

MINUTES OF ADJOURNED MEETING ON HILLSIDE ZONING ORDINANCE
April 15, 1980

Mayor Signorelli convened the meeting with Councilmembers Toal, Convis and Capurro present. (Councilman Reed absent at the beginning of the meeting, arrived at 8:40 P.M., but abstained from discussion and voting).

Planning Director George Davison presented an analysis and comparison of the four outstanding density proposals, to wit: "Citizens Committee", Planning Commission, Mayor Signorelli and the Kagy "Minority Report."

After further public hearing and Council discussion, Motion was made by Councilman Toal, which died for lack of a second, that the density limitations proposed in the Kagy minority report be adopted.

Thereafter, working from Mayor Signorelli's draft ordinance, the Council acted tentatively as follows:

M/S Convis, Capurro that the density limitations proposed by Mayor Signorelli be approved tentatively, Section 1A to read as follows:

Section 1 - Density Limitations

A. Density Zones - Density shall conform to the following table:

Zone	Elevation	Allowable Density (Units per Acre)	
		Acceptable Access	Substandard Access
1	Below 100 feet	In conformance with the San Anselmo Slope Policy as revised in June, 1972	
2	100 to 200 feet	2.0 units 20,000 sq. ft.	1.0 units 43560 sq. ft.
3	200 to 350 feet	1.33 units 32,752 sq. ft.	.67 units 65,015 sq. ft.
4	350 to 500 ft.	.80 units 54,450 sq. ft.	.50 units 87,120 sq. ft.
5	Above 500 ft.	.57 units 76,421 sq. ft.	.33 units 130,680 sq. ft.

Motion passed on a 3 - 1 vote, with Councilman Toal voting No.

M/S Toal, Convis to approve Section 1-B(1) - Access - as proposed by the Planning Commission. Motion passed on a 3 - 1 vote, with Councilman Capurro voting No on the basis of his disapproval of assessment districts.

M/S Toal, Convis to approve Section 1-B(2) as proposed by the Planning Commission. Motion passed with four ayes.

M/S Toal, Capurro to approve Section 1-B(3) as proposed by the Planning Commission. Motion passed with four ayes.

M/S Convis, Capurro to approve Section 1-B(4) as proposed by the Planning Commission. Motion passed with three Ayes - Councilman Toal voting No on the basis that he considers this section to be superfluous.

M/S Toal, Convis to approve Section 1-B(5) as proposed by the Planning Commission. Motion passed with four ayes.

A motion was made by Councilman Toal, which died for lack of a second, to amend Section 1-C(1) to conform to the Kagy "Minority Report" recommendation that roads and easements shall be deducted from gross area of the parcel in determining the total allowable number of units for each legal parcel.

M/S Convis, Capurro to approve Section 1-C(1) as proposed by the Planning Commission. Motion passed with three ayes, Councilman Toal voting No.

M/S Toal, Convis to approve the intent of Section 1-C(2) as recommended by the Planning Commission and direct the Town Attorney to reword for clarification. Motion passed with four ayes.

M/S Toal, Convis to approve Section 1-C(3) as proposed by the Planning Commission. Motion passed with four ayes.

M/S Capurro, Convis to approve Section 1-D - Distribution of Housing Units as proposed by the Planning Commission with the addition of the intent of the following addition

proposed by Mayor Signorelli: "However, where topography or soil instability of a multi-zone parcel precludes development in all or a portion of a parcel in a zone of higher allowable density, that undeveloped portion may be used to increase the number of units in a zone of lower allowable density as if that undeveloped portion occurred in the zone of lower allowable density. The opposite condition shall not be justification to increase the total number of units above that determined in accordance with Section 1-C above." - to be reworded for clarification. Motion passed with three Ayes, Councilman Toal voting No on the basis that this would encourage and increase development at higher elevations.

M/S Toal, Convis to delete Section 1-E - Maps - as proposed by the Planning Commission. Motion passed with three Ayes, Councilman Capurro voting No. (Staff advised that this could be required under existing policy and regulations.)

M/S Toal, Convis to approve Section 1-F - Deed Restriction - as proposed by the Planning Commission with the substitution of the word "against" for "to" so as to read "...deed restriction against further subdivision or split."

M/S Toal, Capurro to delete subsection A in Section 2 - Use Limitations - prohibiting common wall construction as recommended by the Planning Commission. Motion passed with four Ayes. (Council consensus was against outright prohibition of condominium development, noting it would be subject to design review approval).

M/S Capurro, Convis to approve Section 2-B as proposed by Mayor Signorelli subject to amendment to read as follows: "Any subdivision of three units or greater, or any single unit located in a ridge zone as defined in Section 3 of this ordinance shall have design review approval before a building permit shall be granted. Motion passed with four Ayes. (Councilman Toal's Aye vote was reluctant because of his concern over the elimination of the requirement for PPD zoning.

M/S Capurro, Convis to approve Section 3-A as proposed by the Planning Commission. Motion passed with four Ayes.

M/S Toal, Convis to approve Section 3-B as proposed by the Planning Commission. Motion passed with four Ayes.

M/S Convis, Toal to approve Section 3-C - Building Height Limitations - as proposed by Mayor Signorelli. Motion and second withdrawn, and

M/S Convis, Toal to approve Section 3-C as proposed by the Planning Commission. Motion failed on a tie vote, with Councilmen Toal and Convis voting Aye, Councilmen Capurro and Signorelli No.

M/S Capurro, Toal to approve Section 3-C as proposed by the Planning Commission subject to amendment to read as follows: "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 the Planning Commission finds there is no reasonable alternative to such construction." Motion passed with four Ayes.

M/S Capurro, Toal to request the Planning Commission to give further consideration to a Density Bonus Option as proposed by Mayor Signorelli to be added as Section 3-D. Motion passed with four Ayes.

M/S Toal, Convis to reject Mayor Signorelli's proposed addition of Section 4 - Exclusion - as being superfluous. Motion passed with four Ayes.

The draft ordinance as changed above, subject to rewording by the Town Attorney for clarification, condensation and ultimate codification, then was returned to the Planning Commission, proceedings to be readvertised, for consideration of the changes, environmental review consideration, and general plan amendment.

ADJOURNED at 11:05 P.M. to regular meeting April 22, 1980.

Libby Hanson
Deputy Town Clerk