

The regular meeting of the San Anselmo Planning Commission was called to order at 8:10 p.m. on March 17, 1980, by Chairman Harle in the Town Hall Council Chamber. T. J. Robbins, Acting Director Public Works/Planning, present.

1. ROLL CALL

Commissioners Present: Buckle, Harle, Hayes, McPeak, Olive, Ollinger, Ragan

2. APPROVAL OF MINUTES

February 27, 1980

M/S Buckle, Ollinger, to accept the minutes of February 27, 1980, as presented.

Motion carried; Commissioners Olive and Ragan abstained.

March 3, 1980

Item 3E, add the vote taken on motion, "Motion passed unanimously."

Item 4G, paragraph 7, change "with parking" to "by the possibility of overnight parking on nearby streets." - Olive

M/S Ollinger, Olive, to approve the minutes of March 3, 1980, as amended.

Motion carried; Commissioners Harle and Ragan abstained.

March 5, 1980

Page 2, paragraph 2, change "if" to "is."

M/S Olive, Ollinger, to approve the minutes of March 5, 1980, as amended.

Motion carried; Commissioners Buckle and Ragan abstained.

March 10, 1980

M/S Olive, McPeak, to approve the minutes of March 10, 1980, as presented.

Motion carried; Commissioner Ragan abstained.

3. OLD BUSINESS

- A. Town Council Request For Changes in Proposed Ordinance Regulating the Conversion of Multiple Family Apartments to Condominiums.

Alan Bruce, Town Administrator, and Hadden Roth, Town Attorney, were present.

Mr. Bruce noted that the Council had made a few changes and he and Mr. Robbins made some additional changes since the Planning Commission last saw the ordinance. The changes were discussed at length.

Mr. Robbins said Federal Home Loan Bank of San Francisco shows the San Anselmo vacancy rate for multi-family units in 1978 to be 1.2 percent. Commissioner McPeak pointed out that the 25 percent figure in the ordinance indicating the proportion of rental housing available in the Town is the crucial factor and an important planning tool; once we lose our rental housing that's the end of it.

M/S Ragan, Ollinger, regarding Section 10-7.107(a), that the rental vacancy rate be 5 percent as originally recommended by the Planning Commission, rather than 3 percent as suggested by the Town Council.

Motion carried: AYES: Buckle, Harle, Hayes, Olive, Ollinger, Ragan  
NOES: McPeak

Commissioner Olive said the 5 percent rental vacancy rate in the proposed ordinance will not be prohibitive forever; we are secure for the immediate time. The rental supply is consistent with the goals of the General Plan; there is diversity and balance of people in the Town.

Commissioner Buckle said that he will support the 5 percent figure, but he wants it understood that he believes this will not make it prohibitive forever.

Mr. Robbins noted that the vacancy rate is figured annually by the Federal Home Loan Bank of San Francisco. Mr. Bruce said multiple rental units are required to have a Town business license and a self-declaration is filed saying how many units have been rented or offered for rent during the past year. This is also done on an annual basis.

Hadden Roth requested that the word "commitment" mentioned four times in Section 10-7.108 be changed to "covenant" since covenant is recognized in law.

Commissioner Olive suggested that in Section 10-7.106(4), be changed to read, ". . . in the Planning Department and the San Anselmo Public Library." The Commissioners agreed.

Rufe Soule, applicant for the proposed conversion of 84 Madrone, suggested other ways to regulate condominium conversions. He said San Francisco allows a certain number of conversions per year. Some towns allow conversions based on landscaping, parking or lot coverage.

M/S Buckle, Ragan, to recommend to the Town Council to accept the proposal by Alan Bruce, Section 10-7.108, Alternate Conditions For Approval of Use Permit, with the following changes to this Section and Section 10-7.105:

Section 10-7.108(a), "Notwithstanding Section 10-7.107(a), an application may be processed if the proportion of rental housing is not less than 20 percent and if all the following conditions are met:"

Sections 10-7.108(a)(1), (2), (3), and 10-7.108(c), change the word "commitments" to "covenants."

Section 10-7.108(b), change "his purchase right" to "her or his preemptive right."

Section 10-7.108(a), add subsection 4, "This is subject to the findings by the Planning Commission and/or the Town Council that the public interest is better served by such conversion."

Section 10-7.105(b), add subsection 5, "The covenants as required of the developer as provided in Section 10-7.108."

Motion carried: AYES: Buckle, Harle, Hayes, McPeak, Ollinger  
Ragan  
NOES: Olive

M/S Ragan, Hayes, to resubmit to the Town Council the recommendation that they adopt the Condominium Conversion Ordinance as amended at the meeting of March 17, 1980.

Motion carried: AYES: Buckle, Harle, Hayes, McPeak, Ollinger  
Ragan  
NOES: Olive

4. G. Review of Negative Declaration and Review of Final Draft of Proposed Ordinance Establishing Density, Use Limitations, and Land Development Guidelines on Undeveloped Parcels Exceeding One Acre and Partially Developed Parcels Exceeding Two Acres.

M/S McPeak, Buckle, to continue this item to March 19, 1980, at 8:00 p.m.

Motion passed unanimously.

3. B. SS-228 - Robert C. Martin, Brookside and Cordone Drives, A/P 5-222-01, 64 Cordone Drive, lot line relocation - CONTINUED 04/07/80.
- C. SS-229 - Grant J. Halsing, 70 Bennit Avenue, A/P 5-091-20, review of Negative Declaration and application for a two-lot parcel split.

Grant Halsing, applicant, present.

Tom Melbrook, 80 Bennit Avenue, was present to express his opposition to the application.

Commissioners Olive, Ollinger, McPeak and Hayes said they felt the proposed two lots would be too small and result in overdevelopment. Commissioner Buckle said he feels the proposed two lots would not be out of scale with other lots in the area.

M/S Olive, McPeak, to deny SS-229 for Grant J. Halsing, 70 Bennit Avenue, A/P 5-091-20, application for a two-lot parcel split on the basis that it is less than 5,000 square feet, which is too small for adequate consideration of necessary parking and would create an overly built-upon lot and require further a ten foot frontyard and five foot sideyard setbacks for the existing garage on old Lot No. 1, and a two foot sideyard setback for the existing shed on old Lot No. 3 and a four foot sideyard setback for the existing pool on old Lot No. 3, along with the possibility of over crowding.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- D. V-874 - Herman and Katharina Wehl, 73 Ross Avenue, A/P 7-284-02, a two foot sideyard variance and a 5'6" sideyard variance to construct an open deck and a bay window within four feet and 2'6" of the side property line, respectively - CONTINUED 04/07/80.
- E. SS-230 - John Murphy, The Alameda, A/P Nos. 5-043-16, 5-043-22, 5-043-31 and 177-133-13, lot line relocation - CONTINUED 04/07/80.

#### 4. NEW BUSINESS

- A. V-876 - Daniel H. Goltz, 39 Hawthorn Avenue, A/P 5-125-01, a 5'4" sideyard variance to construct a bath addition within 2'8" of the side property line.

Dan Goltz, applicant, present.

M/S Buckle, Ragan, to approve V-876 for Daniel H. Goltz, 39 Hawthorn Avenue, A/P 5-125-01, a 5'4" sideyard variance to construct a bath addition within 2'8" of the side property line, on the basis that this is necessary for substantial property rights; it will not be detrimental to the neighborhood; that this lot has the peculiarity of being on a corner and is small; and that the configuration of the lot is unusual.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- B. SS-232 - Tom Gioseffi, 184 Butterfield Road, A/P 5-101-16, lot line relocation.

Tom Gioseffi, applicant, present.

Mr. Robbins said a lot line relocation was recorded on Lot No. 71 without Town concurrence. Also there is an encroachment by the garage at No. 186 Butterfield Road. This application, if approved, will clear these points. He added that parking for Lot No. 71 is currently on Lot No. 73; when parking is provided on Lot No. 71, a building permit may be

issued for Lot No. 73.

M/S Hayes, Ollinger, to approve SS-232 for Tom Gioseffi, 184 Butterfield Road, A/P 5-101-16, lot line relocation, on the grounds that it is necessary for substantial property rights; it will not be detrimental to property or individuals in the neighborhood; to be based on the map received by the Town of San Anselmo dated February 28, 1980.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- C. U-544 - Mark Ammen, 119 Floribel Avenue, A/P 7-091-06, use permit for the home occupation of a drafting business.

Mark Ammen, applicant, present.

Mr. Ammen said no clients come to his home; he goes to their homes.

M/S Ragan, Buckle, to approve U-544 for Mark Ammen, 119 Floribel Avenue, A/P 7-091-06, use permit for the home occupation of a drafting business, on the grounds that it will not be detrimental to the neighbors in the community; and that it will afford substantial property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- D. V-877 - Richard D. Stutsman, 152 Hilldale Drive, A/P 6-155-01, a 15'6" rearyard variance and a 10' rearyard variance to construct a garage/workshop, and a 14'6" rearyard variance and a 9' rearyard variance to construct a roof overhang within 4'6", 10', 3'6", and 9' of the rear property line, respectively

Richard Stutsman, applicant, present.

M/S Buckle, Ragan, to approve V-877 for Richard D. Stutsman, 152 Hilldale Drive, A/P 6-155-01, a 15'6" rearyard variance and a 10' rearyard variance to construct a garage/workshop, and a 14'6" rearyard variance and a 9' rearyard variance to construct a roof overhang within 4'6", 10', 3'6", and 9' of the rear property line, respectively, on the basis that it is necessary for reasonable use of property rights; it will not be detrimental to the neighbors in that the distance is far enough away from other structures; that it is replacing an existing structure; and that there is no other reasonable location on the property for the garage/workshop.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- E. C-173 - Douglas Anawalt, 702 San Anselmo Avenue, A/P 7-102-21, design review of new window and garbage can container.

Doug Anawalt, applicant, was not present.

The Commissioners questioned the proposed garbage can container location on Town property. They agreed the item should be continued.

- F. U-539 - Diane Adams, 1382 Sir Francis Drake Boulevard, A/P 5-183-19, modificate of use permit for home occupation to allow an identification sign in accordance with Section 9-7.302(b) of the San Anselmo Municipal Code.

Diane Adams, applicant, present.

Ms. Adams said customers have a difficult time finding her business since she does not have a sign.

Commissioner McPeak said he feels the sign as proposed would

be a traffic hazard as it would be difficult to read from the roadway. Commissioner Ollinger suggested she increase the size of the address numbers for identification purposes rather than have a sign. Commissioner McPeak suggested a picture, i.e., a palm, without lettering on the sign. Commissioner Olive said it would be difficult for her to deny the application.

M/S Olive, Buckle, to approve U-539 for Diane Adams, 1382 Sir Francis Drake Boulevard, A/P 5-183-19, to allow one sign in accordance with Section 9-7.302(b) of the San Anselmo Municipal Code on the grounds that it is not detrimental to the health and well being of the neighbors; and that it allows the exercise of property rights.

Motion failed: AYES: Buckle, Olive, Harle  
NOES: Hayes, McPeak, Ollinger, Ragan

M/S McPeak, Hayes, to reconsider the motion previously made for U-539, denying the sign application.

Motion passed unanimously.

M/S McPeak, Ragan, to refer the application back to the applicant for consideration at the next Commission meeting on April 7, 1980.

Motion passed unanimously.

#### 5. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 11:30 p.m. to the special meeting on March 19, 1980.

*Lisa Burglin*

LISA BURGLIN  
PLANNING ASSISTANT