

FAIRFAX PLANNING COMMISSION MEETING MINUTES
FAIRFAX WOMENS CLUB
THURSDAY, JUNE 21, 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
Philip Green
Laura Kehrlein
Mimi Newton (Chair)
Michele Rodriguez
Cindy Swift

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

APPROVAL OF AGENDA

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

AYES: Fragoso, Gonzalez-Parber, Green, Kehrlein, Rodriguez, Swift, Chair Newton

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Mr. Michael Macintosh asked the Commission to discuss, at a future meeting, the need to protect the open space area surrounding the Victory Village project from development.

CONSENT CALENDAR

There were no Consent Calendar items.

PUBLIC HEARING ITEMS

- 1. Continued Discussion/consideration of Zoning Ordinance Amendments to Reduce Maximum Residential Floor Area**
General discussion on potential change to Zoning Ordinance as it pertains to the maximum allowable floor area of a single family residence. The current maximum allowable floor area for a residential structure is 5,000 square feet. Discussion of a new maximum residential floor area limit of approximately 3,000 square feet.

Planning Director Berto presented a staff report.

Commissioner Green noted this issue has not been discussed since 2002 and he asked what might have changed to cause a review. He acknowledged the concerns about Town character, environmental impacts, etc. Planning Director Berto stated the Council cited issues that are greater now such as economic forces, environmental impacts, traffic, resource consumption, etc.

Commissioner Swift referred to page 2 of the staff report, "Residential size category figures", and asked if the list included garages over 500 square feet. Planning Director Berto stated "no". Commissioner Swift stated they really do not know how many houses are affected in each category. Planning Director Berto agreed the numbers represent minimums.

Commissioner Fragoso asked for the Council's rationale in coming up with the range of 2,500 to 3,000 square feet maximum size. Planning Director Berto stated there was an error in the first page of the staff report- it should read 2,500 to 3,500 square feet. There was a diversity of opinion on the part of the Council.

Chair Newton referred to page 4 of the staff report, the second option, and asked if the Town's current maximum square footage conforms to State law. Planning Director Berto stated the State does not use the same term for ADU's. So far, the square footage of an ADU would count towards a maximum floor area ratio.

Chair Newton referred to page 6 of the staff report, the interrelationships between floor area ratio and lot coverage, and asked if the maximum square footage language under state law is a "horse of a different color" than what they are talking about. Planning Director Berto stated the maximum square footage under the Town's codes, per State law, would not apply to the square footage of an ADU. The floor area ratio still counts and the Town could continue to regulate ADU size relative to 50% of the size of the structure or 1,200 square feet, whichever is larger. Chair Newton stated she would prefer to use the language in Section 17.136.030, "Maximum Floor Area".

Chair Newton referred to page 5 of the staff report, the fifth and sixth bullets under "Non-conforming structures", and asked for the difference between "voluntarily razed" vs. a "demolition". Planning Director Berto stated there could be an involuntary demolition (a red tag), etc. Staff is trying to keep it straight-forward and consistent.

Chair Newton referred to page 6 of the staff report, the third paragraph, and asked if there would be any benefit to not requiring legally non-conforming structures to conform to zoning restrictions. Planning Director Berto stated the Council was sympathetic to the creation of numerous legal non-conforming structures that would occur. The idea is to allow homeowners to keep what they already have.

Commissioner Fragoso asked if there were options to avoid creating a legal non-conforming structure and asked if they have to be labeled "legal, non-conforming". Planning Director Berto stated that was a nuanced legal question- he would have to refer it to the Town Attorney.

Chair Newton asked staff to respond to a correspondence that stated that the initiative was aimed at the Wall property development. Planning Director Berto stated the Council did not discuss the Wall property during its deliberations for this topic. Chair Newton asked how an ordinance that reduced the maximum floor area size would impact the Wall property application. Planning Director Berto stated it would likely not impact the proposal given the timing. Commissioner Green stated per the Housing Accountability Act an applicant would have to adhere to any laws that were in place when the application is deemed complete.

Chair Newton opened the Public Hearing.

Mr. Chris Skelton, Frustuck Avenue, made the following comments:

- This concept seems to be at an incubator stage given the number of questions. It needs more time to "bake" and resonate in the community.
- He thanked staff for the noticing efforts.

- There are gross inaccuracies in the assessor's records. It is a danger to rely on these records when evaluating the impacts.
- This discussion warrants a community workshop.
- He asked about the change in circumstances since 2002 that warrants this discussion.
- He has not seen evidence of a growing influence of "looming" construction.
- He has four major concerns: 1) What is the problem? What are we trying to fix?; 2) The legal non-conformity aspect; 3) It is unduly discriminatory against large family living accommodations; 4) Artificial suppression of dwelling units in the community.

Mr. Marshall Rothman, managing partner of the group that owns the Wall property, made the following comments:

- He agreed with the comments made by the previous speaker.
- This has the potential to effect property values and rights.
- They need to specifically identify the goal and ascertain whether the change would accomplish the goal.
- There is a danger in running afoul of the Housing Accountability Act.

Mr. Michael VanMeder, Shadow Creek, made the following comments:

- He is against the proposal for a number of reasons.
- The current floor area ratio works for the community.
- Other jurisdictions do not come close to such a restrictive size.
- Enforcing this restricted building size would take away property rights and drive down property values. It is punitive to developers who have purchased property in good faith.
- The proposal seems to be aimed at the Wall property development.
- He urged the Commission to reconsider the proposal- it is punitive and short-sighted.

Mr. George Patterson, Cascade Drive, made the following comments:

- He asked what was driving this discussion.
- He is planning on building a house. It is already designed and would be on the cusp (3,700 square feet including the garage).
- He is a lifelong resident and has paid property taxes on this parcel for 60 years.

Mr. Sagar Wanasellia, Madrone Road, made the following comments:

- He is against the proposal. It amounts to the taking of property rights.
- He would like to expand his house one day.
- The problem would be solved with better solutions.

Ms. Pam Meigs made the following comments:

- She was on the General Plan Advisory Committee for several years and then on the Planning Commission until 2010.
- The mantra at that time was keeping and maintaining the small town character.
- She is opposed to big houses so close together.

Mr. Michael Macintosh made the following comments:

- He supports the prior comments.
- He does not want to restrict things unnecessarily.
- The average Marin County household generates 11.7 car trips per day, independent of house size.
- The discussion was brought about due to the Wall property development.
- Taking away or reducing entitlements is inverse condemnation and allows for compensable relief.

Ms. Jessica Green, Ridgeway Avenue, made the following comments:

- She has a concern about huge homes.
- The proposal does not go with the character of Fairfax.
- The proposal could be put on a ballot.

Lislel Blash, Pacheco Avenue, made the following comments:

- She supports the proposal but would like the Commission to explore the ramifications.
- People are concerned about the economic pressures on Fairfax.
- She is opposed to diminishing the small-town character of Fairfax.

Ms. Mallory Geidheim, Willow Avenue, made the following comments:

- She is a member of the Affordable Housing Committee.
- 3,500 square feet is not a little house.
- Fairfax is about community and values that are not pretentious- it is a down-to-earth place.
- A 5,000 square foot house would require a lot more people coming to service it.

Mr. Richard Alpert, Shadow Creek Court, made the following comments:

- He owns a 3,700 square foot home. It is not huge. It is comfortable for a family of five, two dogs, and a bunny rabbit.
- He is opposed to the proposal.
- Big houses in Fairfax are not a problem.
- He has lived in Fairfax for over 20 years and there has not been a material change in the character.
- The proposal is not the solution to affordable housing.

Mr. Sam Trakin, Woodland Road, made the following comment:

- He had a question about what would happen to the homes that would become legal non-conforming.

Chair Newton closed the Public Hearing.

Planning Director Berto asked the Commission to comment on the following: What should or should not be counted towards square footage?

Commissioners Rodriguez, Green, Newton, and Fragoso, provided the following comments:

- No change is needed.

Commissioner Swift provided the following comments:

- The broader question is whether they should be changing the maximum floor area at all.
- No change is needed.

Commissioner Kehrlein provided the following comments:

- For the most part, no change is needed.
- Accessory structures less than 120 square feet with no electrical or plumbing, that could not be considered habitable space, should not count towards the floor area calculations.

Commissioner Gonzalez-Parber provided the following comments:

- No change is needed.
- Uninhabitable substructures per Commissioner Kehrlein's criteria should not count.

The Commission agreed that uninhabitable accessory structures, less than 120 square feet, should not be included in the floor area calculations.

Planning Director Berto asked the Commission to comment on the following: What should the square footage maximum be?

Commissioner Rodriguez provided the following comments:

- Single family residences and duplexes should be treated differently.
- She would recommend a maximum of 3,000 square feet and those properties between 3,000 and 4,000 square feet should go through an Exception process. Nothing should be permitted above 4,000 square feet.
- She could be happy with 3,500 square feet.

Commissioner Swift stated that she listened to the Town Council's reasons for directing the Commission to consider a lower maximum house size and she provided the following comments:

- She did not see a need to change what is currently in place.
- The Council sent maximum floor area to the Commission to "examine".
- She does not think that the number of people servicing a household (gardeners, cleaning people, etc.) is related to house size.
- She is concerned about the impact to existing homeowners, for example re-financing.
- There are restrictions in the code aside from the maximum floor area such as floor area ratios (FAR's), lot coverage, and height restrictions.

Commissioner Green provided the following comments:

- Novato allows additional area through Design Review- this is a very progressive idea.
- 3,500 square feet is a good amount. This would affect a smaller number of parcels.
- Fairfax hasn't changed in 20 years,
- He does not want to specify a number.

Commissioner Fragoso provided the following comments:

- She is concerned about the legal non-conforming status that would result from a change.
- She asked if there was a way to meet a square footage minimum without turning them into non-conforming properties, such as a design standard exemption or grandfathering them in.
- 3,500 square feet is not an outrageous mansion and is appropriate for a large family.
- She is concerned about property values and legal status for existing properties.
- 3,500 square feet is reasonable and she would consider more.

Commissioner Kehrlein provided the following comments:

- Before she heard the public comments she was leaning towards 3,500 square feet.
- No change is needed.

Commissioner Gonzalez-Parber provided the following comment:

- No change is needed.

Chair Newton provided the following comment:

- She would recommend a range of 3,500 to 4,000 square feet.

Planning Director Berto asked the Commission to comment on the following: Is the Green Building Technology Floor Area Ratio (FAR) bonus still necessary?

Commissioner Rodriguez provided the following comment:

- It should be deleted because the Building Codes are now achieving what this code is designed to do.

Commissioner Swift provided the following comments:

- She would like to keep the Green Building incentives.
- The Building Code does not cover everything including emerging technologies.

Commissioner Green provided the following comments:

- He agreed with Commissioner Swift.
- The bonus of .10 FAR is a good incentive.

Chair Newton provided the following comments:

- She is in favor of getting rid of it to the extent that the technology is required under State law.
- She would like to see language that would still provide an incentive for things not covered under State law.

Commissioner Fragoso provided the following comments:

- She would like to see the current Green Building Code updated and enhanced.
- She would like to review the County's new Green Building Code.
- It should not be used to increase the square footage of a residence.

Commissioner Kehrlein provided the following comment:

- It should be deleted.

Commissioner Gonzalez-Parber provided the following comments:

- She would like to drop the bonus.
- The technologies are covered under many Codes. She explained how the mandatory Cal Green Code works. The California Energy Code and Marin County Code have checklists. Title 24 requires an energy consultant to model the energy consumption of a house. The State updates their Codes every 3 years. It all adds expense.

The Commission took a 10-minute break at 8:40 p.m.

Commissioner Rodriguez provided the following comments:

- She would like more thought put into the non-conforming section- it is the key.
- If they are going to create properties that are non-conforming then she would like to modify this section in order to encourage property owners to do improvements to existing non-conforming structures.
- She would change the wording to say "annual improvements of 75% of the floor area".

Commissioner Swift provided the following comments:

- The other piece of this is Section 17.0160.070, "Restoration of a damaged structure".
- There is different basis language in Subsections (a) "Less than 50%", and (b) "Over 50%" of floor area, and (c) which talks about cost. She wondered about other workload priorities, for example a post-disaster ordinance.

Commissioner Gonzalez-Parber provided the following comments:

- She wanted to talk about the "big picture".
- The entire Bay Area has a traffic problem, a housing crisis, etc., which a 5,000 square foot limit doesn't contribute to.
- She did not think reducing the size of floor areas would solve the Town's problems – a small house still requires a couple to both work and results in nannies, gardeners, etc.

- Someone with a 1-acre lot can still build an ADU.
- Floor area ratio (FAR) and lot coverage control and limit bulk and mass.
- If the Town wants to seriously consider this, a planning consultant should be hired to help with this issue and look at potential impacts.
- The hardship bonus should be dropped. It should be heard on a case-by-case basis.

Commissioner Fragoso provided the following comments:

- She agreed with the comments made by Commissioners Rodriguez and Gonzalez-Parber.
- FAR and Design Standards adequately govern the types of homes that can be built.
- Size limits won't solve the traffic problem.
- She would like to review the non-conforming policies to help homeowners maintain properties and better develop them.

Commissioner Green provided the following comments:

- It cost approximately \$650 per square foot to build a house, a prohibitive expense. A 5,000 square foot house equals over \$3 million in development costs.
- The parameters in place are good enough.
- He would like to look at the Novato model and how they make exceptions to the limits.

Chair Newton provided the following comments:

- The public expressed a lot of concerns about how this would impact existing homes.
- She would like the Town Attorney to look at the issues discussed tonight.
- She would like staff to come back with examples of the Town previously countering the attorney's advice on issues such as what determines a "taking", etc.

Planning Director Berto stated staff would come back at the July meeting with some recommendations and options.

Commissioner Kehrlein asked to be excused from the meeting and Chair Newton dismissed her.

2. 20 Park Lane; Application #18-04

Continued consideration of a request for a Hillside Area Residential Development (HRD) Permit (fifty-percent remodel) and parking variance for the expansion and remodeling of a 21-foot tall, 1,854-square-foot, two-story, single family residence into a 28-foot tall, 2,353-square-foot, two-story single-family residence. Assessor's Parcel No. 001-032-13; Residential Single-family RS-6 Zone District; Ray and Anna Arata, applicants/owners; CEQA categorically exempt per Section 15301(e).

Assistant Planner Levenson presented the staff report.

Chair Newton opened the Public Hearing.

Ms. Anna Arata, applicant, made the following comments:

- They want to maintain the aesthetics and integrity of this 1925 Craftsman.
- They do not want to turn it into a McMansion.
- The kitchen is too small. They need more space.
- The records indicate this is a 4-bedroom house but it is really a 2-bedroom, 2-bath home.
- They have two cars- one is parked in the garage and one in front of the garage.
- The third parking space would impact the integrity of the garden.

Mr. Ray Arata, applicant, made the following comment:

- They are willing to do what the Commission wants.

Chair Newton closed the Public Hearing.

Commissioner Green provided the following comments:

- He noted they lowered the roof height- this is a big deal.
- He understood the applicant's concerns about the impacts to the garden.
- He referred to the Resolution, page 3, under Encroachment Permit suggested the following change: "The area...vehicle or pedestrian travel and therefore *under the circumstances of this property, approval...*".
- He supported the second compact parking space.

Commissioner Swift provided the following comments:

- A neighbor sent an email expressing concerns about the project.
- This is a 4-bedroom home and there is room on the property to put two parking spaces that are 8'X16'. It is on a cul-de-sac.
- She has a concern with the Parking Variance. Variances run with the property and are not dependent upon specific family circumstances ("empty nesters").
- She could not make the Parking Variance Findings.
- This is an opportunity to put in the appropriate parking.
- She appreciated the modification to the roof line and accommodating the Oak tree.

Commissioner Fragoso provided the following comments:

- The remodel is lovely especially the porch entrance.
- She asked if the neighbor's concern about their parking being blocked during construction was still an issue. Assistant Planner Levenson stated this was addressed in the resolution.
- She agreed with Commissioner Swift's concerns about the parking, but did not want to crowd in a third parking compact space at the expense of the garden and the character of the property.

Commissioner Gonzalez-Parber provided the following comments:

- She had a question about the surrounding topography and the steepness of the back of the property.
- She agreed with Commissioner Swift's concern about parking.
- The site is constrained due to the shape of the plot. This could make it difficult to create three parking spaces.
- She appreciated the changes in the roof and ceiling heights. Changing it from a gable to a hip roof softens the project.
- This is a beautiful project. She supports it.
- She had a question about the easement. Planning Director Berto stated there was nothing in the foreseeable future that would necessitate the Town's use of that easement.

Commissioner Rodriguez provided the following comments:

- Her opinion has not changed since the previous meeting.
- She would recommend denial of the application as a whole.
- She appreciated the architect modifying the design per the arborist recommendation.
- She had concerns about the parking.
- The height is still too high for a ridge.
- She could not make the findings for the Hillside Residential Development Permit.
- She did not support retroactive approval of stairs, wood walls, and patios over an existing utility easement.
- She recommends denial of the project.

The Commission had questions about the easement. Assistant Planner Levenson stated the Town Engineer's memo refers to a "Utility Easement" but it should refer to the Town's roadway easement right-of-way. Planning Director Berto noted it was on the northwest side of the property.

Chair Newton provided the following comments:

- She acknowledged the traffic issues.
- She was against "paving paradise and putting up a parking lot" (homage to Joni Mitchell).
- She is in favor of retaining the garden and not requiring the other parking space.

M/s, Fragoso/Green, motion to approve Resolution No. 2018-02, 20 Park Lane with the suggested modification made by Commissioner Green.

AYES: Fragoso, Gonzalez-Parber, Green, Chair Newton

NOES: Rodriguez, Swift

ABSENT: Kehrlein

Commissioner Swift explained she could not support the Parking Variance.

Chair Newton stated there was a 10-day appeal period.

The Commission took a 10-minute break at 10:08 p.m.

**3. 125 Live Oak Avenue; Application #18-09
Modification of a previously approved Hill Residential Development Permit to expand and remodel the residence increasing it by 112 square-feet from the previously approved 1,810 square-foot, 3 bedroom, 3 bathroom, residence to a 1,922 square-foot, 3-bedroom, 2 ½ bathroom, single family residence; Assessor's Parcel No. 001-236-03; Residential RD 5.5-7 Zone District; Steve Hall, applicant; H. and A. Home Solutions, Inc., owner; CEQA categorically exempt per Section 15301(a)**

Principal Planner Neal presented a staff report.

Commissioner Fragoso noted the garage has been completely demolished as well as everything but the façade of the house and she asked if this was permitted or part of the original work. Principal Planner Neal stated the previous owner came in to do minor testing to figure out how much of the house was salvageable. The next time the Building Official went out the entire house was gone- the floor and stairs remained but they had done some excavation under the house without permits. The house been sold twice.

Commissioner Swift asked if staff checked on the fire turnaround. Principal Planner Neal stated this fire truck staging area does not require any construction- it is simply a matter of painting red lines in the street.

Commissioner Rodriguez asked if the original approval included a landscape plan. The structure is very visible from Sir Francis Drake. Principal Planner Neal stated "no, but the Commission could require one".

Chair Newton referred to the resolution, page 4, Conditions of Approval and suggested some renumbering. She referred to page 6, #8 and stated it should include a reference to Live Oak, Willow, and Maple Avenues.

Chair Newton opened the Public Hearing.

The applicant made the following comment:

- She thanked Principal Planner Neal for her time and effort.

Chair Newton closed the Public Hearing.

Commissioner Fragoso provided the following comments:

- The applicants have turned this into a much better project.
- They have shifted the living space and moved the decking up.
- She is glad they are starting with a brand new garage and whole new structure.

Commissioner Green provided the following comments:

- He referred to the resolution, page 1, the reference to Policy LU-4.1.3, and would like to add the following: “New and renewed...health, safety and welfare *and under Program LU-4.3.1.1* in the event of an earthquake”.
- He likes the project.

Commissioner Gonzalez-Parber provided the following comments:

- She agreed with the comments made by Commissioner Fragoso.
- This is a really nice project. She supports it.

M/s, Green/Fragoso, motion to adopt Resolution No. 2018-08, 125 Live Oak Avenue, with the suggested modifications by Commissioner Green and Chair Newton.

AYES: Fragoso, Gonzalez-Parber, Green, Rodriguez, Swift, Chair Newton

ABSENT: Kehrlein

Chair Newton stated there was a 10-day appeal period.

4. 168 Canyon Road; Application #18-10

Request for a Use Permit for a 120 square-foot accessory storage structure in the rear yard of a property developed with a single-family residence; Assessor’s Parcel No. 003-013-44; Residential Single-family RS-6 Zone District; Kelvin Wu and Monglian Yu, applicants/owners; CEQA categorically exempt per Section 15303(e)

Principal Planner Neal presented a staff report. She stated the project is under construction and almost completed. It was started by the previous owner as an artist’s studio. The current owners want to use it as storage. She recommended the addition of Condition of Approval #6: “The prefab storage shed located within the required creek setback shall be removed or relocated to a location that complies with the setback regulations”.

Commissioner Swift asked if the house had a fire sprinkler system. Principal Planner Neal stated “probably not”. Commissioner Swift referred to Principal Planner Neal’s suggested Condition of Approval #6 and stated she would like the following wording added: “...prior to issuance of the Building Permit”.

Chair Newton stated the resolution title should read: “...to allow *up to 120 square feet...*” instead of giving a range. It should also be added to the rest of the resolution where applicable. Principal Planner Neal agreed that wording made more sense.

Chair Newton opened the Public Hearing.

Ms. Monglian Yu, applicant, made the following comment:

- They have not moved into the house yet.
- There is no attic, basement, or garage in this A-frame house. There is only one closet.
- This is not a big house.
- They are fine with moving the prefab unit away from the creek.

Chair Newton closed the Public Hearing.

Commissioner Green provided the following comment:

- He referred to the resolution, page 2, Condition #1 and stated it should read: "This approval...of a *partially built* accessory structure...".

M/s, Green/Fragoso/, motion to adopt Resolution No. 2018-09, 168 Canyon Road, with the modifications made by Commissioner Green and Chair Newton and the addition of Condition of Approval #6 as recommended by staff and the modification made by Commissioner Swift.

AYES: Fragoso, Gonzalez-Parber, Green, Rodriguez, Swift, Chair Newton

ABSENT: Kehrlein

Chair Newton stated there was a 10-day appeal period.

WORK PROGRAM

5. Discussion of addition to FY 2018-19 Work Program to address State housing laws, for recommendation to the Town Council

Planning Director Berto presented a staff report. He discussed recent State legislation regulating housing (SB 35 and the Housing Accountability Act). He summarized his recommendations.

Commissioner Fragoso asked if there was a budget proposal for the Historic Preservation Inventory. She stated the Commission had discussed the Density Bonus Regulations, design standards, and preparing a checklist for determining whether an application was complete. They also discussed prioritizing issues such as parkland dedication, parking, and other different elements that could come into play. She stated they should incrementally take "little bites out of the apple".

Commissioner Green provided the following comments:

- He would like to "step on the gas" with respect to identifying historic buildings.
- There has been a problem in the past with attempting to streamline processes.
- He asked about the penalties that could be levied by the State. Planning Director Berto stated he was astonished at the severity of the penalties that could be imposed

Commissioner Rodriguez provided the following comment:

- They need to get these standards on the books right away or projects could bypass the Planning codes and go straight to the Building Department.

Commissioner Swift provided the following comments:

- She asked staff to forward any applicable court cases that come up.
- She agreed that objective standards were important.
- She wants to preserve the priorities that the Commission has already come up with including the Historic Preservation Inventory, the Disaster Recovery Ordinance, and updating the Ridgeline Development Ordinance.
- Some of the things listed by staff go beyond the objective standards.

Commissioner Fragoso provided the following comments:

- She agreed with the comments made by Commissioner Swift.
- They need to start concentrating on the standards and codes while incorporating the other Work Program priorities.

Commissioner Gonzales-Parber provided the following comment:

- She agreed with the comments that have been made.

Chair Newton provided the following comments:

- The top priorities should be the objective standards and the Historic Preservation inventory.
- She agreed with Commissioner Swift- they should not lose sight of the other priorities.
- She would like to lift some of the burden off of staff.

PLANNING DIRECTOR'S REPORT

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

Planning Director Berto reported on the Transportation Innovations Seminar held on June 8th which included discussions on autonomous vehicles and artificial intelligence. The Piper Court Renovation Project is in the middle of the remodel and he was impressed with the Vegetation Management Plan. He invited the Commission to shift their email addresses to the Town's address.

MINUTES

7. Minutes from the May 18, 2018 Planning Commission meeting

M/s, Fragoso/Green, motion to approve the May 18, 2018 Planning Commission minutes as submitted.

AYES: Fragoso, Gonzalez-Parber, Green, Rodriguez, Swift, Chair Newton

ABSENT: Kehrlein

8. Commissioners Comments and Requests

Commissioner Rodriguez reported Rising Sun Energy provides interns during the summer to do residential water and energy audits. She attended the Fairfax Climate Action Committee meeting and reported that Cal Iso is planning to move to a regional organization. Community Choice Aggregators are becoming successful in promoting renewable energy.

Commissioner Fragoso reported she was at a Marin Climate League meeting and they were discussing regional energy markets.

Commissioner Swift referred to the ADU Ordinance and asked staff if there was a State definition of "floor space". Planning Director Berto stated "no". They will be able to roll that "floor space" into floor area definition for purposes of calculating floor area ratio (FAR).

Commissioner Swift referred to the Victory Village Project and the possible sale of the 18 acres of open space. She noted the Commission had discussions about the requirement to donate parkland space and she wanted to find out where that would be captured. Commissioner Fragoso stated the parkland dedication was a part of the Density Bonus for the project. Planning Director Berto stated there were efforts taking place to maximize the provision for permanent open space.

Chair Newton asked for a status report on the Victory Village Project. She asked for an update on the backyard renovation of the Caterpillar Academy Nursery School on Sir Francis Drake Boulevard.

She was concerned about the issues that had been brought up by the adjacent neighbors. Both of these items could be included in the next Planning Director's Report.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 11:32 p.m. in memory of Ms. Kelly Heikka.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary