

The San Anselmo Planning Commission special meeting of January 9, 1978, was called to order by Chairman George Buckle at 8:00 p.m. in Room 6 of the Isabel Cook Community Center. Representing Town Staff: Lynn McGovern, Planning Technician.

1. ROLL CALL

Commissioners Present: Buckle, Goltz, Harle, Kapranos, Olive, Ragan
Commissioners Absent: Ollinger

2. MATTERS FOR CONSIDERATION

B & C. Creek Preservation Ordinance and Ridgetop Ordinance

For Correction
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William J. Waters, 56 Lincoln Avenue, said that by bringing up the creek ordinance again, the Planning Commission is going against the will of the people.

Attilio Segale, 20 Holstein Road, stated the agenda was not posted and there was no notice in the newspapers. He asked if this was a legal meeting.

Commissioner Ragan stated that he saw the notice in the Independent Journal.

Commissioner Buckle pointed out that this meeting is only intended as a workshop and is legal under the Brown Act. He said that it is important that an ad hoc committee be formed by the Town Council with people on the creek to meet, and as part of a staff report water laws should be included for the ad hoc committee to eliminate repetition and confusion; this would be more effective.

Lynn McGovern said she is working on advanced planning. The Conservation Element includes all four items (creek preservation, ridgetop, health and safety, and open space). There is no intent to write a creek ordinance. The Planning Commission just wants to discuss different policies.

John Slattery, 64 Barber Avenue, expressed concern over the possibility that federal monies would be used for the conservation element of the General Plan if an ordinance went through. He said that he does not want federal monies or an increase in his taxes.

Commissioner Buckle assured him that it is not the intent of the Planning Commission to obtain federal monies and he doesn't know if it ever will be.

Elaine Cook, 28 Sir Francis Drake Boulevard, said that if the creek ordinance is brought up again, the people will turn it down again. If it is even considered there will be trouble.

Mr. Segale felt the only reason the Planning Commission was going with the General Plan was to bring up the creek ordinance again.

Commissioner Buckle said the adoption of a General Plan is a State law. Each community had to do it. The State does not say we have to have a creek ordinance. He suggested that the General Plan be amended to eliminate any chance of bringing up the creek ordinance again.

Carl Baumsteiger, 1 Monterey Terrace, pointed out that there is no difference between the creek ordinance and the ridgetop ordinance. He said the 1970 California Environmental Act resulted in state mandated elements in the General Plan for all communities. San Anselmo is just trying to conform to the General Plan. He said that as a property owner, one doesn't want anyone telling him what to do with his land. He suggested that the General Plan be amended before the people get too upset.

Commissioner Ragan said it is the responsibility of the property owners to take care of the creek and we should stop the government from trying to meddle with it.

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For Addition

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Commissioner Goltz said the creek ordinance is a dead issue and should be turned back to the Town Council to see if they want to delete it. He pointed out that the ridgetop, creek preservation and health and safety are the key ordinances. The Town Council should look at conservation in whole and then give a policy on these issues.

Commissioner Harle said he was against the original creek ordinance because it was too restrictive. The Town Council should say what they want done.

Commissioner Kapranos agreed that the original creek ordinance was too restrictive, but suggested that since this meeting is a workshop the Planning Commission should work something out to send to the Town Council.

Commissioner Goltz stated that if the creek ordinance is going to keep the Town from doing anything, then that part should be deleted from the General Plan. Before that is done, we must be sure it will not affect the entire General Plan, which it may.

For Addition

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Don Schultz, 2 Meadowcroft Drive, said the Planning Commission has a master plan so why can't it be made to reflect ordinances already on the books. He said the Commission is prolonging this by talking in general.

For Addition

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Commissioner Buckle pointed out that the Planning Commission must know where they are initially before they know where they want to go.

Mr. Baumsteiger said he does not want the Planning Commission to eliminate the creek ordinance yet because he lives on the ridgetop and since there is no difference, he would be affected. If the creek ordinance is thrown out, so should the ridgetop. He feels that if the Planning Commission would stop badgering the creek and ridgetop people, we would have the greenbelt forever. Let us be and things will work out fine.

A. C. Signorelli, 90 Ridge Road, hoped the Planning Commission would make a recommendation to the Town Council because if the Commission asks for a new direction, they will get it back again.

Commissioner Ragan pointed out to Mr. Baumsteiger that the Commission let anything rest; it will only come out again in the

M/S Ragan, Olive, to recommend to the Town Council that in regards to the conservation element of the General Plan, page 21, the Planning Commission recommends the following:

Removal from the General Plan, paragraph 1(b), pertaining to creeks, and paragraph 1(e), pertaining to ridgetops, with the reason that the Municipal Code presently has sufficient ordinances regarding the preservation of the creek. This preservation should be the responsibility of every individual property owner and if he fails to do his part, he must suffer accordingly. With regard to the ridgetop portion of the ordinance, the planned development section of our Zoning Ordinance gives us sufficient control in this area to avoid any unnecessary pitfalls.

It is further recommended that the Town Council review the entire conservation element to determine what other action should be taken to upgrade the General Plan or remove items from the General Plan.

For Addition

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AYES: BUCKLE, GOLTZ, KAPRANOS, OLIVE, RAGAN
NOES: HARLE

Motion carried.

A. Downtown Rezoning

Commissioner Ragan mentioned that the Planning Commission needs citizen input.

Commissioners Buckle and Olive agreed that it is too early. The Planning Commission needs something specific for the people to work on. Some streets could easily get an ad hoc committee, i.e., Tamalpais.

Commissioner Olive brought up Magnolia Avenue - it has a residential appearance because of the setbacks, but there is a lot of asphalt for parking. People wish a small town appearance, but what do you do with the cars?

Charles R. Leitzell, Director of Public Works/Planning, said there is pressure in those areas to change uses from R-1 and R-2 to commercial.

Commissioner Buckle said there is a need to make the existing structures compatible with the zoning. He also gave an example, that if someone buys a house zoned commercial and we change the zoning, it really isn't fair unless we give considerable advanced notice.

Commissioner Olive said the Town could either rezone or operate by Design Review's decisions.

Mr. Leitzell said you will still have increased parking and traffic flow with the above approaches.

Ms. McGovern said the new approach in planning is promotion of mixed uses, i.e., the bottom of a house is used for an office. Mixed use works as a buffer.

The Planning Commission agreed to take two streets at a time, take a walk and come up with ideas for rezoning, presenting them during regular meetings of the Commission.

Each Commissioner plans to review San Rafael Avenue and Tamalpais Avenue and present their ideas at the next regular meeting.

D. Open Space Acquisition

No discussion or action taken.

3. ADJOURN

The planning Commission special meeting was adjourned at 10:36 p.m. to the regular Planning Commission meeting on January 16, 1978.

Lisa Burglin

Lisa Burglin
Planning Commission Secretary

Amendments: Items B & C were taken up first due to the large number of persons wishing to speak.

Item 2-B/C, Between Paragraphs 12 & 13: Insert, "Commissioner Goltz asked Ms. McGovern how the Creek Ordinance got on the agenda. She answered that she was following the Town Council's priority list of ordinances that needed to be studied to implement the General Plan."

Item 2-B/C, Between Paragraphs 16 & 17: Insert, "Mr. Sargent, from the audience, asked Commissioner Goltz to give his views on the Creek Ordinance. Commissioner Goltz stated that the General Plan was developed two years ago by a citizens committee. None of its principles have been implemented because the old creek ordinance was so divisive and now nobody is willing to propose any implementation.

Item 2-B/C, Paragraph 18: Add, "Commissioner Buckle directed staff to ask the Town Council to consider an ad hoc committee and give the Planning Commission new policy directions.

Item 2-B/C, Following the Motion: Add, "Commissioner Goltz thought the Planning Commission had to have a public hearing before recommending a change to the General Plan.