

**Marin County Planning Commission
Regular Meeting
Monday, December 14, 2020, 1:00 P.M.**

[Agenda and Protocols PDF](#)

1. INITIAL TRANSACTIONS

ROLL CALL The meeting was called to order by Chair Margaret Curran at 1:00 P.M.

Present at Roll Call: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.

Community Development Agency staff present: Current Planning Manager Jeremy Tejirian; Senior Planner Immanuel Bereket; Planning Commission Secretary Ana Hilda Mosher.

a. Minutes – November 30, 2020

The minutes of the November 30, 2020 will be presented during the first meeting of 2021.

b. Communications

None.

2. DIRECTOR'S REPORT

a. Preliminary Agenda Discussion Items

Current Planning Manager Jeremy Tejirian provided an update on future Planning Commission agenda items noting that at this time there were no meetings scheduled for January 2021. He expressed his sincere appreciation to the Commission and acknowledged a well-done job during this challenging year.

3. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER)

No one addressed the Commission.

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4. MARIN HEALTHCARE DISTRICT DESIGN REVIEW AND CEQA EXEMPTION

[Staff Report and Draft Resolution](#)

[Attachments 2, 3](#)

[Attachment 4](#)

[Attachment 5](#)

[Project Plans - Attachment 6 \(1 of 2\)](#)

[Project Plans - Attachment 6 \(2 of 2\)](#)

Senior Planner Immanuel Bereket presented the staff report and recommended that the Planning Commission review the administrative record, conduct a public hearing, and approve the Marin Healthcare District Design Review based on the findings and subject to the conditions contained in the Resolution.

Staff answered questions from the Commission.

The following Marin Healthcare District representatives gave a presentation of the project and answered questions from the Commission:

Applicant Pietro Martinez and Architect Ramzy Sacre described the project history, gave a presentation of the project and answered questions from the Commission.

Public testimony was opened, and the following people spoke:

Representing organizations: Anne Petersen, Kentfield Planning Advisory Board.

Representing the public: Susan Miltner.

Public Testimony was closed.

The Commission identified and discussed a number of issues and concerns and concluded to continue the hearing to a date uncertain as long as the applicant was in agreement.

Applicant Pietro Martinez, agreed to continue the hearing to a date uncertain to address the Commission's concerns and conditions.

Mr. Tejjirian clarified the procedures regarding the requested modifications and previous West Wing addition approval which has already been vested.

M/s Margot Biehle - Don Dickenson to continue the application to a date uncertain with the permission of the applicant in order to allow the applicant to address the following issues:

1. Enclose the bridge by providing cover
2. Redesign elevations of the ASB, including those facing west and away from the public view
3. The ASB should use colors and materials that are consistent with the West Wing and the Main Hospital Building addition
4. Clearly develop pedestrian access from the garages to the rest of the hospital, not just the main ASB
5. Revisit outbound right turn onto Bon Air Road. Specifically, it should be further redeveloped such that it would clearly discourage, or make it impossible, to make a left outbound turn.

Vote: Motion carried 7-0

AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.

The Commission agreed to hold a recess at 2:40 P.M. and reconvened the meeting at 2:45 P.M. with 7 members present as indicated.

5. DEVELOPMENT CODE AMENDMENTS

[Staff Supplemental Memorandum - December 7, 2020](#)

[Attachment 1 - Development Code Amendments \(Version 3\)](#)

[Attachment 2 - Recommended Resolution](#)

[Attachments 3, 4, 5, 6 - Comments](#)

[Staff Supplemental Memorandum - December 11, 2020](#)

[Staff Supplemental Memorandum - December 14, 2020](#)

Mr. Tejjirian introduced the staff report indicating that the Planning Division staff has considered the comments made by the Commission during the Development Code amendment hearing held on November 30, 2020. He made revisions based on those comments, additional review of State mandates, and consultation with County Counsel's staff.

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Mr. Tejirian explained that the Development Code Amendments would be presented to the Board of Supervisors on January 2021. Therefore, it would be safe to call them Development Code Amendments 2021 instead of Development Code Amendments 2020.

Mr. Tejirian said that there are several topics, and that they have been focusing more on the Accessory Dwelling Units (ADU'S). All topics are important, and all are still on the table if further discussion or edits are needed.

He summarized the following revisions:

- Eliminated In-Kind Replacement Variance Exemption from the proposed amendments
- Set Temporary Use Permit (TUP) term for caregiver RV's at maximum of six months
- Revised ADU criteria
 - No ADU short term rentals
 - Applied 4-foot setbacks wherever possible
 - Clarified that category 3 ADU's are allowed to exceed FAR
 - Clarified that private street restrictions applies to WUIs & Very High Fire Hazard Severity Zones
 - An existing residence can be converted into an ADU

Mr. Tejirian recommended that the Planning Commission approve the Resolution recommending that the Board of Supervisors adopt the proposed Development Code Amendments.

Staff answered questions from the Commission.

Public testimony was opened, and the following people spoke:

Representing organizations: Sharon Rushton, Sustainable TamAlmonte.

Representing the public: Bruce Corcoran; Erica Lovejoy.

Public Testimony was closed.

Mr. Tejirian answered questions from the Commission and provided additional clarifications regarding the proposed Code amendments.

The Commission discussed the revisions to the proposed amendments and conducted the following straw votes:

Support the requirement of a 20-foot width for all four categories of ADUs on publicly or privately maintained roads. .

Ayes: 6
Noes: 1

Support broadening the language under Category 3 ADUs to reflect Master Plan standards.

Ayes: 6
Noes: 1

Support eliminating the exclusion that the temporary caregiver quarters be for family members only.

Ayes: 7
Noes:0

The Commission discussed the definition of noise for emergency generators and proposed increasing the minimum side yard setback in planned zoning districts from 5 feet to 10 feet.

M/s Don Dickenson - Christina L. Desser to approve that if an Accessory Dwelling Unit (ADU) is located in a Wildland Urban Interface and Very High Fire Hazard Severity Zone, then the property must have vehicular access via a street with a minimum width of 20 feet for all of the four categories. In category four, this standard can be waived upon approval by a local fire protection district if the fire district considers the access adequate for safety.

Vote: Motion carried 6-1
AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; David Paoli; Peter Theran.
NOES: John Eller

M/s Don Dickenson – Peter Theran to recommend to the Board of Supervisors approval of the Development Code Amendments as provided by staff on December 14, 2020 except as revised by the Commission to reflect the safe fire access for ADUs and the modification to caregiver RVs related to family members.

Vote: Motion carried 7-0
AYES: Margot Biehle; Margaret Curran; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.

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Commissioner Eller announced that this was his last meeting with the Planning Commission and expressed his deep respect and appreciation to all the people that he worked with including Brian Crawford, Tom Lai, Jeremy Tejirian, and all the Planning staff. He also expressed his appreciation to past commissioners Wade Holland and Katie Crecelious.

The Commission and Mr. Tejirian acknowledged Commissioner Eller for his fine work and contribution to the Planning Commission.

The meeting was adjourned at 4:21 P.M.

The next Planning Commission meeting is scheduled for January 11, 2021 at 1:00 P.M.

Webcast Timestamps

- 00:00:40 – Initial Transactions
- 00:13:59 – Communications
- 00:03:04 – Director's Report
- 00:03:58 – Open Time for Public Expression

Marin Healthcare District Design Review and CEQA Exemption

- 00:04:30 – Staff Report
- 01:01:05 – Public Comments
- 01:08:49 – Commissioners' Questions and Comments
- 01:34:20 – Motion and votes

Development Code Amendments

- 01:43:54 - Staff Report
- 01:53:54 – Commissioners' Questions
- 02:07:03 – Public Testimony
- 02:20:31 – Commissioners' Questions and Comments
- 03:14:55 – Motion and votes
- 03:21:05 – Adjourn