

The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman Dan Goltz in the Council Chamber at 8:00 p.m. on December 15, 1975. Representing Town Staff: C. R. Leitzell, Town Engineer/Planner

1. ROLL CALL

Commissioners Present: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz
Commissioners Absent: Greenfield, Ragan

2. APPROVAL OF MINUTES - December 1, 1975

Chairman Goltz announced that the lawyer for SunnyHills had noticed a typographical error in the parcels listed for rezoning to PPD/R-1/B-40 at the November 17, 1975 meeting.

M/S Ainsworth, Bolles to reconsider the minutes for the Planning Commission meeting of November 17, 1975 for the purpose of correcting a listing of one parcel number being rezoned to PPD/R-1/B-40 in that A/P 6-051-24 should read A/P 6-061-24. Passed unanimously, Commissioners Eisgrau and Fairchild abstaining.

M/S Ainsworth, Bolles to approve the minutes of December 1, 1975 as amended. Passed unanimously, Commissioner Fairchild abstaining.

AMENDMENTS:

Pg. 2, last para to be reworded as follows: Commissioner Bolles stated Mr. Presley had been irritated at the manner in which the Town had handled correction of the structure's illegal construction. Mr. Presley had informed the Town in January, 1975 of the violation which the Town did nothing about. Despite his irritation at the Town, with the sauna removed, Mr. Presley now found the structure provided a desirable screen.

Pg. 3, 3rd para. to be deleted.

Pg. 3, 4th line of #1 in the motion approving VAR-640 to read: "...rear portion of the rear yard and to the presence of the existing pool...."

Pg. 3, Item #2 for Fotomat, correct spelling of "CORP."

Pg. 4, para. 4 starting with 3rd sentence to read: "He felt the proposed building did not show the relationship between the intended use of the leased portion and the other part of the property." Second to last line, same para. to read: "...added to Lincoln Avenue which would be in conflict with the residential nature of that area."

Pg. 5, para. 1, 3rd line exchange the word "hedge" for "bush".

Pg. 5, 4th para., starting with second sentence to read: "He felt the Commission was requiring mature vegetation to be taken out."

Pg. 5, Item #4, VAR-644, 6th line in motion under #1. Change the "0' frontyard setback" to "0' sideyard setback".

Pg. 6, Item 4-A-1, 3rd para., 2nd line correct spelling of "robberies".

Pg. 7, 6th para., 3rd line correct spelling of "manufacture".

Pg. 7, 2nd para. from bottom to read: "Commissioner Ragan and Chairman Goltz agreed with Commissioner Greenfield."

Pg. 8, 4th para. under SS-192, delete.

Pg. 8, 2nd para. of the motion recommending SS-192 to read: "Further recommend that requirements be waived of concrete curb and gutter since the asphalt gutter will serve in lieu thereof."

Pg. 8, para., immediately after the motion for SS-192 to read: "Commissioner Bolles stated he would not support this application because he believed it was outrageous to require the paving to provide for one house and further, on the basis that the road improvement requirements seemed to be in his judgement aimed at large subdivisions with a higher density."

DDB863

3. NEW BUSINESS

A. PUBLIC HEARING: Proposed Ordinance regulating residential garage sales.

Public hearing was opened. There was no one in the audience to speak on this item.

Commissioner Fairchild believed the ordinance had no merit. She felt the amount of money it would cost the Town would be out of proportion to the very few garage sales. Felt it was poor stewardship of the taxpayer's money.

Commissioner Eisgrau questioned whether garage sales could be controlled through the Code's definition of Home Occupation.

M/S Eisgrau, Bolles that we refer the proposed ordinance to regulate garage sales back to the Town Council with the recommendation that it not be adopted for the following reasons:

1. Undue expense to taxpayers in controlling and maintaining an inspection program.
2. Overly broad infringement on personal property rights.

Further recommend that the Town Attorney be requested to incorporate repetitive garage sales in the definition of home occupation to be discussed at the public hearing set for February 2, 1976.

Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz
Nays: None

B. DISCUSSION ITEMS

Items listed on the agenda were taken out of order.

3. Set public hearing on rezoning improved and unimproved lands in excess of 40,000 S.F. to bring the zoning laws into conformance with the Town's General Plan.

Commission requested that Staff prepare additional information for them to review before setting the public hearing. This would be presented at the January 19, 1975 meeting.

4. Set public hearing on the proposed ordinance regulating the conversion of garages, carports or outside parking areas.

M/S Fairchild, Ainsworth that the public hearing on the proposed ordinance regulating the conversion of garages, carports or outside parking areas be set for January 19, 1976. Passed unanimously.

5. Set public hearing on a proposed addition to Section 10-3.434 regarding the definition of "Home Occupation".

M/S Eisgrau, Fairchild to set a public hearing on the proposed addition to Section 10-3.434 regarding the definition of Home Occupation for February 2, 1976. Passed unanimously.

6. Set public hearing on the proposed ordinance regulating the keeping of horses, donkeys, or ponies for personal use.

M/S Eisgrau, Bolles to set public hearing for the public discussion on the proposed ordinance regulating the keeping of horses, donkeys, or ponies for personal use to the regular meeting of February 23, 1976. Passed unanimously.

1. County-wide Bicycle Plan: Review County-wide bicycle plan along with San Anselmo's Park and Recreation Department's comments.

After a brief discussion of the County-wide bicycle plan the Planning Commission made the following motion:

M/S Ainsworth, Bolles that we forward the county-wide bicycle plan for consideration by the Town Council with the following suggestions in conjunction with the Park & Recreation Commission's comments.

1. Pg. 19, No comment on the grounds that San Anselmo does not have any multiuse paths. (Parks & Rec. felt sign was in poor taste.)
2. Pg. 31, Route 4 was preferred by professional bike riders. Less traffic on a parallel Class III route as opposed to the Class I route between Marin General and Ross.
3. Pg. 32, Route 4, agreed
4. Disagreed with Parks & Recreation Commission to eliminate route where San Anselmo Avenue crosses Center, north. See routing on map prepared by C. R. Leitzell dated December 15, 1975. Agreed with the suggestion of continuing the path on Lansdale into Fairfax.
5. Disagreed with the Parks and Recreation Commission regarding the elimination of the route on Butterfield-Fawn Drive. This provided a link to Terra Linda. Barriers should be provided to deter motorcycles and/or 4-wheel drive vehicles. Possibilities of this path becoming a road should also be avoided.
6. Pg. 32, Route 7, second paragraph to read: "The route starts at the intersection of Magnolia Avenue and San Anselmo Avenue (where it joins Route 4,) proceeds east across the footbridge to the intersection of Sir Francis Drake Blvd. and Bank Street, east on Bank Street veering north on Lincoln Avenue to Greenfield Avenue, east on Greenfield Avenue through San Rafael, then eastward on 2nd, 3rd, or 4th Street to the Northwestern Pacific Railroad right-of-way, where it joins Route 1.
7. Agreed with the Parks and Recreation Commission that the plan suggested an eventual burden on citizens of annual costly licensing of bicycles.

The only other suggestion the Planning Commission had was the fact that there is a lot of concern about the business district being unsafe for bicyclists. It was felt there could be the possibility of eliminating (at some time in the future) one lane of parking down San Anselmo Avenue which would be a reasonable measure to make bike riding safer. (Especially if connected with additional off-street parking.)

Motion carried: Ayes: Ainsworth, Bolles, Eisgrau, Fairchild, Goltz
Nays: None

The Commission tentatively scheduled a walk over SunnyHills Drive through the cemetery to San Rafael in April, 1976 to determine whether this would be a significant route to San Rafael as opposed to what is now written in the county-wide plan. The route via the cemetery was mentioned in both the San Anselmo and San Rafael General Plans.

2. Discuss agenda scheduling and possible policy to put agenda items over until the next meeting in order to adjourn meeting no later than 12:00 midnight.

Commission felt reverting to the original two regular meetings a month covering use permits, variances etc. would help solve the problem of late hour meetings. Regulating the time spent per application should also help.

7. Discuss Town Attorney's opinion regarding the conformance of use permits and variances with the General Plan.

It was agreed to that when an application was turned down and it was inconsistent with the General Plan, then those findings should be expressed in the motion.

DDB863

8. Discuss methods for auditing approved use permits to insure compliance with Planning Commission conditions.

It was agreed by the Commission that a time limit for compliance with Planning Commission conditions on use permits, variances, etc. would be set. If Staff noticed non-compliance, the permit would be rescheduled before the Planning Commission.

Another matter discussed by the Commission was a letter received by Chairman Goltz from Mr. Wm. Dreskin, 245 Los Angeles Blvd. regarding a variance granted by the Commission for an addition at 236 Los Angeles Blvd. Mr. Dreskin felt the construction was inconsistent with the overall architectural nature of the block and felt the Commission had made an error in granting it.

Staff was instructed to provide additional information to the Commission regarding this variance. Was it sent to Design Review for approval? Was there a date on the drawing? Was the drawing followed during construction? Commission would further review this matter and respond to Mr. Dreskin at their January 5, 1976 meeting.

Staff was instructed to write a letter notifying Mr. Dreskin that the Commission was studying this matter and would report back to him after January 5, 1976.

4. ADJOURN

M/S Bolles, Eisgrau to adjourn to the January 5, 1976 meeting. 10:30 p.m.

DAN GOLTZ, CHAIRMAN
SAN ANSELMO PLANNING COMMISSION

By Catherine Carpenter
Catherine Carpenter
Planning Secretary