

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF DECEMBER 21, 2009**

Commissioners' Present: Brown, Harris, Krebs, Overberger, Schinner, Sisich, Zwick
Commissioners Absent: None

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

CONTINUED ITEMS

None.

PUBLIC HEARING ITEMS

CONSENT AGENDA

1. Minutes of December 7, 2009

M/s Schinner/Brown, to approve minutes. All ayes

REGULAR AGENDA

1. Preliminary Draft Housing Element

Planning and Building Director Wight presented the staff report. She noted that additional written comments were submitted by Betty Pagett tonight.

Jeff Baird, Consultant, provided some of the key points, noting there is very limited development in San Anselmo annually or projected over the next 20 years. There is a need for significant senior housing and for single person households. There is also the need to link housing with jobs. He commented that the Commission might want to consider the comments from Betty Pagett, noting the need for stronger language in H1.7 and H2.H, and moving from 2011 to 2010 in H3.B. Regarding the change of language in H2.Ec, staff believes this language should be used when the Ordinance has been implemented.

Zwick asked if the housing numbers have increased since the last update, to which Baird said they have decreased and explained the methodology used by ABAG. Wight stated that one of the reasons it was lowered was because of the amount of property located in the flood zone.

Zwick asked what happens if we never build anything. Baird stated that State law has required more accountability by local jurisdictions.

Brown said the Housing Element does not require that the housing be built, but does require the Zoning Ordinance allow for the building to take place. Baird said the document will formulate what needs to be done to remove roadblocks.

Baird stated the subcommittee came up with several goals which have been added and the commitment to the Town is to do all that is necessary to get affordable housing.

Sisich asked if the document includes the affordable units that have been added since the last update. Overberger noted that 10 units have been added, which include Tam House. Wight added that pages 20 and 23 indicate the new affordable housing units.

Goal 1

Baird explained the changes since the last update.

Whitney Merchant, Greenbelt Alliance and resident of San Anselmo, said she felt the Committee did an excellent job. Regarding the funding, the work force housing fund will

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need grants. She suggests Fairfax, San Anselmo and Ross do a nexus study so there could be one fund that could have at least one good project.

Scott Couture, Allyn Avenue, spoke highly about establishing an implementation committee. No matter how well the document is, we need to find a way to make this happen. He said a goal should be to engage the property owners and the document should show them how affordable housing can be accomplished. It has to be done at the beginning of the project.

Michael Rex, resident, wants to see the advocacy committee as a permanent group to make sure it happens. Regarding H1.A, page 19, he would like to provide the broad range of benefits, noting that it should be put into a brochure. Another duty is a proactive approach to property owners to encourage them to develop. Regarding page 22, H2.H, there might be a few that are controversial, especially the in-lieu fees for more than one unit. He would like to see added: life insurance policies, a codicil to a will, and donations of land and buildings.

Sisich said he likes some of the language in the draft. The Housing Element Implement Group is a good idea but he would up the anti. The ideas are good but not enough or fast enough. The in-lieu fee will not add up because there is not much development in Town. He likes the idea of identifying Town owned parcels, such as parking lots and Isabel Cook School, as possible sites. He would like to craft more ideas and have a goal of an RFP to the Council to get Town owned land.

Harris said the language in the Element is broad enough to add the ideas of the people that have spoken.

Zwick would like to see it amended to use Town owned land.

Brown said the in-lieu fee should not be so punitive that someone cannot finish the project.

Overberger said that "large houses" are subjective and should be more clearly defined with regard to in-lieu fees.

Goal 2

Baird explained the changes from the previous Housing Element.

Rex said the building height description on page 26 is somewhat vague. He believes building height should not be measured from grade, but it should be measured from flood plain. Also there should be some relief in building height when residential is above commercial. He also would like to see the words "co-housing" included.

Merchant said there needs to be an affordable component if you consider three stories, like 49%.

Lisa Bell, resident, would like to see a limit on buildings with three stories, specifically along Greenfield Avenue.

Zwick asked if there is a condominium restriction. Wight responded that we allow condo conversions currently in the Ordinance.

Zwick said he would really like to capture some of the ideas brought up tonight. Baird said there is time and it could be captured.

Brown suggested an overlay zone in the Ordinance.

Overberger would like to see some of the examples included in the actual document. She would like the Town property included, as well as those comments made by Michael

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Rex, and some of the comments regarding the three stories as stated by Whitney Merchant.

Hurd explained that the law requires the General Plan and Zoning Ordinance be consistent. The Housing Element is the guideline of what will be done.

Harris said this is an birds eye level document. With the exception of shared housing, all other wording should not be included.

Zwick wants to encourage as much information as possible to be included and the Council can take it out if it wants.

Harris disagreed, stating it puts the Town at a risk that is too great.

Brown would be okay with using examples.

Overberger would only like to give examples.

Krebs concurs with Harris about not placing the Town in a binding position, he does not feel the ideas will be lost, and will show up in the minutes and other discussions.

Brown said he concurs with Betty Pagett, it would be punitive to require property owners to pay in-lieu fees and pay to relocate tenants but not both.

Goal 3

Baird explained the changes from the previous Element.

Zwick asked about the tax credit allocation. He feels that the variable could be a detriment. He would also like to see a family based project win a tax credit. Baird said perhaps we could add family based projects as well.

Merchant said the County already has a housing impact fee. Regarding compliance, she would like to see a little more aggressive language. HCD has never punished a community for having an aggressive Housing Element. Regarding H3.10, it is a shame that only half are going to be affordable. She would like to see it 50% and 65%. She would like to see the housing overlay zone be applied or allowed, not considered.

Rex said the General Plans generally states explore or consider. Regarding H3.9, he questioned the wording. He would like to encourage a mixed use of rental and condos with a deed restriction. He suggests a range of unit types, number of bedrooms and unit sizes. He would like some suggestions that give it more teeth. If it is close to transit, you can reduce the parking standards. He suggests looking at reducing the size of parking spaces and encourages tandem parking. Regarding floor area ratio, he feels it should be modified. What was intended was to consider FAR if residential is added to commercial. Regarding page 31, H3.B, he suggests adding funding blanket EIR and traffic studies by the developers. Regarding H3.C, he was surprised to see the percentage changed to 10%; it should be 15% at least. Regarding Second Units, it is a State standard to only add one car for a second unit and it should be considered in the Element.

Regarding H3.9, page 28, Baird suggested eliminating everything in the sentence after "...in-lieu fees". He said there are not specific targets in the Element but it is in the Ordinance.

Regarding H3.E, Baird said he was not sure how tandem parking was removed and can it be added in as item F.

Goal 4

Baird explained the changes from the previous Element.

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Merchant asked if there are any requirements or restrictions on the location of a homeless shelter. Baird explained it can be delineated anyway we want, as long as there are sites to be built on.

Brown said he is comfortable with staff taking the recommendations from tonight's meeting to the Council and then to the State.

Schinner suggested attaching the recommendations as an attachment.

Zwick would like to see staff make the changes and come back to the Commission and place it on consent. He supports the recommendation approach rather than a requirement.

Overberger supports the Element coming back as a consent item. Baird stated he would do it with strike outs and underlines so the Commission can tell what has been changed.

Harris said he sees this as a constitutional document and does not want to see specifics in the document.

Krebs said the level of detail seems to be more as examples and recommendations rather than having too much detail to be in violation of the General Plan or Zoning Ordinance.

Hurd would suggest that this would not be a consent item due to the importance of the item.

M/s Krebs/Zwick, to continue the matter to the next meeting on January 11, 2010, so staff can make changes or include those changes that have been identified by the Commission members and the public and bring back a modified version with the changes. All ayes.

2. Appointment of Planning Commission Chairperson and Vice Chairperson for 2010

M/s Zwick/Schinner, to nominate Mike Brown as Chair and Pascal Sisich as Vice Chair for next year. All ayes.

ITEMS FROM PLANNING COMMISSION

Zwick would like to honor Lisa Wight for her 32 years of service. Krebs said he appreciates the great asset Lisa has been for the Town and she has been very enjoyable to work with and the Commission will miss her.

ITEMS FROM STAFF

Lisa Wight thanked each of the Commissioners for their support of staff and for their diligent review of materials for so many projects in preparation for all the meetings held over the years.

The meeting was adjourned at 9:20 for cake and cookies in celebration of Lisa Wights' years of service.

BARBARA CHAMBERS