

Town of San Anselmo
Minutes of the Town Council Meeting of May 25, 1993

7:15 p.m.

Interviews with applicants to the Bald Hill Working Group Citizens Committee and Robson-Harrington House Association Board of Directors.

8:00 p.m.

1. CALL TO ORDER.

Mayor Chignell convened the regular meeting, with Council Members Breen, Kanis, Yarish, and Zaharoff present.

2. OPEN TIME FOR PUBLIC EXPRESSION.

Diane King, San Anselmo Avenue, spoke in support of repairing sidewalks, painting crosswalk lines, gun control, and former Council Member Ann Walsh.

3. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Parked vehicles and brush - Kanis noted there were several vehicles on Miwok Drive and brush overhanging sidewalks and signage.

Jack in the Box lighting - Breen noted that the light at this location is gone.

Downtown Parking Committee and Berkeley Avenue - Yarish asked that the committee begin to meet again, and that an update on the Berkeley Avenue street repair issues be agendized.

Sidewalk painting - Chignell inquired about sidewalk painting and announced the June 2nd public meeting on the nuisance abatement at 63 Nokomis.

4. CONSENT AGENDA.

(a) Approve resolution to prohibit parking on Sir Francis Drake Boulevard.

Public Works Director Bush recommended the elimination of parking on eastbound Sir Francis Drake Boulevard between Butterfield Road and Sais Avenue as a safety measure.

Patrice Hickox and Charlie Hickox, 1437 Sir Francis Drake Boulevard, spoke against eliminating parking, citing the narrowness of the roadway, fast vehicles speeds and their impact on the character and safety of the neighborhood. Mr. Hickox characterized the issue as commuters vs. residents.

After discussion, it was the consensus of the Council to continue the matter for further consideration of alternatives.

(b) Approve resolution establishing insurance requirements for real estate signs in the public right-of-way.

M/s, Breen/Yarish, to approve Resolution No. 3227 establishing insurance requirements for real estate signs in the public right-of-way. Motion passed unanimously.

5. NOMINATE A SAN ANSELMO SENIOR TO BE CONSIDERED AS MARIN COUNTY SENIOR OF THE YEAR.

M/s, Zaharoff/Kanis, to nominate Edith Stump, a long-time Library and Town volunteer. Motion passed unanimously.

6. INTRODUCE ORDINANCE FOR MULTI-UNIT RECYCLING.

M/s, Zaharoff/Kanis, to introduce Ordinance No. 946 amending Title 10, Chapter 8, Entitled "Collecting and Loading Recyclable Materials in Development Projects." Motion passed unanimously.

7. REVIEW SIGNAGE RECOMMENDATION AT AUSTIN-OAK AVENUE INTERSECTION.

M/s, Yarish/Kanis, to install stop and warning signs at Oak and Austin Avenue as outlined in the staff report dated May 14, 1993, to be monitored and reviewed in six months. Motion passed unanimously.

8. DISCUSSION OF SAN ANSELMO MAXIMUM DWELLING UNIT SIZE PROPOSED ORDINANCE AMENDMENT.

Planning Director Chaney presented the staff report. In response to direction from Council, staff drafted revised ordinance language to allow houses to exceed the maximum size limit if they are not materially visible offsite. Following direction from Council, the ordinance will be referred to the Planning Commission for public hearings.

Gay Kagy, 280 Redwood Road, was opposed to changing the table and making the table a guidelines. The maximum square foot approach bypasses personal issues that otherwise could affect the outcome. Smaller houses are less visible and have less impact on traffic and fire hazards. She suggested using a variance as an alternative.

Jeff Kroot, 222 Crescent Road, spoke in support of using a variance for exceptions to the size limit, in order to preserve visual quality but not making the regulations too onerous.

Zaharoff supported the existing ordinance in which the maximum size limits are clear, and decisions are not made on the basis of subjective judgment or personalities.

Breen spoke in support of referring the matter to the Planning Commission for review, and raised the question of advising people up front about development limitations.

Yarish supported expanding the ceilings closer to the Commission recommendations, noting that they would be maximums subject to reduction.

Kanis supported retaining the maximum size limit table.

Chignell said that generally the table is a good idea, but sometimes it is unfair, and flexibility is needed to allow an application to go through public hearing review by the Planning Commission.

M/s, Yarish/Breen, to review the matter with the Planning Commission. Motion passed by the following vote:

AYES: Breen, Kanis, Yarish, Chignell

NOES: Zaharoff

9. PUBLIC HEARING TO CONSIDER A TWO-UNIT CONDOMINIUM DEVELOPMENT AT 45 CEDAR STREET, A/P 7-222-28.; NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT, ORDINANCE AMENDING CHANGE OF ZONE FROM PPD TO SPD, AND RESOLUTION APPROVING A PARCEL SPLIT, USE PERMIT AND DESIGN REVIEW.

Planning Director Chaney presented the staff report.

Sandy White, 196 Tunstead, said the EMF (Electro Magnetic Field) readings of 6.9 were high in her bedroom, that there are three high tension wires within 10 feet of her bedroom, and expressed concern that the electricity for this development will be attached to the pole by her home, thereby adding to the problem. She wanted a condition to allow her to have a healthy living condition.

Diane King, San Anselmo Avenue, expressed concern about EMF's.

Stephen Halpern, Sleepy Hollow, spoke in support of healthy quality of life.

Roseanne Dyer, 73 Magnolia, wanted alternatives to be pursued to lessen the EMF's, including allowing the poles to be raised.

The Council Members expressed concern about the EMF matter; it was the consensus that it be addressed outside the Council meeting forum.

M/s, Yarish/Breen, to approve the negative declaration. Motion passed unanimously.

M/s, Yarish/Zaharoff, to introduce Ordinance No. 945 changing the zoning designation for property known as 45 and 45A Cedar Street from PPD (Preliminary Planned Development) to SPD (Specific Planned Development). Motion passed unanimously.

M/s, Yarish/Zaharoff, to approve Resolution No. 3228 confirming the Planning Commission's approval of design review, use permit, and tentative parcel map for the development of two new residential units at 45 and 45A Cedar Street. Motion passed unanimously.

10. PRESENTATION BY DAWN MITTLEMAN, MARIN LOCAL AGENCY FORMATION COMMISSION, REGARDING ANNEXATION ISSUES.

This item was continued to the meeting of June 8, 1993.

11. ADOPT ORDINANCE NO. 946 CHANGING THE MUNICIPAL ELECTION TO NOVEMBER OF ODD-NUMBERED YEARS.

M/s, Zaharoff/Kanis, to adopt Ordinance No. 944. Motion passed unanimously.

12. INTRODUCE ORDINANCE BANNING LEAF BLOWERS.

Wendy Tannet, 16 Hazel, said she has been personally tormented by leaf blowers.

M/s, Yarish/Breen, to introduce the ordinance prohibiting the use of motorized leaf blowers, with exemptions for the Town, public schools, and private non-profit institutions having an area of at least one acre and that serve the public. Motion passed unanimously.

13. DISCUSS DUTCH ELM DISEASE PROGRAM.

Public Works Director Bush reported that the Town is unable to have a procedure to perform spraying on trees that are the responsibility of property owners and then recover the costs from the property owner. If the property owners are responsible for the maintenance and spraying of the trees, the property owners must directly pay for the spraying. Funds are still recommended for spraying Town owned and maintained trees.

M/s, Zaharoff/Breen, to authorize an expenditure of \$3,500 from the original elm spraying budget for the spraying of elm trees maintained by the Town. Motion passed unanimously.

14. ADJOURN.

The meeting was adjourned at 11:00 p.m. in memory of Grace Kramer.