

TOWN OF FAIRFAX PLANNING COMMISSION WORKSHOP

November 1, 2007

Minutes

1. CALL TO ORDER

Chairperson Meigs called the meeting to order at 8:40 p.m.

2. ROLL CALL

Commissioners Present: Peter Lacques, Shelley Hamilton, Barbara Petty, Brannon Ketcham and Chairperson Meigs. Alec Hoffmann arrived at 7:45 p.m.

Commissioners Absent: Bill Madsen

Staff Present: Planning Director; Ann Welsh, Minutes Clerk; Susan Waters, Minutes Clerk; Amy Dunnigan

3. APPROVAL OF AGENDA

M/S Commissioners Petty/Ketcham

Ayes: All

Opposed: None

Chairperson Meigs reminded the commissioners that per the Brown Act, no more than three commissioners may be included in e-mails at one time.

4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Director Welsh introduced Amy Dunnigan, a new Minutes Clerk for the Planning Commission and occasional Town Council meetings. Amy is also a Reserve Clerk Dispatcher for the Town of Fairfax.

5. COMMISSIONER COMMENTS AND REQUESTS

Chairperson Meigs said she would like the meeting to conclude at 9:30 p.m. if possible.

She shared with the group that there will be an amendment to the Building Code that may have a significant impact on Tree cutting. The amendment is requesting a 30 foot safety zone around each home. The Town Council will act on this by January. There is a breakfast meeting November 15th and one at Fireman's fund on November 14th. Also available at Sonoma State is a seminar for Planning Commissioners.

6. DISCUSSION ITEMS

Mixed Use Overlay Zone – Discuss zoning concepts related to Mixed Use Overlay Zone

Director Welsh indicated that the packet tonight contains all the Staff Reports since the Town Council requested the commission work on this item. The last draft is the October 4, 2007 draft. The October 4, 2007 draft now includes the decision and vote and uses "tracking" to document changes. There are three different versions of the table. On the overhead screen you will see all changes

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made since October 4, 2007 meeting – the third draft is the cleanest version. The focus of tonight's meeting is to discuss the 5 issues identified by the group.

Chairperson Meigs requested the document be identified with a name, for example "Matrix."

The Commission reviewed the issues:

Issue 1: Commissioner Lacques requested the wording be clarified to state correctly to increase the minimum Affordable Housing (AH) shall be 40% affordable. Decision ranges were between 20-50%.

Commissioner Ketcham remarked that it is important to have multiple concepts be documented.

Issue 3: Commissioner Petty asked for clarification on number 3.

M/S Hamilton/Hoffmann – move to combine category 2 and 3.

AYES: All

Opposed: None

General discussion:

Commissioner Lacques emphasized the need to have properties deeded to an agency with specific rules on how to keep affordable to protect affordability. He feels more rules are needed rather than having applicant make proposals. He is in favor of perpetuity. Rent control should be included.

Commissioner Hamilton said she would like to have the Commission review examples of other ways AH is presented. The County of Marin uses a 20% ratio. She suggested the possibility of setting aside funding (non-profit grants) that would have a mechanism to ensure AH. She would not be in favor of a 30 year time period, it is too specific.

Commissioner Petty favors AH. She said that the size of some of the units (500 square feet) is very small. Larger units would definitely need to be deed restricted to keep AH. Fairfax does not have a rent control ordinance. She is in favor of perpetuity and an outside agency monitoring the process. She welcomes County knowledge.

Commissioner Ketcham said that regardless of the size, control is needed. The Town must have fixed rules. Guidelines must be included in the final products, especially in the Mixed Use areas. 30 years or perpetuity are different

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requirements. He would like to review County approach and apply here. Goal: How to keep AH.

Commissioner Hoffmann expressed that he would like to rework the areas, especially the AH issue. He suggested checking with Marin County. He is willing to invite the County to speak with the Commission to share materials or make a presentation so that the Commission may be equipped with information to finalize their recommendations. He said he understands from Stacey Lauman that the County is moving towards all units being held in perpetuity rather than 30 years.

Chairperson Meigs shared that she was not impressed with the County plan. She said that the Town did have Betty Paggett with Ecumenical Affordable Housing (EAH) review the AH plan in the past. Chairperson Meigs feels it is necessary to scale down the vision to get through the State's requirements.

Motion: Commissioner Ketcham moved to take Commissioner Hoffmann up on his offer to contact the County to share information at the next Workshop Meeting (December 6, 2007).

Friendly Amendment: Commissioner Hoffmann assed that he would ask the County to come and present their Mixed Use Overlay Zone plan and how they are maintaining AH. Contacts include Leelee Thomson and Stacey Lauman.

AYES: Commissioners Lacques, Hamilton, Petty, Ketcham, Hoffmann.

NOES: Chairperson Meigs

Absent: Commissioner Madsen

Amendment passed

ACTION: Commissioner Hoffmann will follow up and suggests a 20 minute presentation with 10 minutes question and answer period following. Suggests Town Council may be invited.

Issue 4:

What is the process if a project is to be fast tracked?

Director Welsh shared that Plan Checkers can move the project ahead in cue.

Smaller projects remain in-house; larger projects move to outside consultants.

She shared that fast-tracking adds incentive for the developer ("time is money").

The developers pay for the consultants.

Commissioner Lacques said he is satisfied it will not burden the Town.

Commissioner Hamilton said that she would like to clarify bulleted point with the Town of Fairfax Staff.

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Commissioner Ketcham said he would like to bring forward and fast track. Pre-concept review is very similar in process.

Commissioner Hoffmann said that it would be necessary to differentiate between planning department and building department permits. Plan checks will be at applicant's expenses (we will not waive fees) and shall be expedited through the Town's Plan Check Consultant.

M/S Hamilton/Petty

Motioned to approve language after bullet in #4.

AYES: All

Opposed: None

Issue 9:

Are there any bicycle parking requirements?

Commissioner Lacques shared that if the project is a specific size, i.e., 3 acres/60 units that bike parking be required. He said there should be language to encourage bicycling in the circulation element of the town plan.

Commissioner Hamilton likes the idea of bike parking. The difference between public (commercial spaces) and private (residential spaces) should be noted.

Commissioner Petty asked if the requirement for parking could be at the discretion of the Planning commission per project and would it be possible to offset bike requirements. Would bike racks be required?

Director Welsh indicated that no incentives currently could be added as a condition of approval.

Commissioner Ketcham stated that to developers, bike parking would not be an incentive. It would be an incentive to a person living in an AH unit. They could receive money for not having a car. He would like to see the Town encourage bike parking in a dedicated Town area for bikes. A covered common bike area or a fiberglass box for bikes would help secure bikes for larger projects.

Chairperson Meigs cautioned to be aware so we do not lose parking in Town.

Commissioner Hoffmann suggested separate bicycle parking shall be provided to serve both residential units and commercial spaces for each 1,000 sq feet. One enclosed bike space per residential unit. One space per commercial unit.

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7. PLANNING DIRECTOR'S REPORT

Discussion of Action Minutes

Director Welsh updated the commission to let them know that Jim Karpiak, Town Attorney, had reviewed the issue of Action Minutes for Planning Commission meetings. He feels it is o.k. to do Action Minutes with a CD backup. He suggested to be on the safe side, the Ordinance should be amended. We are trying Amy Dunnigan as clerk, who has done medical transcripts and is preparing quasi-action minutes. We would need a vote by the group for Action Minutes.

Chairperson Meigs stated that the Commission would have to be directed by the Council to do changes to the Ordinance.

Commissioner Lacques said his preference is to detailed minutes for the Planning Commission as some applicants make false statements.

Commissioners preferring Action Minutes are Barbara Petty, Brannon Ketcham, Alec Hoffmann and Shelley Hamilton.

M/S Hamilton/Hoffmann

Motion to use Summary Action Minutes.

M/S Hoffmann/Meigs

Motion to move to Action Minutes. In conjunction, review technology that will improve the recording capability of all Town meetings. Request Town Council to review issue regarding Ordinance change.

AYES: All

Opposed: Commissioner Lacques

Absent: Commissioner Madsen

8. ADJOURN

Chairperson Meigs adjourned the meeting at 9:50 p.m.

Respectfully submitted,

Susan Waters

Minutes Clerk