

FAIRFAX PLANNING COMMISSION MEETING MINUTES
FAIRFAX WOMENS CLUB
THURSDAY FEBRUARY 15, 2018

Call to Order/Roll Call:

Chair Newton called the meeting to order at 7:00 p.m.

Commissioners Present: Norma Fragoso
Esther Gonzalez-Parber
Laura Kehrlein
Mimi Newton (Chair)
Michele Rodriguez
Cindy Swift

Commissioners Absent: Philip Green

Staff Present: Ben Berto, Planning Director
Linda Neal, Principal Planner

APPROVAL OF AGENDA

M/s, Swift/Fragoso, motion to approve the agenda.

AYES: Fragoso, Gonzales-Parber, Kehrlein, Rodriguez, Swift, Chair Newton

ABSENT: Green

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Ms. Roberta Anthes, Fairfax, read a letter regarding recent Senate bills that would undermine the local control for town and city governments with respect to housing development. She noted she is a proponent of affordable housing. She asked the Town to oppose Senate Bill 827 and 828.

Ms. Jessica Green, Ridgeway Road, stated there were ten swimming pools proposed for the Marinda Heights (Wall property) development and she was concerned about another drought. She indicated she had a lot of concerns about the project- landslides, clustering of the homes, traffic, etc.

CONSENT CALENDAR

There were no Consent Calendar items.

PUBLIC HEARING ITEMS

There were no Public Hearing items.

DISCUSSION ITEMS

1. Discuss and prioritize work program, including General Plan Programs and possible amendments to the Zoning Ordinance

Planning Director Berto presented a staff report. He asked the Commission to focus on the implementing programs and prioritize the top five.

Commissioner Swift asked about the time frame- calendar year or fiscal year. Planning Director Berto stated both- the remainder of this fiscal year and calendar year and the upcoming fiscal year. The next fiscal year (Fiscal Year 2018/19) items could require budgeting of resources (funding and staffing). He stated they could revisit the process in the winter of 2018/19.

Chair Newton asked if staff has any recommendations in terms of priorities. She also asked for staff's input on what is critical, what is doable in the short-term vs. long-term, etc.

Planning Director Berto referred to Attachment #3 and noted the Town has historically routed all discretionary applications to the Planning Commission and the Town Council. This requires a lot of staff time and resources. Some of the minor projects could be reviewed at an administrative level and staff feels comfortable taking on that responsibility. A public notice would still be required but the application would not be reviewed by the Planning Commission. This process can facilitate people doing these types of projects. Controversial projects could still be referred to the Commission.

Commissioner Fragoso provided the following comments:

- She agreed with the staff's workshop report.
- It is not the role of the Commission to lead in the following efforts: natural disaster, safety preparedness, post disaster recovery.
- They have an excellent opportunity to pursue historic preservation of historic properties. A historic inventory is the first step.
- They need to move towards a form-based or specific design characteristics approach for development standards.
- She referred to the environment category and stated she likes the way staff broke out a couple of key steps i.e., updating the Visual Resources Maps.
- Ridgeline Development Standards are included in the General Plan and Zoning Ordinance and they have served the Town well.
- In terms of creek work it would behoove them to coordinate with the County's flood plan.
- She likes the way staff has couched the environmental programs.
- She referred to the transportation category and stated she was not sure there was anything the Planning Commission could be do to improve traffic flow on Sir Francis Drake Boulevard but the Town could check into the stop light timing and whether it needs to be synchronized differently to coordinate with the adjacent lights.
- She referred to parking studies and noted it was a sensitive subject that gets blown out of proportion. This is something that should be done with development applications.
- She referred to the housing category and noted there was a need for affordable housing. However, the Town was limited in what could be accomplished. She suggested looking at a "No Net Loss" Ordinance. She asked staff to schedule a study session about the recent housing legislation.
- Major priorities for the current calendar year would be the Marinda Heights development (Wall property) and the cannabis regulations.
- She referred to Attachment #2 and stated she basically "slashed and burned" a lot of the items.

Commissioner Swift provided the following comments:

- She noted Attachment #2 has 23 items but some of them are not in the Commission's purview, and some are "nice to have" suggestions (not requirements).
- Her priorities include: 1) Disaster preparedness/recovery- they need a Post-Disaster Ordinance; 2) Historic preservation- they need to look at an ordinance and take the first steps towards an inventory; 3) Housing- they need a Density Bonus Ordinance that talks about priorities, requirements, etc.; 4) Environment- update all maps; 5) Transportation- they need an overall

parking study, a count of parking spaces, and a no-net loss approach; 6) Traffic Impact Permit Ordinance- it should be reviewed; 7) Streamlining current processes to lighten staff's workload.

Commissioner Gonzalez-Parber provided the following comments:

- Natural disaster and safety preparedness was important. She would like to develop an ordinance. Developing an Evacuation Plan and Fire Hazard Abatement District would be done by the Council.
- A Historic Preservation Ordinance would help with identifying Fairfax's character, look and feel, and scale.
- She referred to the environment category and stated it was about standards and understanding what they are dealing with- visually distinctive areas, the GIS, topography, etc. She noted requiring new development and substantial remodels to incorporate low impact designs to mitigate storm water run-off was already taken care of.
- They could revisit the study that was done a number of years ago regarding the efficient of traffic flow along Sir Francis Drake Boulevard. It is not a top five priority.
- Preserving existing low income units should be a priority since it was difficult to introduce this type of housing.

Commissioner Kehrlein provided the following comments:

- Her focus has shifted from disaster preparedness to the pending Marinda Heights (Wall property) application.
- Higher priorities would be review of clustering of development and the Ridgeline Ordinance.

Commissioner Rodriguez provided the following comments:

- She supports the four recommendations listed in the staff report.
- Streamlining processes are standard and commonly used in other jurisdictions.
- She agrees with the other Commissioners in terms of historic preservation and environmental recommendations.
- She agreed with Commissioner Fragoso's comments regarding form-based standards and clarifying the village character of Fairfax.
- She was in favor of reviewing the resource and ridgeline protection map. This might require a review of how the Zoning Code is applied in the hillsides (how things are measured, definition of building heights, etc.).
- She would rather have a developer prepare a traffic study.
- She supports the implementation of a Bicycle and Pedestrian Master Plan and an emphasis on access to transportation rather than single-occupancy vehicles.
- She would like to hear from the Town Attorney about the recent Senate Bills that pertain to housing and how they affect the Town's ability to make decisions in the future.
- She supports the no-net housing loss idea and would like to mandate affordability through in-lieu fees, etc.
- She would like to see a "Resiliency Plan" rather than an "Emergency Plan". An EOC plan already exists and she would like to focus on the difficult decisions that would need to be made during a major disaster.

Commissioner Gonzalez-Parber provided the following comments:

- She referred to "priority structures" and the need to retrofit certain buildings and stated they need to figure out how to keep the fire stations up and running and where to bring people after a disaster (gathering place). This related to the idea of "resiliency".

Chair Newton provided the following comments:

- Her big picture thoughts are that there are a whole lot of dominos that lean on each other.

- She referred to the General Plan issues that would not be in the Commission's purview and stated staff could reach out to those other entities (Fire, Police, etc.) and get their feedback and recommendations.
- One of the "head dominos" is Historic Preservation. This could be one of the keys in protecting against State laws that try to limit the Town's ability to control what is happening in Town.
- They should talk about a Creek Protection Ordinance
- She referred to the Density Bonus Ordinance and stated she was concerned about how to prevent overdevelopment, etc.
- The housing crisis should be foremost in their minds in terms of increasing the availability of affordable units.
- She does have concerns about going too far with respect to streamlining processes. However, a priority would be to free up staff's time to address some of the larger issues. They could discuss these "low hanging fruit" ordinances that would help staff to become more efficient (ministerial permits, etc.).
- They should be making it easier for people to turn a garage, spare room, etc. into an affordable unit without destroying the character of the Town. She would like to learn more about the constraints.

Commissioner Fragoso provided the following comments:

- She would like to add another item which would be Priority #4: Incorporating lighting restrictions for commercial and replacement street lighting.
- The Town should look at replacing its street lighting with more efficient bulbs.

Chair Newton opened the meeting to public comments.

Ms. Anthes made the following comments:

- She discussed traffic flow at the intersection of Sir Francis Drake Boulevard and Broadway and stated a can of paint would help a lot. An arrow should be installed on Broadway for people turning right or left.
- She thanked the Commission for their work.

Chair Newton closed the meeting to public comments.

Planning Director Berto asked for comments on Attachment # k3- "Zoning Ordinance Amendments to Discuss".

Commissioner Fragoso provided the following comments:

- She referred to the topic of 50% Remodel and stated she would rather use the San Anselmo policy than match the Ross Valley Fire Authority definition. The San Anselmo plan is streamlined.
- She liked the idea of not requiring a Use Permit for all modifications and she would like to see some examples of what was done in the past.

Commissioner Swift provided the following comments:

- She supported discussing topic #1.
- She supported topic #2(a), but wanted more information on the use of the term "significant".
- She would need to look further into topics #2 (b) and (c), and #3.
- She had questions about topic #4.
- She referred to topic #5 and stated the Tree Ordinance should be reviewed.
- She referred to topic #5(c), 5(d) and stated she would like more information.
- She stated she would like to review the time frames and expiration dates for permits.

Commissioner Gonzalez-Parber provided the following comments:

- In general, she agreed with the list and the staff recommendations.
- She referred to topic #2(a) and asked how the Fire Department defines a “significant” remodel.
- She had a question about topic #5(b).
- She referred to topic #5(d) and stated she would change the expiration period to 18 months.
- She referred to topic #6 and #7 and had questions.

Commissioner Kehrlein provided the following comments:

- She agreed with the comments made by Commissioner Gonzalez-Parber.
- Duplicate efforts should be eliminated.

Chair Newton provided the following comments:

- She supported anything that would reduce staff’s workload.
- She agreed with Commissioner Swift that more information would be helpful but did not want a lot of effort put into that type of data analysis.

Planning Director Berto stated staff would come back at the next meeting with a prioritized list and some recommendations.

PLANNING DIRECTOR’S REPORT

2. Report from Ben Berto, Director of Planning and Building Services

Planning Director Berto reported two Commissioners have signed up for the League of California Cities Planning Commissioners Academy in Monterey. The Planning Commission will be reviewing general cannabis regulations sometime soon. Staff will do an overview of the Marinda Heights (Wall property) project at the next meeting. He was not sure when the formal review by the Commission would occur.

Chair Newton asked staff for information on the recent State housing laws. Planning Director Berto stated he has asked for this information from the Town Attorney.

Chair Newton asked staff to report back about the status of the Annual Review of the Housing Element.

MINUTES

3. Minutes from the December 14, 2017 Commission meeting

M/s, Newton/Kehrlein, motion to approve the December 14, 2017 minutes as corrected.

AYES: Fragoso, Kehrlein, Rodrigues, Swift, Chair Newton

ABSENT: Green

ABSTAIN: Gonzalez-Parber

COMMISSIONER COMMENTS AND REQUESTS

4. Comments and requests from the Planning Commission

There were no comments.

5. Election of a member of the Planning Commission to the Tree Committee

This item will be continued.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 9:46 p.m.
Respectfully submitted, Toni DeFrancis, Recording Secretary