

TAMLAPAIS DESIGN REVIEW BOARD (TDRB)

Approved Notes

Public Meeting – Wednesday, September 15, 2021

Meeting location: Via Zoom.

Call to order: 7:00 p.m. by Alan Jones, Chair

Board members present: Alan Jones, Logan Link, Andrea Montalbano, Doug Wallace and Michael Wara.

Board members absent: None

Other attendees: Michelle Levenson, Senior Planner and Katherine Lehmann, note-taker.

Correspondence and notices: Alan said he received a phone call from Jack Krystal, who has historically made a number of proposals over the years. Alan agreed to put Jack on a future agenda for a TDRB meeting in October.

AGENDA ITEM #1:

Senior Planner with the Marin County Planning Department of the Community Development Agency, Michelle Levenson, was invited to this meeting by Alan Jones and the TDRB board, in an effort to try and understand the logic behind the new procedures for receiving applications, notifying the Design Review Boards (DRBs), and scheduling DRB meetings.

Michelle Levenson:

- Said that she recently sent out a letter to all three board chairs summarizing the revised procedures.
- The purpose of her attendance at tonight's meeting was to clarify why those procedures are in place.
- Noted that Covid-19 was a factor in why the procedures were changed.
- During Covid, the Planning Dept. strayed from sending projects to the DRB chairs and instead chairs were filtering through lists of which projects they should review.
- Now, we have returned to the old procedures of sending the materials to the DRB chairs.

Michelle went on to say that the new system includes the fact that:

- Within 5 days of an application being assigned to a planner, all of the plans and application materials will now be scanned and **emailed** to the DRB chairs, with a copy to the secretary (Katherine Lehmann). Copies of the materials used to be sent by U.S. Mail in the past, so emailing scanned copies saves as much as 5 days' time.
- The DRB secretary (Katherine) will then suggest a date to the chair for the next meeting, within 24 hours of receiving the email notification.
- The next meeting will then be scheduled at least 16 business days later, upon receipt of the email notification.

Michelle Levenson explained:

- That 16 business days is a longer turnaround time than ever before, in order to give the planners more time to review the applications and to give the administrative staff more time to notify the public in various ways.
- In the past, the meeting agenda was the main way that the public was notified. With the new system, a post card that the planners include as part of the email notifications will primarily be used to notify the public, and more time can be spent drafting the meeting agendas.
- The County's legal department was also consulted. Planning and zoning laws, as well as the Brown Act and State propositions, were taken into consideration.
- By law, property owners must be notified 10 calendar days prior to a public meeting.
- Postcards must be sent to everyone in the same area, within a particular radius of the application site, to arrive at least 10 days before the meeting.
- The County's IT dept./Media team requests at least 3 days of lead time when posting a meeting agenda on the County website.
- By law, all meeting agendas must be physically posted on bulletin boards in the Civic Center lobby at least 3 calendar days before a meeting.
- The Marin IJ (Independent Journal) requires at least 2-3 days' notice for publishing a meeting date, which should ideally be printed at least 10 days prior to the meeting date.
- The administrative staff in the Planning Dept. must physically prepare all of the post cards with their mailing labels and put them in the mail. They must fit these mailings into their regular work schedules.
- The new system takes into account if someone might be out of the office on a particular day and may not respond immediately to a request.
- It also ensures that administrative staff are not working overtime or coming in on weekends in order to get a mailing out the door, which frequently happened in the past.

Members of the board:

- Said that with the 16 business days scheduling requirement, that means the DRBs won't be able to review the applications within 30 days of receipt, when the planners are supposed to make an initial decision of approval or disapproval of the applications.

- For example, if an application email were received today, September 15, the next available DRB meeting would be on October 20, more than a month later. That seems like an inordinate amount of time to wait.
- Wondered why some activities listed above couldn't be handled simultaneously? For example, couldn't the Marin IJ and the IT Dept. be notified at the same time, on the same day?
- If the administrative staff were given one week's time (7 calendar days) to send out the mailing of the postcards, on top of the 10 calendar days of notice required by law, that would be more like 12-13 business days, instead of 16, which would be plenty of time to notify the public and could speed up the process by several days.
- DRB boards were always trying to schedule their meetings within 30 days of receiving the applications in the past, so this is an adjustment to the routine.
- The new procedures seem to somehow make the DRB's opinions less important, or irrelevant.

Alan: wondered why public housing projects are handled differently in Marin County, and are never reviewed by the DRBs?

Michelle: explained that because of the SB35 law, affordable housing projects have different requirements and do not go through the Planning Dept. for approval or design review.

Andrea: wondered why planners can't decide, upon receipt, or at least within 30 days, if an application is incomplete or not? She mentioned that several suggestions were made by the TDRB a few years ago about how to improve the process, and they suggested creating a checklist for planners, which could also be used by the DRB chairs.

Michelle: said that they *did* update the procedures to include their suggestions from a few years ago.

Andrea: wondered if shifting the meeting date to a Monday, instead of Wednesday meetings, would make any difference with the 16 business days rule? She also asked what is the impact if the DRBs wait more than 30 days to review an application?

Michelle: explained that planners only have to make a preliminary decision within 30 days of receiving an application and would still be relying heavily on input from the DRBs before making a final decision.

Alan: asked if an applicant needs to return to a future meeting, do they have to wait another 16 business days before coming back?

Michelle: said, if you say, "We are going to continue this at the next meeting, or as soon as the applicant is ready," then you don't have to wait 16 business days to put them on the agenda. Only with the initial application.

Members of the board:

- Thought that there might possibly be some advantages to having more lead time before meetings.
- Said they were willing to try out the new system for a while before making any final judgements.
- Wondered why the community is unable to have a voice in affordable housing projects?

Michelle: explained that it would be worth checking in with planner Jillian Zeiger, and her team, about what plans the federal housing folks have to include community input.

AGENDA ITEM #2:

There was a brief description of what took place at the Planning Commission Hearing on Thursday, September 9, which Alan and Doug attended, in order to express their concern about the O'Donnell project at 150 Shoreline, which the commission was discussing.

Ultimately, the Planning Commission voted 5 to 1 to reject the application, and were bold in just saying, "No." The main reason they rejected the application is because it didn't provide the amenities required for housing and seemed more like a hotel. The application will come before the Board of Supervisors for approval on November 9, 2021.

The meeting adjourned at approximately 8:10 p.m.