

Minutes of Regular Meeting of City Council - February 25, 1975

All Members Present.

The Council first met in open informal session to interview applicants for the Planning Commission.

BUSINESS

a. General Plan: PLANNING COMMISSION PROGRESS REPORT

Planning Commission Chairman Dan Goltz reported that the Ridge Top Ordinance is now being drafted by the City Attorney and the Commission has approved a Health and Safety Ordinance. The Commission is satisfied with the policy statements presented by the Planning Consultant and anticipates that text and maps of the total general plan will be prepared for workshop session March 17th with public input for final touches for Commission public hearing by late April and to the Council in May. At that time the Consultant's job will be finished with the exception of the Sleepy Hollow aspect.

b. PETITION REQUESTING RECONSIDERATION OF ORDINANCE NO. 682, PRESERVATION OF SAN ANSELMO AND SLEEPY HOLLOW CREEKS BY SETBACK LINES

1. Clerk's Certification of result of examination of signatures

Mayor Blinder read for the record the Certificate of the City Clerk certifying that the referendum petition had been signed by more than 10% of the voters of the City and that accordingly the February 13, 1975 effective date of Ordinance No. 682 is suspended and the City Council is mandated to reconsider the Ordinance at this meeting.

2. Reconsideration by Council

After hearing from a substantial number of the audience - with the largest percentage of sentiment in favor of the Council repealing the Ordinance rather than taking the alternative of submitting the issue to the voters,

M/S Colteaux, Blinder that public discussion on the issue be closed.

AYES: Councilmen Anderson, Colteaux, Blinder

NOES: Councilmen Toal, Capurro

M/S Toal, Capurro to reconsider and repeal Ordinance No. 682

After discussion by Council, resulting in a concensus of opinion that submission of the issue to the electorate of the City would be the best vehicle to establish the majority opinion of the community on the direction of the General Plan, Councilmen Toal and Capurro withdrew the foregoing motion and second,

M/S Colteaux, Toal that this Council follow the advice of the City Administrator in terms of the requirements of calling an election, and adopt as policy the calling of a special election so that it could be held on the common election date of May 27, 1975, the official call for the election to be at the next meeting. Passed unanimously.

c. QUESTION OF BALLOT MEASURE TO MAKE POSITION OF CITY CLERK APPOINTIVE RATHER THAN ELECTIVE

M/S Toal, Anderson to express intent to place the question of making the City Clerk appointive rather than elective on the ballot of the May 27, 1975 Special Election, with the order of election to be made at the next meeting. Passed unanimously.

d. RESOLUTION SUPPORTING TRANSIT TAX LIMIT INCREASE BALLOT MEASURE

After a presentation by Kevin Calegari, representing the Marin Union of Students for Transit, emphasizing the need for public transportation in Marin County,

M/S Toal, Anderson to adopt Resolution No. 1572 to Support Measure A on the March 4th, 1975 ballot.

In discussion, Councilman Colteaux suggested an amendment to the resolution to make clear that funds to implement this Measure would come from an increase in real property taxes. The motioner and seconder accepted Councilman Colteaux's amendment and the motion passed on the following vote.

AYES: Councilmen Anderson, Toal, Blinder

NOES: Councilman Colteaux

ABSTAIN: Councilman Capurro

e. PROPOSAL FOR ORDINANCE PROVIDING NON-SMOKING AREAS IN PLACES OF PUBLIC COMMERCE

The proposed Ordinance was read in its entirety by Mayor Blinder

After discussion by Council and agreement on amendments,

M/S Toal, Colteaux to introduce An Ordinance of the City of San Anselmo Amending Chapter 15 of Title IV of the San Anselmo Municipal Code Regarding Smoking in Places of Public Assembly.

AYES: Councilmen Anderson, Colteaux, Toal, Blinder
NOES: Councilman Capurro

f. APPOINTMENTS1. Nominations/Appointments on Planning Commission

With Council consent, Mayor Blinder nominated Edward B. Poser, Peter P. Bolles, Frank W. Clark, George Hall Buckle, James F. Barrett, Vance Barnett, Susan Eisgrau and Jan Fairchild - appointments to the two vacancies to be made at the next meeting.

M/S Colteaux, Anderson to close nominations. Passed unanimously.

2. Applications open for Library Board vacancy

Announced interest in additional applications for the Library Board vacancy.

g. APPEAL FROM COMMISSION DENIAL OF REVISED USED PERMIT AND VARIANCE FOR OFFICE CONSTRUCTION, ROSS VALLEY APARTMENTS, 84 MADRONE AVENUE

After hearing from Donald Walters, the appellant, and discussion

M/S Colteaux, Anderson to deny the appeal from the action of the Planning Commission, U-370, thus upholding denial of application for a revised S-PD Use Permit at 84 Madrone Avenue. Passed Unanimously.

h. APPEAL FROM COMMISSION DENIAL OF GPC USE PERMITS FOR SINGLE FAMILY DWELLINGS, MARTIN PROPERTY 409 & 413 SEQUOIA DRIVE

After hearing from Robert C. Martin, Civil Engineer, and Walter Trefts, the owner of the subject property

M/S Toal, Colteaux to refer U-385/VAR 592 and U-386/VAR-593 back to the Planning Commission for further consideration, and in particular for further specificity as to GPC findings, and with the further direction that if the Commission should grant use permits and/or variances, the following minimum conditions be imposed: plans subject to review by the Design Review Committee; no other variances shall be granted except for the front deck set-back variances; that no carport or garage can ever be built within the front set-back variances; a new fire hydrant installed near Parcel #07, and required street improvements with curb and gutter. Passed unanimously.

Mr. Martin and Mr. Trefts agreed to the conditions imposed in the foregoing motion.

i. APPEAL FROM COMMISSION APPROVAL OF VARIANCE FOR REDUCED SETBACK FOR GARAGE CONSTRUCTION, ROBERTS PROPERTY, 122 ALLYN AVE.

The appellant, Mr. James Gurley of 126 Allyn Avenue did not personally appear to support his written appeal. After hearing from Mr. Roberts as to his reasons for wanting to enclose the car deck,

M/S Colteaux, Blinder to grant the appeal from the Planning Commission's approval of the variance on the Roberts property at 122 Allyn Avenue on the ground that the conditions required for the granting of a variance have not been shown. Passed unanimously.

j. SPEED LIMIT CHANGES ON MAJOR STREETS1. Review of radar enforcement policy and procedures with Police Chief.

Chief Buchignani appeared before Council and explained that the City of San Anselmo had been using radar for the last seven years and there have not been any complaints of "speed traps". Signs are posted, and radar is used only in areas where there have been a significant number of citizen complaints on speeding automobiles and where a number of accidents have occurred that seem to result from excessive speed.

2. Proposed Ordinance Revising Speed Limits (first reading)

M/S Toal, Blinder to waive reading of Ordinance. Passed unanimously.

M/S Toal, Blinder to introduce Ordinance Amending the San Anselmo Municipal Code Revising Speed Limits on Certain Streets. Passed unanimously.

k. AMENDMENT REZONING 1554 SIR FRANCIS DRAKE BLVD. FROM R-3 to R-1 (second reading)

M/S Anderson, Blinder to waive reading of Ordinance. Passed unanimously.

M/S Anderson, Blinder to adopt Ordinance No. 687 Amending Ordinance No. 485 of the City of San Anselmo by Changing the Property Classification from Neighborhood Apartment District (R-3 to Single Family Residential (R-1) Lot 4, Block 3, Hawthorne Hills Subdivision No. 1, A/P 5-129-06, 1554 Sir Francis Drake Blvd.

- AYES: Councilmen Anderson, Colteaux, Blinder
- NOES: Councilmen Capurro, Toal

l. ORDINANCE AMENDING CODE TO PERMIT MOBILE VENDING BY CHARITABLE NON-PROFIT ORGANIZATIONS

M/S Toal, Blinder to waive reading of Ordinance.

M/S Capurro, Anderson to introduce An Ordinance Amending the San Anselmo Municipal Code Allowing Charitable Non-Profit Organizations to Engage in Mobile Vending. Passed unanimously.

m. REVIEW OF FIRST-YEAR HOUSING ASSISTANCE AND COMMUNITY DEVELOPMENT PLANS AS APPROVED BY PRIORITY SETTING COMMITTEE

The City Administrator and Councilman Toal, Council's representative on the Priority Setting Committee, advised Council that San Anselmo had received approval for first-year participation in a loan guarantee, loan, and grant program for rehabilitation of lower income housing, and the City will apply for second-year funds toward construction of the new fire station #1.

n. POLICY REVIEW, UNDERGROUNDING OF UTILITIES

Councilman Capurro stated that he would like to see available funds used for undergrounding of utilities in the downtown area of San Anselmo prior to the completion of the undergrounding from the Hub intersection to San Rafael City limits, the present program previously approved by the City Council. Representatives of P.G.& E. and P.T.& T. advised Council on the ramifications of a change in the present program.

M/S Capurro, Blinder to request the Undergrounding Utilities Committee to draw up alternate plans and price tags for discussion at budget hearings. Passed unanimously.

o. STAFF REPORT ON POSSIBLE IMPROVEMENT OF BORDER AREA, SAN ANSELMO & SAN RAFAEL ON MIRACLE MILE

Staff was directed to contact San Rafael to ascertain their plans for this area and report back to Council.

CONSENT AGENDA

M/S Toal, Colteaux to pass Consent Agenda. Passed unanimously.

p. Approved Minutes of Workshop Session with School District Trustees 1/16/75

q. Approved Minutes of February 11, 1975 regular meeting.

r. Passed Resolution No. 1573 authorizing the Mayor to execute a grant deed conveying a portion of Ancho Vista to J. Baroni.

s. Passed Resolution No. 1574 accepting deed, Ferrero property.

t. Authorized the San Anselmo Chamber of Commerce to conduct a parade on Saturday, June 7, 1975, during Country Fair Days

Meeting adjourned at 1 A.M. to March 11th at 8 o'clock P.M.

Libby Hanson
Deputy City Clerk