

**TOWN OF FAIRFAX  
PLANNING COMMISSION  
MEETING AGENDA/NOTICE  
7:30 PM, THURSDAY FEBRUARY 17, 2011  
FAIRFAX WOMEN'S CLUB, 46 PARK ROAD**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

**MEETING PROTOCOL**

The Chair shall maintain order at the meetings in accordance with Robert's Rules of Order and the Commission has a 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 motives of Commission members, staff, or members of the public and to maintain the standards of tolerance and civility.

**PRESENTATION**

Presentation of a Proclamation, No. 11-01 commending Commissioner Pam Meigs for her years of service on the Planning Commission.

**CONSENT ITEMS**

There are no consent items on this agenda.

**PUBLIC HEARING ITEMS**

**1. 40 Forrest Terrace; application # 11-04**

Request for a Use Permit and Side Setback Variance to legalize attic and basement improvements made to an existing single family residence and bring them into compliance with the Building Code and to construct kitchen and attic and basement additions totaling 344 square feet; Assessor's Parcel No. 002-091-01; Residential RD 5.5-7 Zone; Harold Lezzeni, Architect; Julian and Martha Pearl, owners; CEQA categorically exempt, § 15301(e) and 15305(a).

**2. Draft Medicinal Marijuana Dispensaries Ordinance**

Proposed amendment to the Fairfax Town Code/Zoning Ordinance to include a chapter regulating Medical Marijuana Dispensaries to address operating procedures, limiting the number and/or setting forth zones where dispensaries would be permitted by Use Permit including areas

in the Central Commercial CC Zone, Highway Commercial CH Zone, Limited Commercial CL Zone and Commercial Recreation CR Zone Districts; The proposed amendment does not constitute a project subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(3).

## **DISCUSSION ITEMS**

3. Discussion of possibly combining of the Design Review Board and Planning Commission into one body to review discretionary permit applications.

## **PLANNING DIRECTOR'S REPORT**

### **APPROVAL OF MINUTES**

4. Review of the minutes from the meeting of January 20, 2010.

## **COMMISSION COMMENTS AND REQUESTS**

## **ADJOURNMENT**

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**Conduct:** All interested persons are invited to attend and 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 presentation to three minutes; (2) Always address the Chair; (3) State name and address; (4) State views and concerns succinctly; and (5) Submit any new documents to the Planning Staff, first, to be entered into the record.

**Staff Reports:** Staff reports and associated materials will be available for public review at the front counter in Town Hall after 5:00 PM on the Friday 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 you need accommodation to attend or participate in this meeting due to a disability, please contact the Town Clerk at (415) 453-1584.

**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. Some items shown on this notice may be placed on the consent calendar or be taken out of order so all interested parties should be at the meeting promptly at 7:30 P.M.

**If an item is continued, 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 public counter at Town Hall in a folder next to the agenda packet. Such documents are also available on the Town's website at "townoffairfax.org" subject to staff's ability to post the documents before the meeting.