

MARIN COUNTY PLANNING COMMISSION MINUTES
APRIL 21, 2003
Marin County Civic Center, Room #328 - San Rafael, California

Commissioners Present: Allan Berland
Ross Herbertson
Don Dickenson
Jo Julin
Hank Barner
Steve Thompson

Commissioners Absent: Ray Buddie

Staff Present: Alex Hinds, Agency Director
Michele Rodriguez, Principal Planner
Brian C. Crawford, Deputy Director of Planning Services
Jeremy Tejirian, Planner
Alexandra Morales, Planning Commission Secretary

Minutes Approved on: **JUNE 2, 2003**

Convened at 1:00 p.m.
Adjourned at 4:40 p.m.

(Item #4 was taken out of order)

1. ROUTINE TRANSACTIONS:

a. M/s Julin/Berland, and passed unanimously of those present, to incorporate Staff Report into Minutes. Motion passed 6/0 (Commissioner Buddie not present).

b. Continuances:

M/s Barner/Berland, and passed unanimously of those present, to continue Item 5 - Tobias Variance appeal to the hearing of May 5, 2003. Motion passed 6/0 (Commissioner Buddie not present).

2. COMMUNICATIONS

The Commission acknowledged staff's memorandum regarding the Countywide Plan Update Key Trends, Issues and Strategies Report. Commissioners Barner, Julin, and Berland acknowledged having individual telephone conversations with Brent Dickens.

3. DIRECTOR'S ORAL REPORT

a. Presentation on the Countywide Plan Update Key Trends, Issues and Strategies Report – The Economy, Equity, and Culture

Agency Director Hinds stated that the purpose of this workshop was to discuss the Economy, Equity, and Culture section of the report.

Dan Dawson, Senior Planner, commented on the process for drafting the Economic Element, which was reflective of both the Economic Commission and Working Group input. Agency Director Hinds further noted that this element was optional and did not have to meet all the requirements of California Planning law.

Economy

Commissioners' comments were as follows:

Commissioner Barner: 1) in comparing job ratios to population it appears that more than half of the residents in the County have a job (p. 158); and 2) on-going increase in hotel/motel accommodations may be enough to maintain and manage the tourism industry (p. 158).

Commissioner Dickenson: 1) the phrase "the lack of affordable housing" implies that the County has no affordable housing at all, and therefore should be replaced with either "shortage of" or "limited" (p. 157); 2) updated unemployment information should be provided (p. 158/159); 3) it may be appropriate to replace "economic development" with "economic opportunities (vitality)" (p. 59); 4) the accuracy of the statement that people are increasingly spending beyond their means is questionable (p. 161, (b)); 5) the statements under the heading "Ensure that sites suitable for economic development are available" imply that more land needs to be identified, which is inconsistent with the Housing Policies (p. 161, (a) & (b)); 7) support for agricultural conservation easements should be given more emphasis, as well as the Transfer of Development Rights (p. 162, (b)); and 8) construction of new residential units for workforce housing should be encouraged in places that are served by all the needs including retail and transit (p. 164, (b)).

Commissioner Berland: 1) clarification of the downside of homebased businesses with regards of traffic should be provided (p. 160 (d)); 2) clarification of the uses being considered to maintain agricultural viability should be provided, as well as an indication as to whether said uses will require review (p. 160); and 3) the rationale for establishing minimum density for residential development near transit nodes should be explained (p. 165, (b)).

Commissioner Thompson: 1) training, school, and outreach programs should be referenced (p. 158); 2) larger companies are leaving the county because they need to expand but can not (p. 160, (b)); 3) clarify the statement regarding the need to define input of resources and output of sales of agriculture in order to be self-sufficient (p. 160); 4) it would be impractical to isolate Marin's economy (p. 161, (d)); 5) increasing employment opportunities that match the skills of Marin County workers should be investigated (p. 161, (e)); 6) explain the intent of the phrase "protect housing sites near transit stops or along transit corridors from additional uses (p. 162, (e)); and 7) information regarding Marin County's economy should be posted on the website (p. 166).

In response to Commissioner Julin, staff stated that Commissioners' comments will be compiled and considered when drafting the Countywide Plan.

Commissioner Berland cautioned against the County taking responsibility to find an agricultural operator to lease a property should the property owner of said property not be able to maintain an economically viable agricultural operation.

In response to Chair Herbertson, staff stated that the County is currently working on public outreach with regards to green businesses and commented on the approach that has been taken. She further noted that in addition to promoting green products, alternatives to reduce the cost of such products were being explored.

Energy, Social Equity, and Public Culture

Dawn Weisz made the presentation on this section.

Commissioners' comments were as follows:

Commissioner Barner: 1) it may not be appropriate to use income statistics based on minimum wage salaries (p. 182); and 2) while having a County health advisor available to the public, the library may not be the best location (p. 189).

Commissioner Dickenson: 1) encouraging large child-care facilities in residential zones as a permitted use may be problematic (p. 172); 2) data supporting the statement that there is disproportionate siting of facilities that use and/or emit toxic substances into the air or groundwater in low income communities and communities of color should be provided (p. 181); 3) the phrase "the lack of affordable housing" implies that the County has no affordable housing at all, and therefore should be replaced with either "shortage of" or "limited" (p. 182/183); and 4) information regarding breast cancer should be updated (p. 185).

Commissioner Dickenson suggested having all backup information available as a separate document.

Commissioner Thompson: 1) energy credits should be offered to landlords who make energy-saving improvements (p. 168); 2) targeting educational scores of 75% of national percentile or higher by 2010 is extremely low (p. 180); 3) provide a definition of "age adjusted" (p. 187, Figure IV-11); and 4) replace the word "Reduce" with "Eliminate" in the sentence stating "Reduce environmental hazards . . ." (p. 191).

Commissioner Berland: 1) enforcing anti-discrimination in housing must given a priority (p. 176); 2) the County may consider subsidizing organizations that provide after school programs and ESL classes

(p. 179); 3) update information on breast cancer (p. 185); and 4) better define the statement “rent stabilization” (p. 184).

Commissioner Dickenson asked that Figure IV-10 better reflect the statement that the quantity of pesticides used in Marin County has decreased over the past decade.

Chair Herbertson suggested that all graphs be done on 10-year intervals since the Countywide Plan is updated every 10 years. Additionally, he stated that more emphasis should be given to HIV since Marin and San Francisco were two of the highest jurisdictions with the highest rates.

Commissioner Barner commented on the need for more accurate statistics regarding the number of workers per household and the shortage of meeting places for organized community groups.

Culture

In response to Chair Herbertson, staff stated that there are historical museums in Marin, but none operated by the County itself.

Commissioner Barner noted the decline in music and arts programs in school systems, and suggested that more emphasis be given on the need for these programs.

Commissioner Berland asked that the concept of support preservation strategies that respect the heritage, context, design, and scale of older neighborhoods while recognizing the evolution of a neighborhood’s built form listed on page 208 be integrated into the Development Code.

Agency Director Hinds encouraged Commissioners to submit any other comments they may have in other sections of the report. He concluded by commending Michelle Rodriguez who is the project coordinator for the Countywide Plan Update.

4. TIME FOR PUBLIC EXPRESSION ON ITEMS NOT ON TODAY'S AGENDA

Mark Dickens presented a status report on his project's application process. He then asked the Commission to carefully review the Minutes of March 24, 2003 with regards to his project and expand on Commissioners’ individual comments made if deemed necessary. Since this matter will be presented to the Board of Supervisors as an appeal, he felt more detailed background information was necessary.

5. VARIANCE APPEAL: TOBIAS

Variance application proposing to allow an addition to the existing residence that was constructed within the required side yard setback. The addition maintains a setback of 4 feet, 8 inches from the western side property line, where 6 feet is required by the development standards of the governing zoning district. The subject property is located at **1122 Idylberry Road, San Rafael**, and is further identified as **Assessor's Parcel 164-422-14**.

M/s Barner/Berland, and passed unanimously of those present, to continue this matter to the hearing of May 5, 2003. Motion passed 6/0 (Commissioner Buddie not present).

6. VARIANCE & DESIGN REVIEW CLEARANCE APPEAL: SPARKS

Hart Appeal (on behalf of Jeanne Sparks) of the Deputy Zoning Administrator's approval of the Jeanne Sparks Variance and Design Review Clearance proposing to legalize 1,120.5 square feet of additional living area and 236 square feet of garage area to an existing 2,065 square foot single-family residence with an attached 450 square-foot garage. The development proposed for legalization attains a maximum height of 20.5 feet above finished grade. The development results in a 31 percent floor area ratio on the 10,683 square foot lot. Variance approval is required to encroach into the required 25-foot front yard setback, and Design Review Clearance approval is required to allow the floor area ratio to exceed 30 percent. In general, the appellant objects to the condition requiring a Building Permit for the previously unauthorized development on the subject property. The subject property is located at 227 Richardson Drive, Mill Valley, and is further identified as **Assessor's Parcel 043-171-11**.

M/s Berland/Barner, and passed unanimously of those present, to continue this matter to the hearing of July 7, 2003 as requested by the applicant/appellant. Motion passed 6/0 (Commissioner Buddie not present).

7. APPROVAL OF MINUTES – MARCH 24, 2003 & APRIL 7, 2003, MEETINGS

M/s Julin/Berland to adopt the Minutes of March 24, 2003 as modified. Motion passed 5/0/1 (Commissioner Dickenson abstained and Commissioner Buddie not present).

M/s Julin/Berland to adopt the Minutes of April 7, 2003 as modified. Motion passed 6/0 (Commissioner Buddie not present).

8. UPDATE ON BOARD OF SUPERVISORS ACTIONS

March 18, 2003: Development Code considered and continued to April 29, 2003; Wild Horse Valley presentation regarding second units.

April 29, 2003: Development Code; Septic policies.

May 6, 2003: Nick's Cove; Fee Ordinance.

9. FUTURE AGENDA DISCUSSION ITEMS, FIELD TRIPS

May 5, 2003

Housing Element

Tobias Variance Appeal (Lucas Valley)

May 19, 2003

Fitzgerald Design Review (San Rafael)