

The special meeting of the San Anselmo Planning Commission was called to order by Chairman Oliver Harle at 8:05 p.m. on Wednesday, March 19, 1980 in the Council Chamber. T. J. Robbins present for the Town Staff.

1. ROLL CALL

Commissioners Present: McPeak, Hayes, Olive, Buckle, Ragan, Harle
 Commissioner Absent: Ollinger

2. CONTINUANCE OF CONSIDERATION OF PROPOSED ORDINANCE, AS PREPARED BY CITIZENS ZONING COMMITTEE, NOVEMBER 1979

There first ensued a discussion relative to the proper time to consider the Negative Declaration and Environmental Review Checklist; some felt it not proper until there was an actual ordinance, others felt the question should be addressed prior to submission to the Council. There were approximately 40 persons in the audience to participate or listen to the discussion of the above. The Chair determined the first 40 minutes of the meeting would be devoted to receiving input from the audience regarding the Negative Declaration with no comment or discussion by staff or Planning Commissioners. Staff could then be prepared for discussion of all points brought out when the next public hearing on the E.I.R. is held. Mr. Robbins asked for any input anyone would care to make to be either phoned or mailed to his office.

The meeting was then opened to the audience to discuss the Negative Declaration and checklist.

Mr. Ron Joliff, 177 Oak Avenue, said he was concerned about the access roads and establishing a maximum grade for access. It relates to density.

Louise Ginsberg, Oak Avenue asked exactly what a Negative Declaration is.

Claudia Tarantino, Oak Avenue said although separate E.I.R.s are proposed for each development as it comes up, an unrealistic picture would result as it would not show the cumulative effect of all development in an area. She felt the checklist was not appropriately completed.

Gay Kagey, 280 Redwood Road submitted a letter to the Commission pointing out the following:

1. Density in the 30% and over slope areas allows more units than the 1 in 10 acres specified in the General Plan.
2. Ordinance allows 18 foot structures on ridges. General Plan reads, "Protect the Town's individual identity and quality of life by preserving open space as a separation between San Anselmo and adjacent communities.
3. No provision for trail system preservation and continued foot access to the open space lands is made in ordinance.
4. The General Plan reads, "Preserve ridgetops and other locally important natural or manmade historic areas or features.

Ms. Kagy also submitted a checklist showing where she differed from Staff's answers.

Ms. Barbara Boxer, Marin County Supervisor, said she felt there should be a process whereby the County could be called upon for input. She felt an E.I.R. would be appropriate. It would give the County an opportunity to work with San Anselmo. She thought the 18 foot height proposed to be allowed for dwellings on a ridge should be looked at. There seems to be confusion about the actual number of buildouts and felt a correct figure should be determined. She said the figure in the checklist of 2 people per

household was too few. She could not agree with checklist items 13 and 14. She said Public Service in the County actually proved to be most costly in the hill areas. She also disagreed with Item 18, aesthetics.

Mr. Howard Blair, Summit Road said decisions made by this body would have effect for decades and generations to come. Were he in the Planning Commissioner's shoes, he would be eager to seek outside help. He felt a professional E.I.R. is needed. He said this was a tremendous responsibility for the Town.

Mr. Jerome Draper, 404 San Francisco Boulevard said he felt the checklist underplayed the vast effect on life in San Anselmo for the next 50 or 100 years. He had gone over the checklist and prepared a 5 page document which he submitted to each Planning Commissioner before the meeting. He said he wished to encourage engaging an outside consultant. He had taken the liberty of calling Norman Hill in Sacramento of the State Resources Agency who would also encourage the Town to hire a consultant.

Veronica Basker, 106 Humboldt said she hoped there would be an Environmental Impact Review focusing on density and traffic. She disagreed with the impact on the ridges. She said project by project E.I.R.s would not address the cumulative impact of development.

Mr. Mike Brosnan, 535 Oak Avenue, urged the use of professional help in preparing an E.I.R.

Mr. Tom Peacock, Durham Road said he was a "downslope" resident; he said the community owed it to itself to do a good job; he was not sure an adequate level of sensitivity could be achieved by non-professionals.

Mary Ann Cowperthwaite, Oak Avenue was concerned with aesthetics; she was concerned with traffic impact and ability of the Fire Department to adequately handle fires.

Mr. Otis Moran said he has a business in San Anselmo. He is in favor of the proposal made by the Committee. There is a need to put into perspective the development which could occur; he felt the parcels are so large the houses would all but disappear. He said the Town needs the taxpayers and a broader tax base; the land owners have an inherent right to the use of their property. It was ascertained that Mr. Moran resides in Novato.

Mr. Jack Degnan, 60 South Oak Avenue said he agreed with the comments from the audience. He said South Oak Avenue has dropped 3 feet. The area around, with no houses at all has dropped 5 feet. "We will," he said, "have another Red Hill".

Karen Johnson, 296 Redwood Road said there were only 5 "No" checks on the check list. She felt there should be a lot more to present a true picture.

Mary Cone, 349 Redwood Road is concerned with traffic and unstable earth and fire protection. She would like to see the "Maybe" checks nudged to "Yes". She felt a parcel by parcel E.I.R. would not reflect the cumulative effect.

Dr. Segal, 419 Redwood Road, agreed with everything everyone had expressed except the gentleman from Novato.

Mr. Carl Baumsteiger, 1 Monterey Terrace agreed with Staff. He said the General Plan allowed a density of 639 Units, the Citizens Committee 376 units, and the Planning Commission's Proposed Ordinance decreased it to perhaps 1/3 of that of the General Plan. He would recommend the ordinance be forwarded to the Town Council.

Mr. Eugene Gasser, 72 Oak Avenue agreed with the other comments; he was concerned about traffic, stating Oak Avenue is a one-way road with two-way traffic.

Mrs. Marilee Werkforst said she was outraged by the document. She

said she did not wish to be assessed for something she did not want, namely an assessment district.

Mr. Ted Werkforst, Floribel Avenue said he did not agree with checklist items 13 F and 14 E.

Input from the audience was concluded at this time.

Commissioner Olive said she would not be present when the E.I.R. was discussed because of a proposed trip and she wished to state now that she favored a focused E.I.R. since requesting separate E.I.R.'s for each project is not the same as a whole consideration. She said a dwelling extending 18 feet above the ridge line is quite different from the San Anselmo image and creates a visually different aspect from anything so far approved. She also said traffic is a strain; the sum of projects traffic is an item that should be looked into. Drainage: Regarding the effect of water, especially in the Rosenthal Tract, it has been the experience of people who live in the area that there is erosion; that it comes not from one house, but the sum of all building.

The discussion now reverted back to the proposed ordinance.

The words "AND ITS PLANNING AREA" are to be deleted from the title.

Section 2, as proposed up to this point; remove the word "Major" in the title, leaving only "Protection of Ridges".

The items shown as 4, 5, & 6, of Section 2 should be relisted as C, D, & E.

Both Commissioner Olive and Commissioner Hayes had submitted written statements regarding the proposed ordinance. Each presented the submission.

M/S Olive, Buckle, that we reinstate Section 2, as presented by the Committee, entitled "Use Limitations and Land development guidelines", that Part A read as follows: "Common Wall Construction of residences is prohibited."

Part B. Direct the staff to amend ordinance 704 of the San Anselmo Municipal Code so as to reflect the follows:

1) Preliminary Planned Development Districts (PPD) shall be established upon parcels which are of sufficient size or are otherwise eligible for three or more structures. They shall also be established upon all parcels with ridge zone areas. All parcels so designated PPD shall have a density according to the densities set forth in Section 1 of this ordinance.

2) Specific Planned Development Districts (SPD) shall be processed to develop those parcels zoned Preliminary Planned Development in accordance with Section 10-3.1305 of this Code. Amend to delete everything in the title after "Use Limitations". Motion passed with 5 "YES" votes and Commissioner McPeak voting "NO".

Commissioner Ragan left the meeting at this time.

Regarding PPD, Commissioner McPeak said it establishes no development guidelines and all existing standards are subject to review and modification.

M/S Olive, Hayes, to reconsider Part 5, Building Height Limitation of Citizens Draft Ordinance Section 3 C. Approved with 4 AYE votes, Commissioner McPeak voted "NO".

M/S Olive, Buckle, that Section 5, entitled "Building Height Limitations" read as follows: "Any structure located within a ridge zone shall not exceed 18 feet in height measured from the highest point of the natural grade of the building site to the uppermost roofline of the elevation. Construction that projects above the ridge line is to be avoided, but where unavoidable, the height is not to exceed 18 feet above the ridge line."

This motion and second was withdrawn.

M/S Olive, Buckle, no structure located within a ridge zone shall exceed 18 feet in height measured from the highest point of the natural grade at the building site to the uppermost roof line elevation; construction that projects above the ridge line is prohibited unless there is no reasonable alternative to such construction; lot design shall reflect such consideration.

The Chairman called for the question.

Moved, Commissioner McPeak to amend the motion starting at...is prohibited unless there are otherwise insufficient building sites outside of the ridge zone with stable soil and with building site slopes no steeper than slopes within the ridge zone. Motion died for lack of a second.

Commissioner Olive's motion passed with 4 "AYE" votes, Commissioner McPeak voting "NO".

Councilman Egger of Fairfax asked to address the Commission. He said Fairfax was interested in our mutual boundaries and ridge development. He cited the Oak Springs Development. He asked that the Town consider the Fairfax General Plan when considering adjacent ridgetops, he thought it could be mentioned in the intent of the ordinance. Fairfax General Plan limits density on ridges from 1/4 to 1/10. He said he realized San Anselmo has mutual boundaries with Fairfax, Ross and San Rafael and could not conform to all adjacent Town policies.

A copy of the proposed ordinance and minutes of the meeting will be sent to Fairfax.

M/S Buckle, Harle, to forward to the Town Council, the Citizens' Zoning Study Committee Report in its entirety with the ordinance as now proposed by the Planning Commission.

The Chair called for the question.

Commissioner Hayes, stating he was not happy with the density, moved, seconded by Commissioner Olive, to temporarily table the above motion, and to move that the Commission reconsider Section 1-A of the proposed density zones. Motion failed by the following vote:

AYES: Commissioners Hayes, Olive
NOES: Commissioners McPeak, Buckle, Harle

Commissioner Olive said she felt there was not enough difference in the acceptable access density and substandard access density to encourage upgrading of access roads. She thought it must be made wider if results were to be obtained.

M/S Hayes, Olive, to table George's motion temporarily and that we vote by section on this ordinance, and that the vote be reported to the Council. Passed by 4 "AYE" votes with Commissioner Buckle voting "NO".

M/S McPeak, Buckle, that we accept Section 1 as written. Passed by the following vote:

AYES: Commissioners McPeak, Buckle, Harle
NOES: Commissioners Hayes, Olive

M/S Olive, Hayes, that we recommend to the Council, Section 2, entitled "Use Limitations". Passed by the following vote:

AYES: Commissioners Olive, Buckle, Hayes, Harle
NOES: Commissioner McPeak

M/S Hayes, Olive, we accept Section 3, Protection of Ridges. Passed by the following vote:

AYES: Commissioners Olive, Buckle, Hayes, Harle
NOES: Commissioner McPeak

A vote was then taken on Commissioner Buckle's motion to forward to Council which passed by the following vote:

AYES: Commissioners Olive, Buckle, Hayes, Harle
NOES: Commissioner McPeak

M/S Olive, Buckle, that we recommend to the Council reconsideration of public acquisition of selected ridge parcels effected by this ordinance, and that among the methods of financing considered, be the application to the Buck Foundation. Passed unanimously.

M/S Buckle, Harle, that we postpone or continue E.I.R. review until after the Town Council has reviewed the proposed ordinance. Passed unanimously.

Meeting adjourned at 12:15 p.m.

Thelma Foster