

The Workshop Meeting of the San Anselmo Planning Commission was called to order by Chairman Dan Goltz at 8:00 p.m. in the Town Hall on Sept. 15, 1975. Representing Town Staff: C. R. Leitzell, Planning Director

1. ROLL CALL

Commissioners Present: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz, Greenfield, Ragan
Commissioners Absent: None

2. APPROVAL OF MINUTES OF SEPTEMBER 8, 1975

Held over until the October 6th meeting.

3. OLD BUSINESS

A. PUBLIC HEARING (Continued from August 18th meeting)

- 1. Z-151 - Planning Commission initiated Proposed Rezoning of Undeveloped Properties in the San Anselmo Planning Area, including ridge lands and Health and Safety Open Space, from R-1 to PPD/R-1/B440

Bob Leitzell explained to the audience that this rezoning was consistent with the Open Space and Land Use Elements of the General Plan. The purpose of the rezoning was for limiting the density on either unstable or extremely steep lands.

Mr. Ralph Alten spoke in behalf of his daughter, Nancy Cagwin, who owned property on South Oak Avenue, A/P 7-192-04. He felt this zoning proposal constituted "inverse condemnation".

Dr. Saviano, property owner of A/P's 7-241-49 and 7-241-51, also felt it appeared the Town was attempting to take the property.

Mr. Grant Perkins questioned whether geologic reports were made on all these properties. As they were not, he questioned whether these lots could all be lumped together for this type of rezoning.

Mr. Jim Reed of 102 Spring Grove Avenue felt no one wanted to have their property rezoned whether it was unstable or not. He felt the rezoning would have to be done on a lot-to-lot basis. While he agreed this rezoning was for establishing a "public safety zone", he felt the Commission was trying to do it in too much of a hurry.

Mr. Reed also questioned the effect the Attorney General's opinion (regarding contiguous parcels of land no longer being separate parcels but being regarded as only one parcel) would have on the parcels proposed for rezoning. According to the Attorney General, lots in contiguous ownership would have to be subdivided again.

Mr. R. Cavey of Sky Ranch was also concerned about the Attorney General's opinion. He stated he had property in both Fairfax and San Anselmo and wondered whether he would have to combine these pieces of property.

For Correction
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Mr. Joel Pressman, representing Mr. and Mrs. Falk, questioned why the (economic) burden should be on the property owner. Why not the Town.

Mrs. Barbara Crawford, representing R. Foster (A/P's 7-131-16, 7-142-01 and 7-182-03) was concerned that this rezoning was unfair to her client who had some 13 acres. Those property owners having less than 10 acres would be allowed the same number of units as her client.

Mr. Ralph Jennings questioned how many acres the Commissioners had in this area. Why did he have to accept this rezoning? and, Who would compensate him for the land he would not be able to use?

Mrs. Gloria Berger, 259 Redwood Rd. feared that people might be using her property as Open Space.

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Mrs. Jennings, A/P 5-300-07, stated she was violently opposed to the proposed rezoning.

Mr. Alan Wright, 50 Woodruff, questioned whether if his property was rezoned, would he be able to rezone it back.

Mr. Carl Baumsteiger, 1 Monterey Terrace spoke regarding lots-of-record. He stated he had contacted the other Planning Commissions to find out if they had this type of zoning. He stated that it is the policy of the County of Marin to exclude lots-of-record and each parcel of land was examined individually. He would prefer to see already subdivided lots excluded.

Mr. Baumsteiger questioned whether this rezoning shouldn't have included developed lots was well. (The developed lots will be considered upon completion of the consideration of undeveloped properties.)

Mr. Baumsteiger felt that the 1 unit per 10 acres could not be justified, neither by the Town nor by the County. He felt that if lands were really a hazard than they should be defined as such.

Mr. Gera's daughter spoke in behalf of her father. She questioned why her father's lot (A/P 5-291-03) was singled out for rezoning. (This lot was later deleted.)

At 10:00 p.m. the meeting was closed to public comment and the Planning Commission stated their views on the subject.

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Commissioner Ainsworth commented that there is a 'nationwide' trend of large urban areas shrinking while the small areas around the large areas are growing. These small cities that are growing can either sit back and let market considerations dictate, or they can act on what they have learned. They can regulate the way they grow. He felt this rezoning was not a valid exercise of planning power. He did not think it sufficiently or directly addressed the rationale that this rezoning was based on, Health & Safety.

Commissioner Ainsworth felt that the rezoning of 1 unit per 10 acres was so extreme, that in order to enact something like this into law, a high degree of certainty would be required. He did not see that there was a real Health and Safety problem. He felt this rezoning was very harsh and impractical on individuals. He felt land was precious and was something which had to be used wisely. He did not think a density regulation had to require 10 acres to accommodate 1 unit, unless there was a real Health & Safety problem. This was extremely wasteful of a precious commodity.

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Commissioner Ainsworth stated he did not feel bound by the General Plan to go along with this. He felt the rezoning would be appropriate when, by some professional demonstration, the site could be shown to be unstable or where the building of a structure created a reasonable foreseeable hazard.

Commissioner Bolles agreed with all that Commissioner Ainsworth had said. He questioned whether an EIR could be used, as it addressed itself to public welfare/community welfare.

The following lots were excluded from the list of parcels to be rezoned:

| | | | | |
|----------|----------|----------|----------|------------|
| 5-043-21 | 5-102-51 | 5-222-01 | 5-252-02 | 5-291-03 |
| 5-292-03 | 6-117-06 | 6-171-06 | 6-172-03 | 6-172-06 |
| 6-172-07 | 6-181-41 | 6-221-05 | 6-221-09 | 6-221-10 |
| 7-021-31 | 7-121-20 | 7-131-26 | 7-271-43 | 177-250-11 |

M/S Ragan, Greenfield that the above parcels, as recorded by the Planning Commission Secretary, be removed from the list of considerations in the public hearing on September 15, 1975, which hearing dealt with rezoning said lots to PPD/R-1/B440. Passed unanimously.

M/S Ragan, Ainsworth that the Planning Commission hold a public hearing at 8:00 p.m. on October 20th, 1975, for the purpose of considering rezoning certain parcels south of Sir Francis Drake Blvd. and Red Hill Ave. and November 17th, 1975 for the purpose of considering rezoning of certain parcels north of Sir Francis Drake Blvd. and Red Hill Avenue to PPD/R-1/B (density to be determined). Passed unanimously.

4. NEW BUSINESS

A. PUBLIC HEARING

- 1. Z-152 - Planning Commission initiated Proposed Rezoning of Undeveloped Properties along San Anselmo's Scenic Highways (Red Hill Ave. and Greenfield Ave., Sir Francis Drake Blvd., and Center Blvd.) from R-1 to PPC/R-1/F; R-2 rezoned to PPD/R-2/F; C-1 rezoned to PPD/C-1/F; C-2 rezoned to PPD/C-2/F; and C-3 rezoned to PPD/C-3/F.

Chairman Goltz asked whether anyone was present to consider the above rezoning. No one was in the audience.

M/S Ragan, Greenfield that the public hearing on rezoning along Scenic Highways be continued until October 6, 1975. Passed unanimously.

5. ADJOURN

Meeting adjourned to the Regular Meeting of October 6, 1975. 12:30 a.m.

DAN GOLTZ, CHAIRMAN
SAN ANSELMO PLANNING COMMISSION

By Catherine Carpenter
Catherine Carpenter
Planning Secretary

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The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman Dan Goltz at 8:00 p.m. in the Town Hall on October 6, 1975. Representing Town Staff: T. J. Robbins, Associate Engineer/Planner.

1. ROLL CALL

Commissioners Present: Bolles, Eisgrau, Fairchild, Goltz, Greenfield, Ragan
Commissioners Absent: Ainsworth

2. APPROVAL OF MINUTES OF SEPTEMBER 8 AND 15, 1975.

M/S Ragan, Eisgrau the minutes of September 8 be approved as corrected. Passed unanimously.

Pg. 2, second para. from the bottom, second line from the bottom to read "...Land Use since this lot was now proposed for rezoning to..."

Pg. 6; motion under VAR-631, 6th line to read: "...due to the steepness of the lot, that no detriment..."

3. OLD BUSINESS

A. PUBLIC HEARING

- 1. Z-152 - Rezoning action initiated by Planning Commission to rezone undeveloped properties along the Scenic (Parkway) Highway.

Staff gave a brief explanation of what this rezoning meant.

Mr. David Strassman, 555 Sequoia stated that while this rezoning was for undeveloped lots, in order to retain some control over the scenic quality, he questioned what if a structure was destroyed would it then come under the same zoning? He felt this would be just as important, controlling rebuilding, as controlling new construction.

Mr. Robbins commented that any new commercial building would be subject to Design Review, and any Design Review would be subject to the General Plan goals.

Mr. Signorelli, a member of the Design Review Committee, stated they had sent a letter to the Planning Director suggesting that the Committee look at these properties.

There was no one present in the audience to comment on this rezoning.

M/S Ragan, Greenfield that the Planning Commission recommend to the Town Council the rezoning of the following parcels:

| | | | | |
|----------|------------------------------------|----------|----------|----------|
| | <u>ZONED FROM R-1 TO PPD/R-1/F</u> | | | |
| 6-042-01 | 5-151-01 | 7-012-02 | 7-015-16 | 7-043-17 |
| 6-042-02 | 5-151-02 | 7-015-08 | 7-051-03 | 7-051-30 |

ZONED FROM R-2 TO PPD/R-2/F
5-153-05

ZONED FROM C-1 TO PPD/C-1/F
7-015-14

ZONED FROM C-2 TO PPD/C-2/F
6-103-03

| | | | | |
|----------|------------------------------------|----------|----------|----------|
| | <u>ZONED FROM C-3 TO PPD/C-3/F</u> | | | |
| 6-083-02 | 6-091-35 | 6-171-06 | 6-191-37 | 6-251-08 |
| 6-091-34 | 6-092-05 | 6-171-12 | 6-241-05 | |

from their present zoning to the zoning indicated for the purpose of achieving consistency with the San Anselmo General Plan with properties along the Scenic Highways (Parkways)."

Motion carried: Ayes: Bolles, Eisgrau, Fairchild, Goltz, Greenfield, Ragan
Nays: None