

RECORD OF STRAW VOTES, P.C. MEETING OF JULY 9, 2007

Times shown are the time stamps on the video recording (which are elapsed times from the beginning of the session). A time in the left margin is the time stamp when the discussion began. Page number references are to the Staff Report for the July 9 meeting. Changes accepted by staff as tech changes are shown in *italics*. Straw votes by the Commission are shown in **boldface**.

Items 1 and 8 (WCAs and SCAs)

- 4:24 In BIO-4.1 in the paragraph on p. 5 that begins “SCAs are designated...”, delete “woody” on the 5th line and insert “woody” on the 3rd line (“...supports woody riparian...”).
- 4:30 *Accepted by Commission by consensus and by staff as a technical correction of an error.*
- 4:31 Add definitional language in BIO-4.1 and in the Glossary for “woody” in the phrase “woody riparian vegetation.”
- 4:33 *Staff agreed to include in Glossary’s definition of “woody riparian vegetation” a list of typical examples.*
- 4:36 *Staff agreed to also include definitional language for “woody” and examples in the BIO-4.1 policy itself and/or in a text box adjacent to the policy, with also a referral to the Glossary definition.*
- 4:51 Provide for a minimum 20-ft development setback for ephemeral streams.
- 4:56 Add the following sentence to the end of the paragraph in BIO-4.1 that begins with “SCAs are designated...”: “For those ephemeral streams that do not meet these criteria, a minimum 20 foot development setback should be required.” Vote to accept: 7-0**
- 4:56 In 3rd paragraph of BIO-4.1, remove the word “woody” with respect to the 100-foot measurement for determining qualification of an ephemeral stream to be subject to the SCA policies (so it reads “...supports riparian vegetation for a length of 100 feet or more”).
- 4:57 Remove the word “woody”. Vote to accept: 6-1 (Thompson)**
- 4:58 Discussion of removing all references in BIO-4.1 to “woody” and in all instances refer only to “riparian vegetation.”
- 5:01 *Change not accepted (no one proposed making the change).*
- 5:01 Delete bullet items from Figures 2-1 and 3-1.
- 5:04 Delete the bullet items from the figures. Vote to reject: 3-4 (Dickenson, Holland, Barner, Thompson).**
- Staff will ensure that the language in the bullets conforms to the text of the policies, including correction of the graphic for ephemeral streams to show the minimum 20 foot development setback.*
- 5:05 When a site assessment may be required.
- 5:05 *Commissioner Holland posed the question: “In all cases, am I correct, a site assessment may be required? Is that correct?” Consultant Watt replied, “Right. We are going to make consistent and modify the site assessment as a requirement.” Holland: “SCAs, WCAs, ephemerals, everything?” Watt: “Correct.” Consultant Martin referred to supporting language in BIO-3.c and BIO-4.g.*

5:13 Commissioner Greenberg stated, "Site assessment is required, [but] the nature of that assessment may vary from parcel to parcel." Director Hinds: "Right."

5:16 Leave "woody" the way it is with respect to site assessments on parcels under ½ acre in the City-Centered Corridor.

5:16 Favor making site assessment absolutely required in City-Centered Corridor on parcels under one-half acre. Vote to reject: 1-6 (Julin, Dickenson, Holland, Barner, Ginalski, Thompson).

Accepted by Commission by consensus and concurred by staff that a site assessment is always required in the City-Centered Corridor on parcels of one-half acre or greater and on all parcels in the other three corridors, as well as in all cases in all four corridors when development is proposed within a WCA/SCA setback.

5:20 In the allowable uses in an SCA (BIO-4.1, bullets at bottom of p. 6), add "Driveway" in the third bullet.

5:20 Change the bullet to read "♦ Driveway, road and utility crossings, if no other location is feasible;". Vote to accept: 7-0

5:22 In 1) under "Exceptions to full compliance with the WCA setback standards..." on p. 4 (BIO-3.1), determine what is meant by "no direct unauthorized fill or other modifications."

5:27 Accepted by Commission by consensus and by staff as a technical change to reword as "...provided no fill or other modifications to wetlands have occurred as part of on-going use of the property;".

5:28 Discussion of Commissioner Holland's statement that the basic SCA setback is the "greater of 100 feet from streambank, or 50 feet from edge of [woody] riparian vegetation, or what a site specific assessment requires/determines setback to be" and that a "site assessment cannot set a setback that is less than the applicable minimum [setback]." And that a "site assessment setback also prevails in the City-Centered Corridor on parcels one-half acre or greater in size."

5:31 Favor this clarification of buffers. Vote to accept: 7-0

Item 2 (Baylands Corridor)

5:32 At the end of BIO-5 (p. 9), add the words "added to or" so it reads "...to determine whether they should be added to or omitted from the Baylands Corridor."

5:32 Accepted by Commission by consensus and by staff as a technical correction of an inadvertent omission.

In the last paragraph of BIO-5, the "additional mapping and analysis" concept and language should also be applied to the evaluation of small parcels for addition to or omission from the Baylands Corridor.

5:32 Accepted by Commission by consensus and by staff as a technical change for clarity.

In the 3rd paragraph in BIO-5 (p. 9), modify the language so it is clear the "No additional regulations..." language is limited to parcels that were previously in the Bayfront Conservation Zone (and will not apply to parcels added to the Baylands Corridor in the future).

5:41 Accept the clarification of the applicability of the "No additional regulations" language. Vote to accept: 7-0

5:43 After “Novato” at end of penultimate paragraph in BIO-5 (p. 9), add the words “and east of Highway 101”; in the 3rd paragraph in BIO-5, change the 4th sentence to begin “For parcels currently in the Bayfront Conservation Zone, creation of the...”.

5:46 Add the proposed new words in BIO-5. Vote to accept: 7-0

5:46 Remove parens from last sentence in 1st paragraph in BIO-5; reorganize and expand the 1st paragraph in BIO-5 as suggested by Commissioner Dickenson.

5:46 Accepted by Commission by consensus and by staff as a technical change for clarity (staff will work with Commissioner Dickenson on the precise language).

5:48 Recommendation from Counsel to add to the “additional mapping and analysis” paragraph at the end of BIO-5 the sentence, “Completion of the analysis does not require on-site evaluations.”

5:49 Add the proposed sentence. Vote to accept: 7-0

Item 4 (HOD Exhibit 5.0-15)

6:25 Accept the proposed modifications to the table in Exhibit 5.0-15 (pp. 10-11), reorganize the table so screenlines are listed in geographical order (north to south), and add appropriate text to clarify that HOD parcels cannot be placed in the Baylands Corridor (e.g., Screenline 7 cannot include HOD units at St. Vincent’s/Silveira because the properties are not in the City-Centered Corridor).

6:26 – 6:29 Accepted by Commission by consensus and by staff as technical changes.

6:30 Screenline 23 (SFD Blvd. in Greenbrae, Kentfield)
Discussion of potential addition of 100 housing units at Marin General, and agreement that such could occur only in conjunction with a site re-use project.

6:53 Have limiting language applied to the 100 units at Marin General. Vote to accept: 6-1 (Holland)

6:58 Instruct staff to bring back on July 23 comparative data on Screenline 23 for reconsideration of the numbers; any change in the numbers will be put in the form of an informal recommendation to the Board of Supervisors. Vote to accept: 7-0

Item 5 (Landscaping requirements)

6:59 New language proposed for PFS-2.g will be incorporated into the most recent version of the program, not the version shown in the Staff Report.

6:59 Accepted by Commission by consensus and by staff as a technical correction.

In BIO-1.f, make clear that landscape plans for parcels that share a boundary with publicly owned open space are required only when applicants are applying for county development permits.

7:01 Accepted by Commission by consensus and by staff as technical clarification.

Include in BIO-1.f that the lists of appropriate landscape species include plants that have habitat value.

7:06 Include “have habitat value” in BIO-1.f. Vote to accept: 7-0

Item 6 (Mixed use and LOS)

7:08 In the middle of p. 14 (CD-8.7), consider staff-proposed revised wording for the two paragraphs on FAR limits for mixed-use projects, so that exceptions to the applicable FAR are permitted only for affordable housing for low and very low income households

in areas with unacceptable LOS, and are permitted for affordable housing for moderate, low, and very low income households in areas with acceptable LOS.

7:37 Adopt the revised wording. Vote to reject: 3-4 (Julin, Dickenson, Greenberg, Ginalski)

7:39 Restore and amend part of the deleted language at the end of the 1st paragraph of CD-8.7 (p. 13).

7:40 Add the following sentence at the end of the 1st paragraph in CD-8.7: “Mixed use projects shall not exceed the maximum permissible Floor Area Ratio for each site except for units affordable to low and very low income households located in areas with acceptable vehicle Level of Service.” Vote to accept: 7-0

Staff agreed to conform to this change the language at the end of CD-8.7 that describes the General Commercial/Mixed Use, Office Commercial/Mixed Use, and Neighborhood Commercial/Mixed Use land use categories.

7:40 On p. 14, in the 3rd paragraph (CD-8.7), change “Renovations not resulting in additional square footage are exempt...” to “Minor renovations not resulting in additional square footage may be exempt...”. Vote to accept: 7-0

7:40 In TR-1.e, restore the fifth bullet in the list of considerations for permitting higher residential densities or commercial FARs (top of p. 13).

7:42 Restore the previously deleted 5th bullet as “♦ New affordable housing units affordable to very low and low income households.” Vote to accept: 7-0

7:43 Accept revised wording proposed (in writing) by Commissioner Holland for the two paragraphs constituting criterion 1 at the bottom of p. 13 (CD-8.7).

7:43 Accepted by Commission by consensus and by staff as technical changes.

7:44 Accept revised wording proposed by Commissioner Barner in 1st paragraph of TR-1.e (changing “altered” to “reduced”).

7:44 Accepted by Commission by consensus and by staff as a technical change.

7:45 Accept Commissioner Dickenson’s proposal to delete the reference to density in the 1st paragraph of CD-8.7 (p. 13)

7:51 Delete the words “medium to high density” on the 3rd line of the 1st paragraph in CD-8.7. Vote to accept: 6-1 (Greenberg)

Item 7 (Siting of trails)

7:52 Add the words “including agricultural operations” at the end of TRL-2.d.

7:52 Approve the addition to TRL-2.d. Vote to accept: 7-0