

PLANNING COMMISSION MEETING OF JUNE 27, 1988

The special meeting of the San Anselmo Planning Commission was called to order on June 27, 1988, at 7:00 p.m. in the Town Council Chamber by Chairman Hayes. Staff present: John Kottage, Director of Public Works, Planning and John Roberto, Planning Consultant.

A. ROLL CALL

Staff present: Yarish, Julin, Sias, Harle, Hayes  
Staff absent: Manning

B. PROPOSED AMENDMENTS TO THE LAND USE, CIRCULATION AND OPEN SPACE ELEMENTS OF THE SAN ANSELMO GENERAL PLAN

It was agreed by the Commissioners that no new items be discussed after 11 p.m.

John Roberto presented the staff report dated June 27, 1988.

Chairman Hayes felt the method of approach for the meeting would be to go through the Preliminary Draft of the Proposed General Plan section by section and incorporate the items on the addenda that refer to the particular section.

LAND USE ELEMENT

Commissioner Yarish felt that the proposed amendments to the General Plan accurately cover topics brought up in previous meetings but thought the wording was unclear on page 2, item #2 regarding the extension of hillside and ridge policies to also encompass lots less than one acre.

Chairman Hayes said page 2, item 2, refers to applications involving R-1H parcels but should also apply to any residential and undeveloped lot in the conservation area of the General Plan that is at or above elevation 150 feet mean sea level.

Commissioner Yarish was in favor of using the 150 feet elevation. On Page 3, item 10, the 3rd line states...."the Town will be zoned"... He wondered if the wording should be changed to "may be" to allow the Town latitude.

Sarah Nome, 77 Alder, requested that her comments be heard because she will not be able to stay for the entire meeting. Item 12, page 4, - Surplus School Lands, she said that State Law does not allow schools to be rented as commercial space. Item 13 - Reuse of Private Schools and Churches, wants to add St. Anselmo School. Regarding Circulation elements on page 34, she pointed out that Center Boulevard has a relatively thin layer asphalt on its surface and is not suitable for carrying heavy duty vehicles. She would like to see Center Boulevard taken out of the category of an arterial road. Item 18, page 5, - Roadway Extensions to Adjoining Communities, she did not feel the Town should rule out a San Francisco Blvd extension. Item 11 page 4 - Second Units, she is surprised that the Town does not have an up-to-date list of second units because at one time all were documented. She also believes off street parking should be a requirement for second units.

Gay Kagy, 280 Redwood Road, said she agreed with deleting paragraphs 3 and 5 on page 2.

On page 3, last sentence on the second paragraph, Ms. Kagy wondered if the wording should be changed from ..."and should be addressed"... to "and are addressed".

Bill Abright, 190 Oak, wondered if on page 43 - Private Open Space is there any provision that has been established that gives the public a right to access private land. He cited a

situation on South Oak where two fences have been erected that block access to the open space. John Kottage responded saying that the land is private property and the owners can prohibit entry. Commissioner Julin said that a prescriptive easement is what Mr. Albright was referring to. Mr. Roberto said there are many legal questions associated with prescriptive easements and it is really not as cut and dry as it seems.

\*John Roberto asked the Commission if paragraphs number 3 and number 5 of page 2 in the Land Use section should be deleted.

The consensus of the Commission was to drop the two paragraphs.

\*Commissioner Harle asked that the wording on page 1 be changed from ...mixed riparian woodland...to "houses" saying that he thinks the statement in the draft is inaccurate. Mr. Roberto suggested the wording.... "bordered by residential and commercial structures located in mixed riparian woodland." The Commission was in agreement with Mr. Roberto's suggestion.

\*John Kottage stated that the last sentence of that paragraph "The riparian areas adjacent to most of the major stream courses have been protected by the implementation of streamside setbacks." should be deleted as there are no formal stream side setbacks. The consensus of the Commission was to delete the last sentence.

\*Chairman Hayes suggested changing the wording on page 3, under Residential Character from ..... "and should be addressed by policy"... to.. "and are addressed by policy"... (see the last paragraph).

\*Mr. Roberto said the Land Use Elements may want to reflect the existence of second units in the densities allowances. The Housing Element discusses the details of second units. Commissioner Harle said that Land Use element does deal with densities and also with design review. John Roberto suggested that a separate section could be added on second units for submittal to the Council.

Commissioner Julin wondered if the discussion of second units could be included in page 5, 1.3. Mr. Roberto said the Town has already identified the second units and wondered if the Commission wanted to change the policy or just expand on the existing policy?

Commissioner Harle said there are dual standards specified in the draft Land Use Element by number of units per acre and the population per acre. His desire is to drop the population data. John Roberto said State law requires that population be included. The number used was the average number of person per household according to the last census.

\*Chairman Hayes felt there needs to be a mention of second units in the Land Use Element section as well as in the Housing Element because it is an important issue. John Roberto suggested that the Commission might want to have specific requirements on parking for second units and may want to specify residential intensities of population for the various areas. Commissioner Sias said he would like to see a separate policy on the second units because it has an impact on traffic and roadway wear.

\*Chairman Hayes suggested that any proposed amendments to the draft plan should be made in the form of a motion. Commissioner Sias did not feel that proposed amendments should be in the form of a motion until the audience had an

opportunity to speak to the issue. The Commissioners all concurred with Commissioner Sias' comments.

John Roberto suggested that the Commission first review all the proposed amendments outlined in his memorandum on the last General Plan workshop before proceeding with a detailed review of the entire draft plan. There was discussion among the Commissioners as to how to approach the review of the draft plan. It was agreed to proceed the way Mr. Roberto suggested.

#### COMMENTS ON ADDENDA

Page 2, item 2 - Expansion of the Application of Hillside and Ridge Policies to area outside of the R-1H zone. Chairman Hayes summarized the issues. John Roberto gave an overview of current policies. John Kottage noted that there are some lands in the yellow area of the Conservation Zone Map that are not above 150 feet. John Roberto said it would provide a clearer direction to define an elevation rather than to refer to a map.

Johnathan Braun, 479 Scenic, noted that in the past there was a Design Review Board for all the parcels in the Conservation Area.

Chairman Hayes would like to use the definition used in the old General Plan conservation zone of 150 feet and then make a statement in the document that policies regarding hillsides and ridge lands shall apply to all lands in the conservation zone.

Commissioner Sias concurred but would like to see the 150' contour on a topo map before making final judgement. Mr. Kottage said staff will compile a map using the 150 foot elevation.

Commissioner Harle would like to restrict the hillside and ridge policies to R-1H properties only, stating that design review is a complex procedure and if all parcels in the conservation zone are added to it, it would significantly increase the Town's workload. He feels there should be as little land as possible that is subject to the design review process. The exception being the R-1 H parcels that are highly visible.

Chairman Hayes cited an example on Holstein Road in which one parcel had to meet specific design standards because the parcel was over an acre. However a parcel next to it actually higher on the hill than the R-1H parcel which was under an acre in size, was not required to follow the stringent design standards.

Mr. Roberto noted that if design review is going to be required on all parcels above 150 feet, it will be a considerable increased burden on staff and the Planning Commission. The Commission might want to consider having a Design Review Board created that is separate from the Planning Commission. Also, he asked if design review would be for vacant parcels only or would it include modifications to existing homes as well.

Chairman Hayes thought there were roughly about 200 lots in the conservation zone and 100 in the R-1H.

Johnathan Braun, 479 Scenic said while there has been much discussion about architectural review in the hillside area, environmental review has not been discussed. Environmental review should also be considered for all hillside development.

Gay Kagy, 250 Redwood Road, would like to see some of the

hillside R-1 lots which are controversial have design review.

John Kottage said that the R1-H parcels are staff's heaviest burden. He cited the Yeakey case that took 9 months and many staff and Planning Commission hours. If the proposal to expand hillside review is adopted as proposed, the Town will have to add additional staff. Currently there are only 1 1/2 Planners in the department. This is insufficient staff to properly handle the existing workload. He strongly suggested that it would be difficult to get additional staff approved through Council and suggested that a new policy that expands the hillside review would be an excessive burden. He suggests that a policy which considers the expansion of hillside review process be adopted, but the details of implementation not be spelled out at this time. This will allow for the implications of this policy to be worked out carefully at the same time in the future.

Ed Cecil, South Oak, said if it wasn't for the public input, the Yeakey parcel would have been approved.

Commissioner Sias wondered if some of the hillside review could be dealt with administratively.

John Roberto said it would be difficult to limit discussion on hillside parcels to certain issues once they are brought before the Commission. He said that San Francisco has a discretionary review process for each building. Only controversial issues are brought before the Commission. This procedure would also require additional staff time.

Commissioner Yarish suggested using the 200 foot elevation instead of 150, saying that as an example Carlson Avenue and 1/4 of the way up Woodside is below 200 feet. These locations should not be reviewed because they are not within the commanding view cone.

Chairman Hayes agreed with Mr. Kottage about making a general statement of intent in the General Plan and have the details worked out at a later date. By having the concept in the General Plan it will force us to have hearings on it later. Commissioner Sias would still like to see a contour map and decide on an elevation now. Commissioner Harle would like the Commission to look at the design review process and establish some guidelines that will restrict the discussion to substantive issues. He thought this could be done in the future.

Bob Formichi, 307 Oak, wondered if there have been some studies on this problem done by communities similar to ours.

Chairman Hayes suggests the wording as follows to be included in the General Plan. "Hillside and Ridge policies in this plan may be applied to other hillside lands when appropriate to meet the goals of the hillside protection as set forth in this plan. Hillside lands are defined to be those above 150' mean sea level." Commissioner Harle thinks it is a fine way to approach this.

\*M/S Hayes, Harle to direct staff to include the wording in the General Plan as follows: "Hillside and ridge policies in this plan may be applied to other hillside lands when appropriate to meet the goals of the hillside protection as set forth in this plan."

All ayes. Motion passed unanimously.

\*There was a discussion about the third paragraph in item 2. of the proposed amendments to the draft, regarding "Expansion of application of Hillside and Ridge Policies". Commissioner Julin felt that preservation of the ridge is

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important and would prefer to limit exceptions to health and safety considerations. Commissioner Yarish proposed different wording. Commissioner Sias would like to keep the current policies. \*Chairman Hayes said he withdraws the paragraph since he made the original proposal. (This constitutes the Planning Commission action on this proposal)

Item 3 - "Maintenance of San Anselmo's Commercial base" - John Roberto summarized the intent. All the Commissioners supported proposed amendment.

\*M/S Sias, Julin, to support the two points made in item 3 of the June 27, 1988 proposed changes to the draft General Plan.

All ayes. Motion passed unanimously.

Item 4 - "Mixed Residential and Commercial Uses" - John Roberto summarized the intent.

Gay Kagy, 280 Redwood Road, would like to see the commercial buildings be limited to two stories.

Commissioner Sias agrees with the 2 story limit on buildings. He is happy with the policies as written in the draft. If the Town policies regarding height and parking need to be repeated in the General Plan, it would be acceptable to him.

Commissioner Julin thinks there is a need to be more specific. She does not feel that residential use should violate the continuity of the commercial district. She further stated that the continuity of the ground floor retail use should be maintained.

Chairman Hayes said that the draft policies as stated will allow development of higher residential density and this is consistent with the Housing Element. He wondered if it was also necessary to have it in the Land Use element of the General Plan. He was not comfortable with the wording of "trying to develop higher densities". Commissioner Julin suggested a wording change "to allow for higher densities". Commissioner Sias suggested wording of "to allow for affordable housing adjacent to the commercial district". He said his personal feeling was that the commercial district would be better off not having to share with residential use. He would like to see a priority placed upon the commercial use.

John Kottage suggested deleting the whole statement and it would then be handled through the use permit process, on a case by case basis as it always has.

The consensus was to drop the issue.

\*M/S Harle, Yarish, to delete "Issue" on page 7 concerning the integration of commercial office uses with conveniently located affordable housing and to also delete objective 6 and policies 6.1 and 6.2.

All ayes. Motion passed unanimously.

Item 5 - "Mixed Residential Primarily Multiple"

John Roberto presented the issue noting that the word "primarily" should be changed to "predominantly".

John Kottage suggested that there needs to be a clear differentiation between mixed residential - primarily multiple and Mixed residential - primarily single family.

John Roberto said his interpretation was that one area would have more single family homes and the other more multiple family homes. He said he tried to define it by percentages.

Gay Gagy, 280 Redwood, asked why there is a need to differentiate and how the limits will they be applied.

Commissioner Sias said he does not want to see the neighborhoods apartmentized and would like to try to preserve the existing character of the areas.

Commissioner Yarish wondered if restrictions can realistically be placed on a street which specifies that no more than 50% of the parcels can be zoned for apartments.

Commissioner Harle explained how the Town was zoned in years past and the method behind it. He said that he is happy with the present zoning and doesn't feel there needs to create uniformity in the Town.

John Roberto said that under the draft general plan, all R-2 and R-3 properties would stay zoned as they are currently although the maximum allowable densities would be lower. (This would be defacto downzoning).

John Roberto said that the draft general plan allows 35% of the parcels to be zoned mixed residential and 65% to be zoned single family.

Commissioner Harle said there are certain areas that attract multiple family dwellings.

John Kottage said that people really like San Anselmo the way it exists now. Perhaps the approach should be to take a look at the existing land use in the various areas and see if it is consistent with the 35% and 65% mix. If not, then adjust the percentages in the draft to reflect existing land use. That would further protect the mixture of residential types that are now existing.

Commissioner Yarish agreed that there should be a mix of residential units in the neighborhoods.

John Roberto asked if the percentage should be looked at on a block by block basis, stating that if the areas were thought of as districts and one block in a district was all multiple family residential units, it could take the entire multi family allocation that the district is permitted by the percentage. Or is it the intent to disperse the multi family units throughout the district, with a limit per block, or maximum limit per area.

Commissioner Yarish felt it would be more just on a block by block basis.

M/ Yarish, to propose added language on page 16, last sentence of paragraph one as follows: "on a block by block basis. This motion died for lack of a second.

John Kottage would like to be allowed to adjust the percentage to the current land usage rather than just using the 35%. i.e. look at the current level of use and adjust accordingly.

Chairman Hayes asked what the current land use percentages are.

John Roberto suggested that one way to implement this concept would be to make all properties zoned R-2 and then the ordinance would be revised to allow 65% of the properties to be single family and then only 35% would be

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high density. The higher density units would require a use permit.

Commissioner Harle said this will create pressure to build out the high density units as quickly as possible.

Commissioner Harle feels there would be better control by leaving things as they are and take on the density issue on a case by case basis.

\*Julin, Sias to propose wording on page 16, paragraph one beginning as follows....family detached homes, in order to retain the small scale character of the Town near its commercial core and to avoid exacerbating the parking situation some duplex-type...

All ayes. Motion passed unanimously.

Chairman Hayes asked if there should be a percentage included.

\*M/S Harle, Yarish, to delete the sentence "The total number of lots to be developed with duplex type dwelling units shall not exceed 35% of the total number of lots within this land use designation".

There was discussion as to whether or not the first sentence of paragraph 2 on page 16 regarding population density, needed to be in the draft General Plan. Mr. Roberto said the law reads we must specify the intensity of development. Further that the density of use in residential developments, has to be specified in persons per acre. The Commission can change the number of person per acre from 20 persons per gross acre to another specified number if they so desired so long as it is realistic. Commissioner Harle did not like including the population densities because it is difficult to define and implement.

\*It was decided that the Commission would vote to strike the percentages and then discuss the population density issue on a separately occasion.

All ayes. The above motion by Harle, Yarish passed unanimously.

\*There was further discussion about the population densities. Chairman Hayes wondered if the wording could be changed from .."shall not exceed" to ..."may not exceed". John Roberto said he will check the exact wording of the law and bring it back to the Commission at the next meeting.

The special meeting of the Planning Commission was adjourned at 11:10 p.m. to the next special meeting of July 5, 1988.

BARBARA CHAMBERS  
ADMINISTRATIVE SECRETARY/TECHNICIAN.