

DRAFT Town of Fairfax Regular Planning Commission Meeting Minutes
Fairfax Women's Club
Thursday, May 19, 2016

Call to Order/Roll Call:

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

COMMISSIONERS PRESENT: Norma Fragoso
Esther Gonzalez-Parber
Philip Green
Shelley Hamilton
Laura Kehrlein (Chair) (arrived 8:15)
Mimi Newton (arrived 7:05)

COMMISSIONERS ABSENT: Bruce Ackerman

STAFF PRESENT: Jim Moore, Planning Director
Linda Neal, Principal Planner
Michelle Levinson, Permit Technician

APPROVAL OF AGENDA

M/s Ackerman/Gonzalez-Parber, Motion to approve the agenda.

AYES: Ackerman, Gonzalez-Parber, Green, Hamilton, Newton, Fragoso

ABSENT: Ackerman, Chair Kehrlein

PUBLIC COMMENTS ON NON-AGENDA ITEMS

There were no comments.

CONSENT CALENDAR

1. 2626 Sir Francis Drake Boulevard; Application #16-21
Request for a Use Permit to temporarily park up to 6 yellow school buses and up to 6 employees vehicles on the Christ the Victor Church Site during the week; Assessor's Parcel No. 174-070-17; Planned Development PDD Zone; Aubry Smith, Marin Transit Authority, applicant; Christ the Victor Lutheran Church, owner; CEQA categorically exempt per Section 15304(e)

Commissioner Hamilton asked about the time frame for the permit. Planning Director Moore stated it would expire when the construction begins on the senior housing project.

Commissioner Green suggested a change in the language of the resolution.

M/s Green/Hamilton, Motion to approve Consent Calendar item #1, application #16-21, 2626 Sir Francis Drake Boulevard, with the suggested amended language to the resolution.

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

ABSENT: Ackerman, Newton, Chair Kehrlein, Acting Chair Fragoso

Commissioner Newton arrived at the meeting.

2. 303 Bolinas Road; Application #16-16
Request for a Use Permit, Parking Variance and Residential Second Unit Square Footage Variance to construct a new, 713-square-foot residential second unit behind an existing 2,659 square-foot, single-family residence; Assessor's parcel No. 002-033-02; Residential RD 5.5-7 Zone District; Laura Kehrlein, Architect, William and Martha Lawlor, owners; CEQA categorically exempt, Section 15303(a) and 15305(a).

M/s Newton/Kehrlein, Motion to approve the February 25th minutes as submitted, March 17th minutes as amended, April 21st minutes as submitted. The minutes from the April 28th meeting shall be continued.
AYES: Fragoso, Gonzalez-Parber, Green, Hamilton, Newton, Chair Kehrlein
ABSENT: Ackerman
ABSTAIN: Hamilton (March 17th minutes), Chair Kehrlein (April 21st minutes), Gonzalez-Parber, Newton, and Green (April 28th)

PLANNING DIRECTOR'S REPORT

Planning Director Moore reported the Commission would be meeting next Thursday to work on the Draft Ordinance rezoning properties in the Highway Commercial (CH) Zone to the Central Commercial (CC) Zone. The first Town Center Plan Workshop will be held on Tuesday, June 14th from 6:30 p.m. to 9:30 p.m. at the Women's Club. They will be looking at the existing policies of the Town- the Town Center Element, the Parkade Improvements Plan, the recent updates to the Bicycle and Pedestrian Master, etc. He will be presenting an urban design analysis of the CH and CC areas of Town. The focus will be on coming to a consensus on the issues and opportunities in the Town Center area.

COMMISSIONER COMMENTS AND REQUESTS

Commissioner Hamilton stated the Commission had developed a wish list which included amending the Town Code regarding parking. Planning Director Moore stated he would discuss this with the Council at tomorrow morning's budget session.

Commissioner Green stated he recently walked the Wall property and he suggested installing signs that would locate the building pads. Planning Director Moore stated he would pass that suggestion on to the property owner.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 10:50 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary

DRAFT Town of Fairfax Special Planning Commission Meeting Minutes
Fairfax Women's Club
Thursday, May 26, 2016

Call to Order/Roll Call:

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

COMMISSIONERS PRESENT: Norma Fragoso
Esther Gonzalez-Parber
Laura Kehrlein (Chair)
Mimi Newton

COMMISSIONERS ABSENT: Bruce Ackerman
Philip Green
Shelley Hamilton

STAFF PRESENT: Jim Moore, Planning Director
Linda Neal, Principal Planner
Michelle Levinson, Permit Technician

APPROVAL OF AGENDA

M/s Fragoso/Gonzalez-Parber, Motion to approve the agenda.

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

ABSENT: Ackerman, Green, Hamilton

PUBLIC COMMENTS ON NON-AGENDA ITEMS

There were no comments.

PUBLIC HEARING ITEMS

There were no Public Hearing items.

DISCUSSION ITEMS

1. Continued discussion of policies and review and editing of an Ordinance amending the Fairfax Town Code to rezone all properties currently located in the Highway Commercial (CH) Zone to Central Commercial (CC) Zone: specifically, updating the permitted and conditional use list in the Central Commercial Zone Classification.

Planning Director Moore presented a staff report.

Chair Kehrlein asked for a page-by-page review of the ordinance.

Chair Kehrlein referred to page 2 of the staff report and wanted to make sure the zoning map would take precedence in the event there was a discrepancy between the map and the Assessor's Parcel Number (APN) table. Planning Director Moore stated the map is the precedence since the table is being redacted with regard to the Central Commercial Zone.

Commissioner Newton referred to page 2, Section 1, "Kennel" and asked if the ordinance has a definition for both "kennel" and "kennels". Principal Planner Neal stated "yes". Commissioner Newton stated the definition should be in the plural. Commissioner Fragoso agreed.

Chair Kehrlein referred to page 4, Section 3, "Commercial Uses" and explained that some of these uses were taken out of the "light industrial" category.

Chair Kehrlein asked where pre-schools were listed in the ordinance. Commissioner Fragoso stated this type of facility was licensed and she was not sure they should be located in the downtown and had requirements that could not be accommodated in the Central Commercial Zone. Principal Planner Neal noted there were several already in existence. They should be allowed with a Use Permit. Commissioner Newton stated a definition for Commercial Child Care should be added. It could be defined as Youth Services (in the Commercial category) and would include commercial day care, educational after school programs, etc.

Chair Kehrlein stated the Congregate Living Facility and Group Residential categories seem to be the same. Commissioner Fragoso stated they could be combined. Commissioner Newton agreed and stated the definition could specify "separate kitchens" or "a central kitchen". Planning Director Moore stated this newly created category could be broadly defined which would allow for variation or exclusion. A Use Permit would be required. Commissioner Newton recommended eliminating the Group Living Home category and replacing it with the following wording in the Group Residential category: "Shared living quarters *with or without* separate kitchen or bathroom facilities... *This classification does not include services and facilities licensed by the State of California*".

Commissioner Newton referred to the Residential Care Home category and noted it did not include medical care. Commissioner Fragoso stated skilled nursing care should be included in this category. Commissioner Gonzalez-Parber disagreed and noted they have other requirements. Commissioner Newton referred to the second paragraph and stated she did not understand the terms "congregate living health facilities" and "family care homes". Chair Kehrlein stated these were terms used in conjunction with State regulations.

Commissioner Fragoso referred to the Single Room Occupancy category and noted there was no definition. Planning Director Moore stated staff would work on a definition.

Commissioner Newton referred to the Second Unit category and suggested eliminating the word "housekeeping".

Commissioner Gonzalez-Parber suggested replacing the word "handicapped" with "disabled" wherever it appears.

Planning Director Moore stated staff would work on the Skilled Nursing category and present it to the Commission at the next meeting. Commissioner Newton stated it should require a Use Permit.

Commissioner Fragoso referred to the Supportive Housing category and noted it fits under a particular Health and Safety Code and is typically a non-profit organization that is not required to be licensed. Transitional Housing is a very specific Federal category that requires a maximum of 18 months stay and not less than 6 months stay (a homeless shelter). It can be a homeless shelter which has a 3-month maximum. Commissioner Newton suggested adding a Homeless/Emergency Shelter category. Planning Director Moore stated this has been added to the Town Code and would be easy to add to the ordinance.

Commissioner Newton stated there was a reference to dispensaries on page 2 and she asked if a delivery service could be run out of this zone. Planning Director Moore stated cultivation would not be allowed in this zone and the idea of delivery services would be coming back to the Commission.

Planning Director Moore stated staff would work on the Skilled Nursing category and present it to the Commission at the next meeting. Commissioner Newton stated it would require a Use Permit.

Commissioner Newton referred to the top of page 11 and asked if the zoning map took precedence over the assessor parcel maps with respect to land use designations. Planning Director Moore stated "yes" but that was not part of the Commission's task tonight- they are simply eliminating the Highway Commercial Zone (CH) and folding it into the Central Commercial Zone (CC). The other zones are not being addressed yet.

Chair Kehrlein asked for comments on the table.