No. 6. Passed unanimously

NOMINATIONS TO EOC & PLANNING COMMISSION

Councilman Stewart nominates Jan Fairchild and Mayor Reed nominates Dr. James Miller to EOC. Councilman Anderson nominates Cynthia Barrow and Councilman Stewart nominates Dan Goltz to Planning Commission. M.S Councilman Perry-Stewart nominations be closed. Passed unanimously Appointments to be made at next meeting.

JOINT POWERS AGREEMENT: TOWN OF ROSS  
MAINTENANCE OF TRAFFIC SIGNAL BULBS

City Engineer recommends we enter into proposed agreement to the mutual benefit of both cities, Bolinas Avenue be included at cost of \$4.88 per month. City Council authorized Mayor to sign a Joint Powers Agreement with the Town of Ross for "light-out" calls and bulb replacement and lens cleaning, as proposed in the letter from Hoffman & Albritton dated 8/14/70 to the City Engineer and as amended by the City Engineer's memo of 8/21/70.

M/S Councilman Anderson-Stewart, City Engineer's recommended be added to existing Joint Powers Agreement with Ross and the City Attorney prepare draft for City Council approval. Passed unanimously

SENATE CONSTITUTIONAL AMENDMENT #18  
MOTOR VEHICLE TAXATION & REVENUE

Councilman Stewart discussed the proposed amendment No. 18 which would broaden the use of gas tax revenue to include solutions to transportation problems other than highway construction and assist with smog control problems.

M/S Councilman Stewart-Anderson the City Council adoption resolution supporting Senate Constitutional Amendment No. 18. Passed unanimously

CITY PLANNING CERTIFICATE PROGRAM

Memo from Planning Director asking permission of City Council to enroll in the program "City Planning" cost of course \$250.00, would like to use money from A/C 441-21.

M/S Councilman Capurro-Stewart to approve request of Planning Director to enroll in course "Growth of Cities and the Development of City Planning" using account 441-21. Passed unanimously

ADVERTISE BIDS:

M/S Councilman Capurro-Perry to call for bids for roof, siding, gutters, etc., at Robson-Harrington. Passed unanimously

RESOLUTION NO. \_\_\_ Declaring 23 Brookside, retaining walls a public nuisance. City Engineer reported no action necessary, walls have been removed.

ORDINANCE NO. 602 An ordinance amending Sec. 10-3.444, 10-3.450 and 10-3.438 of the San Anselmo Municipal Code by redefining the definition of "Structure" and providing for certain cross references.

M/S Councilman Anderson-Capurro dispense with further reading and adoption of same. Passed unanimously

CONSENT AGENDA

Resolution No. 1314 Claims and Demands for the month of August, approved.

Minutes of August 25, 1970

Request for encroachment, 106 Humboldt Ave. remove 20' frontyard setback - application was for 8' encroachment into public right of way.

REMOVAL OF COMBUSTIBLE MATERIALS

Robson-Harrington Attic, (add) and Carriage House. Remove name of Dr. Roy Fairchild and put member of Library Board.

M/S Councilman Perry-Stewart approval of consent agenda. Passed unanimously

Meeting adjourned at 10:30 p.m.

Anita Gannon, City Clerk

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Minutes of the public hearing on proposed sign ordinance. Meeting held September 15, 1970 - all present quorum declared.

Review of ordinance article by article resulted in several changes which staff was directed to incorporate into draft of ordinance.

at 11:00 p.m., after completing review of first three articles, hearing was continued to 8:00 p.m. September 29, 1970.

A.C. Kaepfel