



TOWN OF FAIRFAX

STAFF REPORT

November 6, 2013

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager
Jim Moore, Director of Planning and Building Services
Linda Neal, Principal Planner

SUBJECT: Adoption of Resolution No. 13-~~55~~ Directing Staff to Develop Requirements for Posting Noticing Signs for Projects Proposed in the Town's Commercial Zones

RECOMMENDATION

Adopt a resolution directing staff to implement on-site noticing requirements for commercial projects requiring discretionary permits.

DISCUSSION

Some Councilmembers have expressed concern that the State mandated noticing requirements may not be adequate for projects in the downtown center area. The 300 foot noticing radius required by State Law for public hearings may not reach everyone who wants to comment on a project or everyone that might be affected by project. Projects in the downtown area affect all the residents who live, work and shop in Town. Specifically, several residents have indicated that they did not realize there was a public hearing at the Planning Commission regarding the proposed Chevron Gas Station at the former Fairfax Gas location.

Staff agrees that such projects in the future should have additional noticing requirements. We propose developing parameters for project noticing signs and amending the Planning Application to require that applicants post their project sites with sign(s) when a commercial project requiring discretionary permits is proposed. The number and size of signs would depend on the size of the site. A typical noticing sign size is 4 feet by 3 feet (12 square feet) and would list the address, project description, Town Hall contact phone number and e-mail address, and the sign(s) would be posted a minimum of 15 days prior to the public hearing and remain up through the appeal period. However, a proposed project that only entails a small storefront may have a lesser signage requirement. A survey of communities in Marin indicate that only San Rafael and the County require that project sites be posted. Staff will implement the signage requirement by the end of the year. We also plan to include the signage requirement in the updates to the Town Code next year, but this resolution will allow staff to implement the requirement now.

FISCAL IMPACT

None to the Town, but there will be additional costs (upwards of several hundred dollars) to applicants to meet the signage requirement.

RESOLUTION 13-55

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX DIRECTING
STAFF TO DEVELOP A PROCESS AND REQUIREMENTS
FOR POSTING NOTICE SIGNS FOR PROJECTS PROPOSED
IN THE COMMERCIAL ZONES OF TOWN**

WHEREAS, the Town Council has determined that proposed commercial projects have the potential to affect all the citizens in Town and therefore, require more extensive noticing procedures than those required by State Law; and

WHEREAS, The Fairfax Town Council, on November 6, 2013, after taking public comments and holding a discussion on this matter, directed Planning Staff to amend the planning application to include specifications and the requirement for the posting of on-site noticing signs for commercial projects a minimum of 15 days prior to the public hearing for the project; and

WHEREAS, The Fairfax Town Council has determined that it is in the best interests of the citizens of Fairfax to notice all residents in Town of proposed commercial projects requiring discretionary permits which have the potential to impact the community,

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Fairfax hereby directs staff to develop noticing sign requirements for commercial projects requiring discretionary permits including the requirement that such signage be posted on a project site a minimum of fifteen (15) days prior to the project public hearing.

The foregoing resolution was duly introduced and adopted on the 6th day of November, 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

JOHN REED, Mayor

Attest:

Michele Gardner, Town Clerk