

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES OF MAY 3, 2010**

Commissioners Present: Brown, Harris, Krebs, Overberger, Schinner, Sisich, Zwick

CALL TO ORDER

Commissioner Brown called the meeting to order at 7:00 p.m.

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke.

PLANNING AND BUILDING DIRECTOR REPORT

Interim Planning Director Diane Henderson advised the Commissioners of the results of the appeal for 360 Redwood Road heard by the Town Council on May 27, 2010. Henderson reported that the vote was split 2-2 (Greene absent) and the matter was continued to the meeting of May 11 with the thought that there will be five Councilmembers present and that they can hold a decisive vote at that time.

D. PUBLIC HEARING ITEMS

CONSENT AGENDA

Minutes of Joint Public Workshop Town Council and Planning Commission April 12, 2010

M/s, Harris/Overberger, to approve Consent Item 1

AYES: Brown, Harris, Krebs, Overberger, Zwick

ABSTAIN: Schinner, Sisich

REGULAR AGENDA

Revisions to the Zoning Ordinance of the Town of San Anselmo Municipal Code to add a new Chapter 19 - Green Building Requirements to Title 9 and amend Chapter 1- Construction Codes of Title 9.

Senior Planner Phil Boyle presented the staff report.

Commissioner Harris asked if the process for meeting green building guidelines differs depending on whether the project is a new home or a remodel.

Boyle said that the process is fundamentally the same.

Harris believes that it may differ depending on who fills the advisor role.

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Boyle said that it really depends on the project and will vary depending on who is on the project team.

Commissioner Brown asked for clarification as to what projects are under consideration for the GreenPoint Rater requirement.

Boyle recalled that the Council meeting discussion was more general and that the Commission was seeking a requirement for new buildings.

Commissioner Krebs agreed with Boyle. He felt there was no real distinction made at the Council meeting between new building and remodeling projects.

Krebs thanked Boyle for his chart and noted that they had talked about the alternative of asking the architect or contractor to step in to the role of GreenPoint Rater.

Boyle referred to Table A, Page 7 of his staff report, projects in categories RR3 (remodels between \$100,000 and \$149,999) and RR4 (remodels between \$150,000 and \$299,999), requiring 25 and 35 points respectively. In this scenario, the rater can be an architect or contractor on the project team and would not be required to complete paperwork for certification by Build It Green.

Referring to the BERST chart, Boyle made the distinction between the GreenPoint Rater project (meaning the rater is an independent, third party) and the GreenPoint Rated project (meaning that the rater is a member of the project team and that hopefully this is a less expensive endeavor).

Brown clarified that the architect would still need to be certified by Build It Green.

Boyle affirmed that this is the case; they are certified, but they are not required to submit project certification paperwork to Build It Green.

Commissioner Zwick believes that for the smallest, least controversial projects, the contractor or the architect could provide verification.

Zwick clarified that the projects at the lowest level require a checklist at the staff level, that the projects in the middle (RR3 and RR4) are somewhat more complex, and that the most complex projects requiring a significant number of points may need an independent advisor.

Boyle discussed the cost comparison for rating a new single family home, providing data on the cost of hiring an independent rater vs the cost of keeping a rater on staff. He further discussed the minimum compliance threshold tables in his report, noting that the most significant changes occur at the second level of remodeling.

Zwick commended Boyle for the chart and believes it should be workable, adding that it can be revised as needed.

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Krebs noted that the requirements for multi-family residential new construction projects seem relatively low, depending on the number of units involved.

Zwick commented that multi-family construction is more sustainable and energy efficient by nature and that the goal is to encourage a more dense footprint.

Krebs pointed to requirements for single-family or two-family residential remodels less than \$50,000 (RR1) and suggested clarification to indicate the specific scope of the required work. He further noted that the requirements listed under remodels between \$50,000 and \$99,999 may benefit from more precise language.

Harris noted that most of the disparity occurs between the plans as approved and the project as built.

After much discussion regarding the exception reading "building replacement or repair due to catastrophic loss due to flood, fire, or earthquake," Director of Community Development Bob Brown of San Rafael was consulted. Brown stated that in San Rafael, only flood and earthquake are exempted, noting that after a catastrophe, there is significant pressure from the public to rebuild as quickly as possible. The thinking was that the city did not want to add the burden of further requirements.

Krebs asked what the threshold would be, given the range of remodels. The question is whether or not the building code will provide sufficient protection.

Commissioner Overberger questioned the wisdom of approaching these projects in a piecemeal fashion. She believes that the time to look at these issues is when one is considering a substantial remodel.

Commissioner Sisich observed that just the act of remodeling will make a home more energy efficient and asked whether or not requiring homeowners to work with a rater is creating yet another cost for homeowners. Title 24 is a relatively inexpensive endeavor and as some of the measures under discussion become more common, there may be no need for a rater.

Mike Brown opened the meeting for public expression, asking Bob Brown for input on this issue.

Bob Brown replied that without a doubt the process was adding more expense. It was felt that the incremental cost would not be too great and the real benefit would be long term. Brown believes that a GreenPoint Rater can add great value to a project and that over the years codes will catch up.

Mike Brown asked why architects can't fill out the rating sheet and assist the homeowner.

Bob Brown observed that the GreenPoint code is just as extensive as the existing building code. Further, San Rafael is committed to working with outside staff, given the cost of training, the

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existing workload for city staff, the lack of staff experience working at the design stage of a project, and questions about the accuracy of the inspection.

Sisch asked if there are any reliable studies on the payback period for GreenPoint rated projects.

Bob Brown responded that many of the measures, such as appliances and lighting efficiency, demonstrate a very short payback period.

Zwick remarked that staff has come up with alternatives so that homeowners don't necessarily need to get certification. The current document reflects a compromise from the last meeting.

Mike Brown asked if San Rafael considered the architect or contractor's lack of independence when acting as a green point advisor on a project.

Bob Brown said it was realized that homeowners embarking on smaller projects would need the flexibility afforded by consulting with a project architect or contractor rather than hiring a third party rater.

Mike Brown closed public session and brought the discussion back to the Commission.

After considerable discussion, Overberger summarized five revisions that should be voted on before the matter is forwarded to the Town Council.

(1) Commercial projects with a valuation up to \$250,000 would require only the energy standards specified in Title 24 and the Building Code; consequently categories CR1 and CR2 would need to be revised accordingly.

(2) Residential remodels with valuation of less than \$50,000 (RR1) will require at least two measures to be taken from those listed under RR2 (Items A through R). Additionally, the minimum compliance threshold items currently listed in RR1 will be deleted.

(3) The second exception that is currently listed as not to be included in project valuation—"Building replacement or repair due to catastrophic loss due to flood, fire, or earthquake"—will be deleted.

(4) The list of minimum compliance items A through R should be edited to change the word "specify" to an action word such as "install".

(5) For remodeling projects in the \$100,000 to \$149,999 range, and in the \$150,000 to \$299,999 range, a licensed architect or contractor can verify that the project meets the minimum requirements of Table A. The individual does not need to be certified as a rater but does need to confirm that the required standards are being met. Further, a homeowner may choose to use a GreenPoint Rater if he/she wants certification of the project.

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Boyle presented the draft ordinance.

After a brief discussion, a vote was taken.

M/s, Harris/Zwick, that the new ordinance as amended and discussed is forwarded to the Town Council.

Ayes: All

The Commissioners thanked Bob Brown for his presence and input.

ITEMS FROM PLANNING COMMISSION

None

F. ITEMS FROM STAFF

None

G. ADJOURN TO THE MEETING OF May 17, 2010

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Nancy

Harris