



Town of Fairfax Planning Commission Meeting

SEPTEMBER 21, 2023, 7:00 PM
Women's Club, 46 Park Road

Agenda

ADVISORY NOTICE

This meeting will be held in-person at the Fairfax Women's Club, 46 Park Road, Fairfax, and the 7pm meeting is also being held virtually on Zoom. It will be broadcast on Channels 27 and 99, and livestreamed on

<https://www.townoffairfax.org/watch-live-2/> or <https://www.cmcm.tv/27>.

How to participate in the meeting virtually.

- Join the Zoom webinar and use the "raise hand" feature to provide verbal public comment.
- **On Zoom: Webinar ID: 836 6532 1093** or join <https://us02web.zoom.us/j/83665321093>
- **By telephone:** 1 (669) 900 6833 or 1 (346) 248-7799 and use Webinar ID above. If you receive a busy signal, call +1 (346) 248-7799 (**Press *67 before dialing to hide your phone number**). To speak during the public comment time press *9 and you will be added to the queue and unmuted when it is your turn to speak.

Before 2:00 pm on the day of the meeting you may e-mail written comments to the Planning Commission at lneal@townoffairfax.org. Comments will be provided to the Commission prior to the meeting and will become part of the meeting record but will not be read out loud.

7:00 P.M.—CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

MEETING PROTOCOL

The Chair shall maintain order at the meetings in accordance with Robert's Rules of Order and the Commission has the responsibility to be a model of respectful behavior in order to encourage community participation and citizen input at Commission meetings. The Commission and the audience are expected to refrain from using profane language and/or ridiculing the character or motive of Commission members, staff, or members of the public and to maintain the standards of tolerance and civility.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Anyone wishing to address the Commission on matters not on the agenda, but within the jurisdiction of the Commission, must do so by e-mail, in person, or via Zoom in the manner described above. Presentations will be limited to **three minutes, or as otherwise established by the Commission Chair.**

Conduct: All interested persons are invited to participate in public hearings. In order to give all interested persons an opportunity to be heard and to ensure the presentation of all points of

view, members of the audience should: (1) Limit their presentation to three minutes; (2) Provide their comments by e-mail as described above; (3) State their view and concerns succinctly; and, (4) Submit any new documents to the Planning Staff, first, directly, or via e-mail at lneal@townoffairfax.org no later than 2:00 PM the day of the meeting to be entered into the record.

CONSENT CALENDER

There are no items on the consent calendar.

OPEN TIME FOR PUBLIC EXPRESSION

PUBLIC HEARING ITEMS

1. 109 Broadway; Application # 22-22

Continued consideration of a request for a Fence Height Variance, Design Review Permit, and an Encroachment Permit to erect an 8-foot-tall fence along approximately 350 linear feet of the rear property line along Spruce Road and install a planting buffer within the Spruce Road right-of-way (Tree Removal Permit no longer required - the project plans have been revised so that no trees subject to Town Code Chapter 8.36, Trees, are proposed for removal); Assessor's Parcel No. 001-148-13; Service Commercial CS Zone; Fairfax Lumber and Hardware, applicant; San Rafael Lumber Company, owner; CEQA categorically exempt, § 15303(e).

2. 18 Wood Lane; Application # 23-25

Request for a Design Review Permit to construct an approximately 668 square foot detached garage/workshop in a Ridgeline Scenic Corridor; APN: 002-041-37; RS-6 Single-family Residential Zone; Gabriel Dunne, applicant; Wendy Labov-Dunne, owner; CEQA Categorically exempt, § 15303(e).

3. 66 Cascade Drive; Application # 23-26

Request for a Conditional Use Permit and a Variance for a 440 square foot primary bedroom and bathroom addition and remodel to a 1,192 square foot house; APN: 003-203-17; RS-6 Single-family Residential Zone; Jaime Romero, applicant; Daniel McKenzie, owner; CEQA categorically exempt, § 15301(a) & (e)(1).

4. 12 Barker Avenue; Application # 23-27

Request for a Hill Area Residential Development Permit, Excavation Permit, Design Review Permit including action to allow construction within a Ridgeline Scenic Corridor, Retaining Wall Height Variance, Tree Removal Permit, and Revocable Encroachment Permit for a 3,347 square-foot, single-family, residence and 500 square-foot, detached, garage. Project includes construction of a Junior Accessory Dwelling Unit and a detached Accessory Dwelling Unit that do not require Planning Commission action; APN # 002-071-01; Upland Residential UR-7 Zone; Gary Millar, applicant/architect; Matt and Mireya Quirie, owners; CEQA categorically exempt, § 15303, Class 3, (a) and (e) and 15305(b).

5. Continued discussion/consideration for recommendation to the Town Council the following:

A resolution of the Fairfax Planning Commission recommending the Town Council adopt an ordinance amending the Fairfax Municipal Code to add or amend the following chapters:

- Add Chapter 17.010 (Rules of Measurement);
- Add Chapter 17.026 (Ministerial Approvals for Qualifying Housing Developments);
- Add Chapter 17.027 (Procedures for SB 330 Application for Housing Developments);
- Add Chapter 17.050 (Affordable Housing Density Bonus);
- Amend Chapter 17.006 (Definitions);
- Amend Chapter 17.020 (Design Review Regulations);

- Amend Chapter 17.024 (Required Permits);
- Amend Chapter 17.032 (Use Permits);
- Amend Chapter 17.040 (General Zone Regulations);
- Amend Chapter 17.044 (Exceptions and Modifications);
- Amend Chapter 17.048 (Residential and Accessory Dwelling Units and Junior Accessory Dwelling);
- Amend Chapter 17.052 (Off-Street Parking and Loading Requirements);
- Amend Chapter 17.056 (Traffic Impact Permit);
- Amend Chapter 17.076 to 17.090 and 17.116 (Related to Residential Zones);
- Amend Chapter 17.138 (Regulations Applying in Multiple Zone Districts), and
- Amend Chapter 15.04 (Construction Codes)

Environmental Review: Adoption of the above Ordinance does not constitute a “project” within the meaning of the California Environmental Quality Act of 1970 (CEQA) Guidelines Section 15061(b)(3).

DISCUSSION ITEMS

MINUTES

6. Review and approval of the minutes from the August 17, 2023 meeting.

COMMISSIONER COMMENTS/REQUESTS

PLANNING DIRECTOR'S REPORT

ADJOURNMENT

Staff reports: Staff reports, and associated materials will be available for public review on the Town website at www.townoffairfax.org the Saturday before the meeting.

Court Challenges: If you challenge the matter(s) described above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this Notice, or in written correspondence delivered at, or prior to the above referenced public hearing [Govt. Code section 65009(b)].

If an item is continued to a date certain, it is the responsibility of interested parties to note the new meeting date. Notices will not be sent out for items continued to a specific hearing date.

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection on the Town’s website at "townoffairfax.org", subject to the staff’s ability to post the documents before the meeting.

Accommodation: If you need accommodation to attend or participate in this meeting due to a disability, please contact the Town Clerk at [\(415\) 453-1584](tel:4154531584) a minimum of 48 hours prior to the meeting.

The Final Agenda will be posted on the Friday evening before the hearing at the Fairfax Post Office, the Women’s Club and Town Hall in accordance with Government Code section 54954.2(a)(1). Items shown on this notice may be taken out of order so all interested parties should be at the meeting at 7:00 PM.