

MARIN COUNTY PLANNING COMMISSION HEARING MINUTES

August 16, 2004

Marin County Civic Center, Room #328 - San Rafael, California

Commissioners Present: Allan Berland, Chairman
Steve Thompson, Vice Chairman
Hank Barner
Randy Greenberg
Jo Julin

Commissioners Absent: Don Dickenson
Wade Holland

Staff Present: Alex Hinds, Director, Community Development Agency
Michele Rodriguez, Principal Planner
Dan Dawson, Senior Planner
Dawn Weisz, Sustainability Planner
Steve Petterle, Principal Planner, Parks and Open Space
Jessica Woods, Recording Secretary

Minutes Approved on: **September 13, 2004**

Convened at 1:10 p.m.
Adjourned at 5:45 p.m.
Reconvened at 6:28 p.m.
Adjourned at 8:25 p.m.

1. ROUTINE TRANSACTIONS:

- a. *M/s, Barner/Julin, and passed unanimously of those present, to incorporate the staff reports into the Minutes. Motion passed 5/0 (Commissioner Dickenson and Commissioner Holland absent).*
- b. Continuances: None
- c. Minutes: March 22, 2004, April 19, 2004 and July 6, 2004

M/s, Julin/Barner, to approve the March 22, 2004 Minutes as amended. Motion passed 4/1 (Commissioner Greenberg abstained, Commissioner Dickenson and Commissioner Holland absent).

M/s, Thompson/Julin, to approve the April 19, 2004 Minutes as amended. Motion passed 4/1 (Commissioner Greenberg abstained, Commissioner Dickenson and Commissioner Holland absent).

M/s, Barner/Thompson, to approve the July 6, 2004 Minutes as amended. Motion passed 5/0 (Commissioner Dickenson and Commissioner Holland absent).

2. COMMUNICATIONS - The Commission acknowledged several pieces of correspondence for their review.

3. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER) - None

Commissioner Barner expressed concern for the action taken by the Board of Supervisors last Tuesday regarding the Ghazi Design Review and desired an explanation from staff to the Commission and the public at large. Alex Hinds, Agency Director, agreed to respond at the August 23, 2004 Planning Commission meeting.

4. DRAFT MARIN COUNTYWIDE PLAN

Public hearing on the Draft Countywide Plan – Socioeconomic Element

Agency Director Hinds summarized the staff report and recommended that the Commission review the administrative record; conduct a public hearing; and continue the public hearing to Monday, August 30, 2004 at 1:00 p.m.

Dawn Weisz, Planner, discussed the Socioeconomic Element regarding Parks and Recreation that included the following:

- Key Trends
- Goal PK-1: A high-quality parks and recreation system
 - Policies
 - Implementing programs

In response to Chairman Berland's question regarding the Quimby Act, Steve Petterle, Principal Park Planner, responded that the Quimby Act standards are used as a reference and it is not a requirement. He explained that it is used for a basis to calculate the type of acreage that would be optimal for the County.

In response to Commissioner Barner's question regarding open space, Principal Park Planner Petterle responded that in discussions with the Community Development Agency they desired to note the distinction between parks and open space because there is a lot of confusion on the part of the community as well as the County. He explained that open space acquires land for either a community separator or for environmental reasons and recreation becomes secondary to that and parks on the other hand acquires land for the purpose of recreation. He added that their Department views themselves as the agency that can take some of the pressure off of the Open Space District, other park agencies and the Water District with regard to certain types of activities that are prohibited such as mountain biking on single track trails.

In response to Chairman Berland's concern about Chart 4-23 in regard to the Quimby Act and the number of State and Federal parks in West Marin, Principal Park Planner Petterle responded that all of their facilities such as McInnis Park and McNear's Beach reservations are full. He stated that State and Federal Parks are more in the category of open space as opposed to active uses like ball fields, swimming pools, and soccer fields.

The hearing was opened to the public on Parks and Recreation.

Dr. Sandra Ross, Chairman, Integrated Pest Management Commission, requested that IPM be included wherever appropriate. She then provided a detailed copy of their comments and suggestions for the Commission's review. She added that the IPM Ordinance recommends safe practices, but also staff and public education. They also desired a reference to the following website to be included in the Plan: www.ourwaterourworld.org. She added that placement of the anticipated policy should be included in the front of the Countywide Plan along with the ten other guiding principles.

James Stark, representing St. Vincent's School for Boys, submitted a letter from Brian Cahill, the Executive Director of Catholic Charities CYO for the Commission's consideration. He also stated that St. Vincent's has been an employer of Marin residents for its entire history as well as an important recreational facility.

The public hearing was closed.

Commissioner Julin expressed concern for naming rights of publicly owned facilities and open space lands and suggested that language be included in this section as well as in the first major section of the Plan as follows: *"Corporate/commercial sponsorship dedication, grants and other funding mechanisms for acquisition and maintenance of open space, parks and other public facilities shall not be exchanged for naming rights, such as brand names and logos."*

Commissioner Greenberg desired a series of sensible regulations regarding naming rights.

Commissioner Barner believed some additional study should occur in regard to naming rights.

Commissioner Thompson recommended being very careful in regard to naming rights. He added that he would be in favor of control, but the exact mechanism should be studied.

Commissioner Greenberg recommended that at this point establishing a program so that naming has local significance and meaning should be included in the policy rather than eliminating corporate naming.

Agency Director Hinds agreed with the comments and the suggestions to develop a policy and program in regard to naming rights.

Commissioner Thompson provided the Commission and staff with material to be included in the Plan that would recreate a Marin Stewardship Council to replace the old GGNRA oversight committee for their consideration, which was developed by the Mt. Tamalpais Taskforce for the Future. The Commission agreed with the suggestions and directed staff to review. Staff agreed.

Commissioner Barner requested a review of parks and recreation facilities including Federal, State, Special Districts, cities, and towns in order to understand the total amenities available to the citizens of Marin.

Chairman Berland requested additional language in the Plan specifying that there should be consideration in regard to availability of land for the purpose of affordable housing. Agency Director Hinds suggested not linking affordable housing to Parks and Recreation and recommended including that within the Community Development Element for the City-Centered Corridor in order to conduct an inventory of housing.

Chairman Berland recommended including Federal and State Parks open to the public in the Plan. Agency Director Hinds pointed out that most individuals believed that parks and open space is a single topic. Staff explained that open space was included due to its watershed and habitat value, and the park section was distinguished as what people actively did and a place that is intensively used for active recreational purposes. Staff further added that there are some developed recreational facilities that the County is in short supply and in those cases it is appropriate to point out that active recreational planning facilities are needed.

Chairman Berland pointed out that there is a surplus that must be managed.

Commissioner Julin requested time to discuss the following issues:

- **Suggested Wording – Community Participation**

Commissioner Julin discussed page 4-3 of the Community Participation section and suggested incorporating the following language: *“The percentages of voter registration and election turnout are higher in Marin County than for the State as a whole. According to a 2001 survey, the percentage of County residents indicated they spend time volunteering for charitable, political and community service activities is higher than the national average. The same survey indicates that charitable giving is well above the national average for human services organizations, environment, and arts/humanities; equivalent to the national average for education; and below the national average for religious, and health organizations.”* The Commission and staff agreed.

- **San Francisco Ordinance**

Commissioner Julin noted that San Francisco had enacted a Citywide Ordinance that would try to shield the neighborhood shopping areas from big-box retail, which was provided to the Commission and staff for their review, which would limit the scale of development so that locally owned businesses are not driven out of the County.

Commissioner Greenberg expressed concern for the legality of that approach and she did not believe there are many areas in the County that could accommodate 50,000 square-foot buildings.

Agency Director Hinds agreed to add a preventative program to regulate big-box stores in order to ensure economic vitality.

Chairman Berland believed the findings under the San Francisco Ordinance could be incorporated into the draft to justify why there is a need to regulate big-box stores.

Alex Hinds discussed what staff believed were the Key Initial Recommendations to the Public Review Draft of the Marin Countywide Plan as follows:

- Introduction – Key Sustainability Changes:
 - “Why is this important” section will be re-written to better correlate with the text and cross-references.
 - Staff recommends maintaining the 3-E’s icon to address the diverse interests of the community.
- Introduction – Key Plan Organization Changes
 - The Plan will be reorganized so that:
 - Natural Systems Element was tentatively renamed to Resource Management
 - Staff recommends renaming it to Natural & Agricultural Systems moving Mineral Resources to Built Environment
 - Several improvements to graphics, maps, charts, tables etc.
- Resource Management
 - Key Changes to Biological Resources:
 - Include the Baylands Corridor. The EIR will assess 3 options for locations of the corridor North of San Rafael.
 - Address cumulative impacts on biology, wetlands, and habitats.
 - Ensure adequate and monitoring mitigation ratios.
 - SCA and wetland setbacks will vary on lots less than .5 acres and between .5-2 acres in size.
- Agriculture
 - Key Changes to the Agricultural Element:
 - Consider additional collection, treatment, and reuse of water to enable small-scale agricultural diversification as long as it did not degrade environmental resources.
 - Support both organic and/or locally grown agriculture.
 - Recently adopted development code revisions are also carried forward in the Plan.
 - Staff continues to recommend limiting residential building size.
- Community Development
 - Key Changes to Community Development:
 - Control growth instead of automatically providing services for new development.
 - Exclude affordable housing from the requirement to pay for the full cost of all services on a case-by-case basis.
 - Complete a study to determine fair share costs.
- Green Building & Energy
 - Key Changes to Green Building and Energy:
 - The green building section will be expanded and certification will be required for new, large residential and non-residential development.
 - Study whether to require existing residential and non-residential uses to retrofit or use green building techniques during remodeling.
- Environmental Hazards & Housing
 - Key Changes to Environmental Hazards and Housing:
 - Add new programs to promote neighborhood-based disaster planning and preparation.
 - Add additional fire protection policies and programs including a new wildland fire interface ordinance along with coordination among MMWD, PG&E and the County for weed clearance.

- Clarify that the existing State certified Housing Element is incorporated into the Plan.
 - Add language to another section of the Plan regarding the opportunities for redevelopment and community land trust to provide affordable housing.
- Transportation
 - Key Changes to Transportation:
 - Add a new scenic roadway program.
 - Strengthen language requiring that new development must concurrently install transit improvements.
 - Add rent-a-bike and borrow-a-bike programs.
 - Address ongoing Southern Marin visitor transportation planning efforts.
 - Address use of school and shuttle buses for children, seniors, and others.
- Community Facilities
 - Key Changes to Community Facilities:
 - Rename Public Facilities.
 - Clarify and expand text regarding septic and well regulations.
 - Expand water resource section.
- Planning Areas
 - Key Changes to Planning Areas:
 - PA#1 – Clarify that Baylands Corridor parcels will be subject to low-end of the density range. Uses around airport should be airport industry related and existing mini-storage.
 - PA#2 – Marinwood center should be neighborhood serving and Oakview should include residential only, not office. Define allowable uses if Industrial, Light and Magic’s approved 650,000 sq. ft. expansion off Lucas Road is not developed. Clarify allowable St. Vincent’s/Silveira land uses as it pertains to permitting a primarily affordable, senior care facility like “The Redwoods.”
 - PA#3 – Require best management practices at the Quarry to address impacts to the neighborhood from the existing use.
 - PA#4 – Promote senior housing on the publicly owned parcel at the Old Ross Hospital site.
 - PA#5 – Summarize the San Quentin Vision Plan, but include the background, constraints and goals. Refer to the entire Vision Plan as a reference document and do not include in the appendix.
 - PA#6 – Address Strawberry Center, Marin City Center, LAFCO and Richardson Bay studies, and Southern Marin transportation plan efforts. Recognize Tam Junction as a gateway to Marin County and encourage its redevelopment.
 - Staff continues to recommend that the entire San Quentin Vision Plan be included in the Appendix.
- Economy
 - Key Changes to Economy:
 - Clarify that 89% of existing businesses have less than 10 employees.
 - Encourage support of locally owned businesses.
 - Streamline permit processing of minor projects.
- Childcare, Health & Arts
 - Key Changes to Childcare, Public Health and Arts and Culture:
 - Expedite permit processing for large family daycare homes.
 - Expand section on second-hand smoke, alcohol and drug use.
 - Prenatal care needs will be added, along with senior prescription needs.
 - The Arts & Culture section will be expanded to reflect Marin’s remarkable art, music, and culture scene.
 -
- What’s Next
 - Joint meeting of Board of Supervisors and Planning Commission on Tues’, September 28th, 2004. 4:30-6:30 p.m.
 - Staff will return with a strike-thru and underline version, a response to letters received, and a draft environmental impact report.

- The Planning Commission will receive additional public testimony and forward their recommendations to the Board of Supervisors for their final decision in 2005.

Chairman Berland announced at 4:06 p.m. that the Commission would take a short recess and then reconvene with further discussion.

The hearing was opened to the public.

Catherine Caufield, representing EAC, was disappointed to review the skinny document after all the review that has occurred. She added that their 45-page letter submitted to the Commission is very constructive and full of suggestions that should be incorporated into the Plan.

Agency Director Hinds explained that they developed a list of some of the very key policy issues that staff felt would be important to indicate, in particular for the joint meeting with the Board and the document was not meant to be all inclusive, but rather a summary for review. Staff reiterated that all letters have been read recommendations will be included where appropriate. A response to all letters will be provided. When the Plan returns, there will be another round of public hearings and then the Commission will make their recommendation to the Board for their final decision in 2005.

Dave Coury, representing Housing Council, requested the following: 1) inclusion of an affordable housing overlay zone for special needs and low to very low income; 2) review effects of multifamily zoning allowing single-family homes or requiring a minimum density; and 3) explicitly call out an inventory of all publicly-owned land.

Linda Novy, Fairfax resident, submitted a letter to the Commission for their consideration that restated the importance of the three "E's" symbol which contains the spirit and cooperation that led to the beginnings of the sustainability theme for this Countywide Plan draft document.

Catherine Caufield, representing EAC, discussed residential development on agricultural parcels and believed the A60 zoning should be observed in that regard. She requested that "*farm worker housing*" be defined. She further recommended changing some of the SCA's and believed information should be included as part of the EIR.

James Stark, representing St. Vincent's School for Boys, asked the Commission not to preclude future annexations on this land.

David Kimball, Bolinas resident, thanked the Commission, staff, and audience members for all their hard work on this Plan. He also believed that the Planning Commission is very thoughtful and considerate.

Barbara Salzman, representing Marin Audubon Society, submitted a letter for the Commission's consideration that recommended incorporating noise standards for wildlife and open space areas; included specific recommendations to Policy 1.2 and 1.3; urged the Commission to change the recommendation to AGC2 so there can be more conservation and protection of that area in relation to Gness Field; and the Trail section should address the fact that trails direct individuals into sensitive habitat and more specific provisions should be included in the policies for protection of the environmental resources in the Trail section as provided in their letter.

The public hearing was closed.

Introductory Section

Commissioner Thompson discussed the idea of self-sufficiency as it contrasts and compares with sustainability and urged the Commission to attack the inclusion of the distinction between the two and how one is different from the other.

Commissioner Julin discussed the three circles and recommended having a one time explanation and interpretation in the beginning of the report and then adopt it as a logo from a design standpoint without trying to show the darkened sectors as it relates to the policies rather than using the three circles. She further believed the three circles are more political than educational or constructive. Commissioner Greenberg concurred. She added that it is very confusing in regard to the allocation of shaded areas. She agreed with the explanation of the three E's, but the allocation of shaded areas invites complaints and argument in her view and did not reflect sustainability. She further viewed sustainability as a triangle.

Chairman Berland believed the three circles in terms of the concept of having three equal circles is educational as well as very constructive.

Commissioner Thompson recommended using unconnected and interacting circles.

Agency Director Hinds agreed that the three E's must be executed better, which staff would continue to work on.

In response to Commissioner Greenberg's concern about the phrase, "*to do no harm*," Agency Director Hinds recommended adding language to the framework section to state, "*a precautionary approach is a component of sustainability*" in order to have the least adverse reaction.

Commissioner Barner agreed with the phrase, "*to do no harm*" and if it could be incorporated into the Plan it would be beneficial in order to understand what is being discussed. Commissioner Julin concurred.

Agency Director Hinds recommended enhancing the language to No. 3 by stating, "*use a precautionary approach*" and also add a section "*do no harm*" under the Framework as well. The Commission agreed.

Natural and Agricultural Systems Element

Agency Director Hinds recommended clarifying the text describing the differences and similarities between Agricultural and Natural Systems.

Commissioner Greenberg believed the new language makes it clear that the two are different and agreed with the division. She also suggested adding language supporting good agricultural practices that approaches a natural systems approach.

Commissioner Thompson agreed to make the goal of agricultural to be identical with the Natural Systems and supported the new designation.

The Commission agreed to rename the section "*Natural and Agricultural Systems Element*" rather than "*Resource Management*."

Commissioner Greenberg believed a statement should be included about preserving the natural resources, riparian areas, and waterways. She also recommended, regarding stream conservation areas, that lot sizes of a third of an acre or a quarter of an acre would provide more leeway for intrusion into the setback. Agency Director Hinds noted that there was direction from the Commission to study the effects of agriculture and more analysis should be included. Staff also noted that there was a discussion about having less than half an acre and proposed changing it in the Coastal Zone, but if on a small lot in the inland rural or City-Centered Corridor, to establish a list of best management practices that was more refined than a setback.

Agency Director Hinds asked the Commission their desire in regard to half an acre or quarter of an acre.

Commissioner Thompson believed they must be very sensitive in regard to creek setbacks. Planner Dawson responded that on most lots adjacent to creeks, the lot line runs down the creek bed. Agency Director Hinds noted that there is a policy to enact setbacks and the rules indicate that if an individual can prove that building outside of the setback of the SCA is worse than building in it then there is an exception or if the entire property is within the setback, which are the two exceptions. Staff added that on a fairly small lot, some sort of flexibility should be

allowed to establish protection as well as to enforce this policy. Staff would be satisfied to state, “*if all reasonably developable portions of the lot are within the SCA.*” Commissioner Greenberg recommended adding the following: “*and if impacts of development outside the SCA are greater.*” Staff agreed.

Biology

Chairman Berland discussed the three options and believed there was no consensus or straw vote taken to direct the EIR consultant to analyze an alternative which extended the baylands buffer boundary line to Highway 101. Agency Director Hinds responded that there was a consensus from the majority of the Commission to conduct the study.

Commissioner Barner concurred with staff that it was previously agreed that in the final analysis the EIR would review all options including extending the boundary line to Highway 101. Commissioner Greenberg concurred.

Agency Director Hinds stated that it would be appropriate to review the three options (existing BFC zone, current staff recommendation, and extension to Highway 101) and if there were a major difference the EIR would inform the Commission in that regard.

Commissioner Greenberg believed the majority desired to extend the line out to Highway 101 and staff agreed that the EIR consultant would analyze that option.

Chairman Berland announced at 5:45 p.m. that the Commission would take a dinner recess and then reconvene at 6:28 p.m. for further discussion.

Agriculture

Commissioner Greenberg agreed that farm worker housing should be defined in order to be clear. Agency Director Hinds agreed to review the definition in order to clarify the matter.

Commissioner Greenberg asked staff if an agriculture parcel could be used for high-density affordable housing. Agency Director Hinds responded that staff’s original recommendation was to limit residential building size and that housing on agriculture would not be allowed unless it was related to some agricultural activity. Staff further added that development to be clustered on 5% of the land.

Commissioner Greenberg recommended having contiguous development. Agency Director Hinds objected to that recommendation because in some cases spread-out or separated development may be better for the environment or visually.

Commissioner Julin discussed the term “*factory farm*” and felt it denotes a large corporate ownership of a farming operation run by absentee owners. She believed that looking forward they should consider a prohibition of that kind of farming operation and requested additional information in that regard in order to have control over the land. Commissioner Barner believed it is worth reviewing. Agency Director Hinds recommended encouraging family farming as well as discourage the opposite. Staff further agreed to review the matter.

Commissioner Greenberg noted that size limits for residential housing must be addressed.

Chairman Berland supported staff’s position and believed it is a very important policy.

Agency Director Hinds indicated that staff did not desire to have unintended consequences on farm families and believed they must study the real needs and then try to re-craft this proposal to make an exception for the office space.

Chairman Berland recommended the square footage applied to new residences.

Commissioner Julin recommended a 2,000 to 2,500-square-foot size limit on the primary residence.

Agency Director Hinds pointed out that if the Commission desired flexibility to existing ranchers and farmers who own an existing home, the Commission could exempt up to one existing residence and then have that residence not be able to exceed 2,500 square feet in order to qualify for the exemption.

Commissioner Barner believed 2,500 to 3,000 square feet would address most concerns.

Commissioner Greenberg expressed concern for the loss of agricultural lands down the road. She recommended requiring owner occupancy.

Chairman Berland expressed concern for flexibility and believed they have the right to impose a strict policy to avoid large country estates on agricultural lands.

Commissioner Barner believed they must be careful not to fall into the earthworm cultivation category.

Commissioner Thompson asked staff if an accessory building would be accepted in addition to a 3,000 square-foot home. Agency Director Hinds responded that it was limited to nonagricultural building, so if the office were considered part of the agricultural operation it would not be counted. Commissioner Thompson agreed with staff's recommendation allowing the ability to create an office for the operation in addition to the residence with a maximum 3,000 square-foot house with a separate unit up to 2,500 square feet rather than one 6,000-square-foot home.

Chairman Berland recommended a restriction of 3,000 square feet and if the desire is to exceed that restriction it should be for the following reasons: 1) adding an office if related to the agricultural operation; 2) immediate family living on the property to be allowed to build a second residence; 3) any specific exception that would be reasonable for farm operations without allowing a 6,000-square-foot home. The Commission and staff agreed.

Commissioner Thompson recommended having a separate unit rather than an expansion of the first unit with the second residence being smaller such as 2,500 square feet with the second unit having some separation for privacy as well as some minimum separation to keep it from becoming one unit. He also believed it should be very difficult to qualify for a second unit as well. The Commission and staff agreed.

Commissioner Julin believed agriculture should be a primary use of the property rather than an ancillary use. Agency Director Hinds pointed out that if the reason for denying the home is because the property has no value agriculturally it would create legal actions because people have a reasonable right to an economic use of their property and to not have lost all investment expectation of their lands.

Agency Director Hinds noted that farmers need the following: to receive approval in a timely manner; prompt service; flexibility; low fees; technical assistance; to be allowed agricultural tourism; and to process their foods, which are all included in the General Plan.

Commissioner Barner agreed that they must be sensitive and support ranchers and farmers and flexibility should be allowed.

Built Environment

Chairman Berland expressed concern for the term "*control growth.*" Agency Director Hinds suggested stating, "*manage growth.*" The Commission agreed.

Commissioner Julin pointed out that Item "b" should be on a case-by-case basis. Staff responded in the affirmative.

Chairman Berland reiterated Mr. Coury's position on affordable housing overlay zones, which he favored in regard to multifamily, commercial, and residential zoning. Staff agreed.

Chairman Berland clarified that minimum density in multi-family zones should be included in the Plan. Staff responded in the affirmative.

Green Building & Energy – No additional comments.

Environmental Hazards – No additional comments.

Housing

Commissioner Barner expressed concern for remodels not being consistent with the requirements for a new home. Agency Director Hinds believed more standards should be established for remodels. Staff added that in three weeks staff would provide the Residential Guidelines to the Commission and standards for remodels could be added to that document.

Commissioner Thompson asked staff to make the Design Guidelines very prescriptive in order for individuals to understand what is expected. Staff agreed.

Transportation

Commissioner Barner recommended adding “*share car-vehicles*” as well. Commissioner Greenberg did not believe there is a population to support such a program, but asked staff to review the economics. Agency Director Hinds noted that staff would encourage shared vehicles especially in affordable housing projects, senior projects, and large projects.

Public Facilities

Commissioner Julin suggested adding language to the Community Facilities section in regard to retaining public oversight of public facilities and community services, which would not allow privatization of utilities and services such as water, sewer treatment, fire, police, and public education. The Commission agreed. Staff agreed to have a policy to further study.

Commissioner Greenberg asked the Commission and staff what they thought about Ms. Salzman’s comments regarding the noise issues. Michele Rodriguez, Principal Planner, pointed out that limiting construction hours is included in Biology and it would be reasonable to expand that to include Ms. Salzman’s comments in the noise section.

Planning Areas

Commissioner Greenberg recommended stating, “*West Marin County*” rather than “*Marin County*” in regard to Item “f” under Planning Areas. The Commission and staff agreed.

Chairman Berland recommended stating, “*on the scale of the Redwoods*” rather than “*like The Redwoods.*” Staff agreed.

Agency Director Hinds stated that, in general, there was agreement that a senior care facility like the Redwoods could be a good type of use in the St. Vincent’s/Silveira location. Staff explained that he researched and the intent of the banked units and felt they were not intended to be located on agricultural land use designations. Staff also noted that the Taskforce recommendations were predicated on St. Vincent’s/Silveira being annexed to the City and it changed the framework from a planning perspective to a more rural use in the county. Currently, it is zoned A2, but if it remained in the County, the appropriate new interim designation would be one dwelling unit for 10 acres. Staff further noted that if the area were to be annexed in the future, the City would basically be eligible for urban densities, but as indicated it is not urban if within the County.

Chairman Berland favored making an exception for St. Vincent’s/Silveira to place those banked units regardless of the zoning designation. Agency Director Hinds explained that it is very clear that the bankable units are for mixed-use and commercial designated sites and that is why they chose a specific amount. Staff pointed out that the entire idea is that it would be in the new designation now called “*mixed-use commercial*” under the Community Development section on page 3-31 and 3-36.

Chairman Berland suggested making an exception for this property, so it would be eligible to accept all banked units subject to environmental review. Agency Director Hinds pointed out that the appropriate place is within residential land use categories; within general commercial mixed-use categories; and the planned community land use category, which are all areas that would be appropriate for fairly high-density residential uses.

Commissioner Julin excused herself from the Planning Commission hearing at 8:16 p.m.

Commissioner Barner asked staff if there is merit in limiting home size as well. Agency Director Hinds responded in the affirmative. Staff noted that a different designation must be developed in that regard. Staff also indicated that if annexed to the City, 500 units would be appropriate, but another option would be to discuss what makes sense as an interim use in the County and what makes sense annexed to the City. Staff also agreed to explore the idea of a density bonus for smaller units.

Agency Director Hinds stated that urban development levels are to be achieved, then it should be annexed to a City. Agency Director Hinds recommended continuing this discussion in relation to the banked units at St. Vincent's/Silveira to the next Countywide Plan meeting on August 30th, 2004 in order to have a full quorum. The Commission agreed.

Socioeconomic Element – No additional comments.

Chairman Berland adjourned the meeting at 8:25 p.m. and continued the Countywide Plan discussion to the August 30th, 2004 Planning Commission hearing at 1:00 p.m.