

TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR JANUARY 14, 1991

The special meeting of the San Anselmo Planning Commission was convened at 7:00 p.m. on January 14, 1991 by Chairperson Julin. Commissioners present: Harle, Yarish, Kroot, Sias, with Commissioners Mihaly arriving at 7:15 p.m. and Commissioner Hayes arriving at 7:20 p.m. Staff present: Director of Public Works John Kottage; Town Attorney Hadden Roth, and Interim Planning Director Lisa Wight.

B. PUBLIC HEARINGS

1. 1990-91 Zoning Ordinance Revision

Commissioner Sias had some general comments regarding the Zoning Ordinance Revision. He stated that the words "purpose", "intent" and "scope" are used interchangeably throughout the document and he wanted to know if they had the same meaning. He also stated that the current wording for an addition less than 800 square feet in the R-1H zone is not required to have design review. That should be clarified because that is not his intent. He wanted to add that the Town Council has the right to review as well as the Planning Commission. He wanted there to be a definition for Environmental Worksheet.

Commissioner Yarish would like to see a list of non-consensus items.

Public Works Director Kottage wanted a discussion on three car parking on fill lots and the clarification of what the Commission considered notch fillers.

Commissioner Hayes stated that Administrative Variances and Administrative actions on design review could be misunderstood. He felt it would wise to consider a provision in the Code that involves the Planning Commission even in administrative decisions prior to when action is taken. He suggested either the entire Commission or at the Chairperson level. He felt uncomfortable delegating so much to staff.

Commissioner Harle stated that on page 2, the words "maximum population density" should be changed to "maximum residential population".

R-HO Residential Housing Opportunities District

Commissioner Sias wondered how the Commission arrived at 40% for affordable to lower income housing in the R-HO District. He felt 10% was more in line. Public Works Director Kottage stated that this will be discussed at length during the update for the Housing Element. Interim Planning Director Wight stated that this District used to be the R-3 District. The thinking is that if they want more units, there will have to be a certain amount of low income housing. Commissioner Hayes stated that if there are more than 10 units then 10% of the units have to be low income. Commissioner Mihaly stated that the text should include 14-28 units per acre in R-HO. He wanted the language to be very specific so there would be no misunderstanding about the density bonus. He also wanted the clearly define low income. There was further discussion of rewriting the text of R-HO and amending the General Plan to reflect the different percentage.

P - Professional District

Commissioner Mihaly wanted the wording changed from "...Town's commercial core..." to "Town's commercial areas..."

C-1 - Neighborhood Commercial District

Commissioner Mihaly questioned why shoe repair shops were included in this district. Ms. Wight stated that it is included in the General Plan.

C-2 - Downtown Commercial District

Commissioner Hayes wanted the wording changed from "...are also encouraged..." to "...are allowed...".

PF - Public Facilities District

Commissioner Harle suggested including schools in this district.

Land Use Regulations Table

Commissioner Harle suggested changing all categories under Professional, Dental from "P" to "C".

C-L - Limited Commercial District

Commissioner Harle would like to further discuss restaurants in this district.

TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR JANUARY 14, 1991

There was a general discussion as to whether or not a reference as to the type of use should be included for each district because it is specifically defined in the Matrix.

Sec. 10-3.405. Setback Exceptions

Commissioner Hayes suggested a change to the wording from "...development standards are to permit intrusions..." to "...development standards is to permit minor intrusions..."

Exceptions to Development Standards for Residential Properties - Table 4B

Intrusions into Required Rear and Side Yard Setback Areas (page 24)

Jonathan Braun, Scenic, did not feel that inground swimming pools should be listed as an exception because the noise could have a considerable negative impact on the neighbors. Ms. Wight stated that inground pools currently have an 8' rearyard setback and therefore this is not a change. Also, the current setback requirements for the motor and equipment has a rearyard setback of 20'. Commissioner Hayes stated that he would like to see the setback changed. Commissioner Mihaly suggested that it have a design review so there could be adequate screening for noise etc. The Planning Commission consensus was to leave it as an exception but with a footnote to require design review.

Dan Thomas, Fernwood, suggested that decks also be included in design review if they are around pools and hot tubs.

Jonathan Braun, Scenic, felt that parking decks should be heard at the Planning Commission level and not be an Administrative Variance. Construction of decks could require significant grading and, in turn, have significant environmental impacts on the neighborhood.

There was a discussion about the definition of a notch filler. The consensus of the Commission was that an interior notch filler is to connect two points of the "same" side of an existing building and would be an exception. A corner notch filler would have setbacks of 15' and 5' and would require an Administrative Variance because it could bring the structure closer to the property line.

Ms. Wight stated that the reference to parking decks should be moved to page 26. Mr. Kottage noted that wording should be changed to exclude upslope lots. There was a discussion on the wording of parking decks and parking spaces and whether or not this should be handled as an Administrative Variance. The consensus was that staff will work further on this for the next public hearing.

Kathy Curtis, Redwood Road, asked if there was a limit placed on the number of accessory structures or gazebos permitted on a lot. The Consensus of the Commission was to include a limit of one.

Intrusions into All Required Setback Areas to be No Closer Than 3' to All Property Lines (page 25)

Commissioner Sias did not agree that three feet was appropriate for awnings, chimneys fireplaces, etc because it was an intrusion into the setbacks. He felt it should be at least 5 feet and should be an Administrative variance. Commissioner Mihaly stated he understood Commissioner Sias's comments but supported the 3 feet. Mr. Kottage said that these items are relatively small in nature and if they had to be handled by the Planning Staff it would be very time consuming.

Commissioner Yarish suggested a compromise of 3' to 5' for the sideyard, an Administrative Variance and 5' to 8' for the sideyard, an exception. Commissioner Julin stated she supported Mr. Kottage's comments.

Commissioner Kroot suggested wording changes for the dormer as follows: "Dormer, not extending beyond the existing building wall".

Intrusions into All Required Setback Areas (page 26)

Jonathan Braun, Scenic, thought a 100 square foot accessory structure should be heard at the Planning Commission level and not as an Administrative Variance.

Commissioner Kroot suggested clarifying that the highest point of the accessory structure or gazebo of 100 square feet or less should not be any higher than eight feet. The consensus was to add "gabled roof, a minimum slope of 2 in 12 with a limit of one".

TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR JANUARY 14, 1991

Commissioner Hayes wanted Creek Bank Restoration to be handled as an Administrative Variance and not an Exception. Commissioner Mihaly agreed with Commissioner Hayes adding that there should be some control. The consensus of the Commission was to change it from Exception to Administrative Variance and look into this for a future discussion.

Commissioner Kroot wondered why a fence, 6' or less in height above grade was an exception. Ms. Wight stated that was a permitted use as well as a retaining wall, fill, up to 30" in height above grade. There was a discussion on whether or not to include permitted uses under exceptions. Consensus was to have staff research this further.

Commissioner Kroot questioned the wording on raising of a roof a maximum of 2' above the existing structure..., he thought it should state a "...raising of the house..." or "...changing of a flat roof to a gabled roof...". The consensus was that staff was to further review this.

Intrusions into All Required Setback Areas (continued-page 27)

There was a discussion on the height of the retaining wall. The consensus was that 6' should be reduced to 4'.

Commissioner Hayes suggested wording change from "...Retaining Wall, Cut, which involves cutting only into existing hillside or..." to "...Retaining Wall, Cut, which involves cutting into existing hillside for..."

Jonathan Braun, Scenic, did not think retaining walls, up to 6' in height should be an Administrative review, rather it should be a Planning Commission Review.

Commissioner Hayes agreed with Mr. Braun on this issue. He felt that it would be especially important to have public input if the retaining wall was for restoration of a slope because this would indicate that there have been some problems in the past.

2. 1990/91 General Plan Amendments

Continued until the meeting of January 24, 1991 because of the late hour.

C. The special meeting of the Planning Commission was adjourned at 11:10 p.m. to the next special meeting on January 24, 1991, at 7:00 p.m. to discuss Zoning Ordinance revisions and General Plan Amendments.

BARBARA CHAMBERS
ADMINISTRATIVE SERVICES ASSISTANT II

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF JANUARY 24, 1991**

This special meeting was cancelled due to lack of a quorum.

**BARBARA CHAMBERS
ADMINISTRATIVE SERVICES ASSISTANT II**