

MINUTES OF REGULAR TOWN COUNCIL MEETING DECEMBER 12, 1978

Mayor Reed convened the meeting with Councilmen Toal, Convis, Signorelli and Capurro present.

2. OPEN TIME FOR PUBLIC DISCUSSION

The Administrator announced that a letter of resignation had been received from Walter Carter, Chairman of the Board of Review, and that applications should be solicited for appointment to the balance of this term. Council directed that a resolution of appreciation be given to Walter Carter for his many years of service.

3. PLANNING COMMISSION RECOMMENDATIONS FOR REZONING TAMALPAIS AVENUE PROPERTIES

Public Hearing was opened on the Planning Commission's recommendations for rezoning certain C-2 parcels on Tamalpais Avenue. It was noted that Planning Commission consideration of a large number of adjacent properties did not result in recommendations for change in present respective zoning. William Hendrickson, owner of 22 Tamalpais Ave. appeared and objected to the down-zoning of this parcel to R-3 - its present use. It was noted that the parcels on either side of #22 are presently zoned R-3.

Councilman Capurro objected to this procedure as spot zoning - suggesting that there should be a master plan for the whole downtown area.

It was the concensus of Council that further consideration should be given to the down-zoning of 34, 40, 44, 48/50 and 52 from R-2 to their present use of R-1.

M/S Toal, Capurro to refer back to the Planning Commission for reconsideration of downzoning of #'s 34, 40, 44, 48/50 and 52. Motion passed by unanimous vote.

M/S Toal, Signorelli to introduce an ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification of 12 Tamalpais Avenue, A/P 7-211-19 from Central Business District (C-2) to Professional (P). Motion passed 4 - 1 with Councilman Capurro voting No.

After considering the Planning Commission's recommendation to rezone 14/16 Tamalpais from C-2 to R-2 and its contiguity to #12,

M/S Toal, Signorelli to introduce an ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification of 14/16 Tamalpais Avenue from Central Business District (C-2) to Professional (P). Motion passed 4 - 1 with Councilman Capurro voting no.

M/S Toal, Convis to introduce an ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification of 27 Tamalpais Avenue, A/P 7-212-17 from Central Business District (C-2) to Two Family Residential (R-2). Motion passed 4 - 1 with Councilman Capurro voting no.

M/S Toal, Convis to introduce an ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification of 35 Tamalpais Avenue, A/P 7-212-48 from Central Business District (C-2) to Neighborhood Apartment District (R-3). Motion passed 4 - 1 with Councilman Capurro voting no.

M/S Toal, Convis to introduce an ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification of 22 Tamalpais Avenue, A/P 7-211-22 from Central Business District (C-2) to Neighborhood Apartment District (R-3). Motion passed 4 - 1 with Councilman Capurro voting no.

Councilman Capurro stated his No votes were based on his belief that the properties should remain C-2 since they were logically located for expansion of the downtown commercial area and that the property owners would be coming back in the future with applications for commercial zoning.

4. APPEAL FROM PLANNING COMMISSION DECISION TO LEAVE 62 TAMALPAIS ZONED R-1

James Otterlee, the owner of 62 Tamalpais Ave., appealed to the Council for reconsideration of the Planning Commission's failure to recommend rezoning of his property from R-1 to R-2, which is its present use. Mayor Reed questioned this appeal as being proper procedure inasmuch as it was not an appeal from the Planning Commission's denial of an owner initiated application for rezoning, but rather part of a package of a Planning Commission initiated rezoning consideration. Council agreed to hear the appeal with the understanding that no precedent would be set. After hearing from the owner's representative, contending that R-2 would be a proper zoning of this property based on the fact that it has historically housed two separate structures, a motion was made by Councilman Signorelli to grant the appeal - died for lack of a second.

M/S Toal, Convis to deny the appeal. Motion passed 4 - 1 with Councilman Signorelli voting no.

6. ORDINANCE REZONING 101 ROSS AVENUE TO SPD-STUDENT HOUSING COMPLEX

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

M/S Capurro, Convis to adopt Ordinance No. 751 amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification from R-1 to SPD, 101 Ross Avenue, A/P 7-283-06 & 07. Motion passed 3 - 2, with Councilman Toal and Mayor Reed voting no.

5. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS; COMMENTS AND INSTRUCTIONS TO STAFF

Councilman Signorelli reported that he had received a complaint concerning the disrepair of the shelter at the bus depot. Staff will investigate and determine responsibility.

Councilman Capurro requested a report on the Corporation Yard and on inventory of the unused tools and equipment located there. Advised that a recommendation was forthcoming to dispose of the surplus equipment.

Councilman Convis requested the Town Engineer to follow up his previous request for clarification to Dick DeWitt, 166 Hilldale of the Public Works Department notice to repair culvert.

Mayor Reed conveyed the appreciation of Bill Wessell for the response of the Director of Public Works to his tree concerns.

Mayor Reed appointed Councilmen to areas as follows to judge Chamber of Commerce Christmas decoration contest - Red Hill - Capurro; San Anselmo Avenue - Toal; Greenfield - Signorelli; Sir Francis Drake - Convis.

7. ADMINISTRATOR SUBMITTING COMMUNITY DEVELOPMENT BLOCK GRANT PROPOSALS

M/S Convis, Toal to instruct Councilman Signorelli to seek Community Development Block Grants as recommended in the Administrator's memorandum of December 7, 1978. Passed unanimously.

8. ADMINISTRATOR'S RECOMMENDATION FOR NO ACTION AT THIS TIME ON BEVERAGE CONTAINER ORDINANCE

M/S Signorelli, Convis to table. Passed 4 - 1 with Councilman Toal voting no.

9. ORDINANCE CONFORMING BICYCLE LICENSING TO STATE PROGRAM

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

M/S Toal, Convis to introduce an ordinance amending Section 3-1.509 of the San Anselmo Municipal Code providing for annual bicycle license fees. Passed unanimously.

10. ORDINANCE AMENDMENT SIMPLIFYING SIGN REGULATIONS

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

M/S Signorelli, Capurro to introduce an ordinance amending the San Anselmo Municipal Code to permit additional miscellaneous signs. Passed unanimously.

11. RECOMMENDATION FOR ESTABLISHMENT OF BOARD OF PERMIT APPEALS

The Director of Public Works brought to the attention of the Council that the Uniform Building Code adopted by the Town provides for the creation of a Board of Appeals to interpret the Code in any disputes with Town staff,

M/S Toal Convis to appoint a Board of Appeals as authorized in Section 204 of the Uniform Building Code, Section 1203 of the Uniform Mechanical Code, Section 203 of the Uniform Housing Code, Section 207.14 of the Uniform Plumbing Code, Section 10.13 of the Uniform Solar Energy Code, Section 1.215 of the Uniform Fire Code and also delegating to said Board the appeal duties of the Town Council established by section 9-3.17 of the San Anselmo Municipal Code relating to rulings of the Chief Electrical Inspector; 5 members to be appointed to four-year staggered terms, with the Chief Building Official and the Fire Chief to serve as ex-officio members without voting rights. Passed unanimously.

Councilman Signorelli nominated Carl Brown - applications to be solicited from other qualified individuals.

12. RESOLUTION ESTABLISHING FEES FOR SWIMMING POOLS AND HOT TUBS

M/S Toal, Convis to adopt resolution No. 1784 amending resolution 1766 to provide for uniform fees for swimming pools and outdoor therapy tubs. Passed unanimously.

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The recommendation to establish a fee to cover cost of inspections of alarm systems to be considered at a later time on further report from the Director of Public Works.

13. MANAGEMENT AUDIT DEPARTMENT OF PUBLIC WORKS/PLANNING

The Administrator distributed to Council a copy of his recommendations as a result of his recent management audit. Will be agendaed for action in January, 1979.

14. CONSENT AGENDA

M/S Toal, Capurro to approve consent agenda. Passed unanimously.

- a. Approved minutes of meeting of November 28, 1978.
- b. Approved warrant register for November 1 - 30, 1978.
- c. Approved progress payment #12 Town Hall reconstruction in the amount of \$108,995.11 to Page Construction Co.
- d. Approved progress payment #2 Morningside Court drainage in the amount of \$17,094.37 to Whitmire & Sons.
- e. Adopted resolution No. 1785 approving Federal Aid-Urban highway program for 1978-80.

Adjourned at 10:45 P.M. to January 9, 1979.

Libby Hanson
Deputy Town Clerk