

Town of Fairfax
Planning Commission Workshop
June 5, 2008
Fairfax Women's Club, 46 Park Road

CALL TO ORDER 7:33 pm

ROLL CALL: Chair, Pam Meigs
Terry Goyan
Shelby LaMotte
Brannon Ketcham
Alec Hoffmann (arrived 8:03 pm)

ABSENT: Peter Lacques
Shelley Hamilton

Town employees: Ann Welsh, Planning Director
Linda Neal, Senior Planner
Amy Dunnigan, Minutes Clerk

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA
M/S LaMotte-Goyon motioned to approve the agenda as presented.
AYES: All (4)

No public present.

DISCUSSION ITEMS:

5.1 Discuss proposed revision to the method for calculating a 50% remodel.
Senior Planner Neal advised that the County is not that different than what Fairfax was currently using. Larkspur was \$150 and Fairfax was \$132. The County had adopted the Wildland Urban Interface Code (WUIC) definition was what the County used to determine how much of a structure was actually being eliminated. Parking and Design Review were big issues for Fairfax. Commissioner Goyan stated 50% was subjective and using square footage was a lot more accurate. Novato was based on square footage.

Chair Meigs advised she invited Senior Planner Neal because she investigated what other cities were doing. Other departments (i.e. Fire) were using different criteria to determine the percentage. Chair Meigs asked if the Planning Commission would get flooded with a lot more applications if the criteria were changed. If people were putting a lot more money into their homes, Senior Planner Neal felt the home owners should be responsible for providing more parking. Chair Meigs asked if the WUIC definition was a good fit for Fairfax. Commissioner Ketcham felt that Ross Valley counted only linear square footage. Commissioner LaMotte asked what the intent was. Senior Planner Neal advised it was to get something in place that people could not manipulate and to get more parking. Commissioner Goyan said floor space should be looked at for 50% remodel if the issue

was parking/increased number of occupants. Commissioner Ketcham stated the clearer and simpler the rule was, the applicant would be less likely to appeal it. Commissioner Ketcham said referencing back to the Fire Department's determinations. Senior Planner Neal stated adding more parking was a safety issue. Commissioner LaMotte asked if the substantial WUIC obtained more parking for the community. Planning Director Welsh felt that it may create more work for the Building Inspector. Senior Planner Neal said to ask applicants to provide a true demolition plan and to research things like dry rot, etc. If the language was adopted, it would be the Planning Department doing the calculations for residences not in the WUIC.

*8:03pm

Commissioner Goyan asked if Fairfax adopted the WUIC if stating a bedroom were added, parking would need to be increased. If one was to have two bedrooms and the residence did not have the required parking, but wanted to add a third bedroom, then the owner(s) would have to add additional parking. Chair Meigs asked how it would impact the building people. Senior Planner Neal said you could look at it that the building people would be getting more business because they would be building more parking. If you do that much work, you should be helping the neighborhood as well. Commissioner Ketcham asked if the language of the WUIC was what the Fire Dept was currently using. Senior Planner Neal confirmed it. Commissioner Ketcham asked what was involved with going to DRB. Senior Planner Neal advised it was a \$750 application fee when it goes to Design Review Board. Commissioner Ketcham advised public safety was very important, but also clarity and simplification. Commissioner Goyan mentioned that Novato said that at 50% they had a green building requirement and also liked that. Commissioner Hoffmann suggested using the original linear square footage. Commissioner Hoffmann asked if the commission was discussing finish work or only structural changes and if there would be exemptions for earthquake retrofitting. Senior Planner Neal suggested possibly combining Sausalito's and Novato's rule would be a solution. Senior Planner Neal stated only the County said that they had been working on a revision. Fairfax's current code did not distinguish between a new home and a remodel. (8:15 pm) Commissioner Hoffmann felt the only way the town would be able to address parking there needed to be an on-street parking ordinance. Planning Director Welsh stated less than 50% remodel did not get noticed to the public (8:27 pm) and a different threshold may be needed. Commissioner Ketcham said even with a parking ordinance, a strict application and policy would be achieving increased parking. In-lieu fee program was discussed. (8:33 pm) Commissioner Hoffmann stated a significant addition and/or 50% remodel would require more parking. Commissioner Ketcham confirmed it was a three parking rule anything over a two-bedroom. A duplex was supposed to have five parking spaces (one for each person and one guest space).

Chair Meigs asked if this issue could be discussed at the public meeting. Senior Planner Neal advised she needed to nail down the impact of the 50% remodel for different departments (Fire, Water District, etc.)

Commissioner LaMotte felt linear square footage would be more accurate and easy to determine and more difficult to skirt. When applicants put together their plans it would be

easier to follow the Fire's guidelines would simplify the revision. Commissioner Ketcham questioned how 50% remodel was defined and clarity whether it was WUIC or Sausalito/Novato approach. Doing everything similar to the WUIC made most sense since certain standards needed to be made + providing parking. Health and safety and access were the important parameters and the Commission needed to focus on parking. Commissioner Hoffmann felt it was good to address the 50% remodel since it was currently inaccurate. He also liked the lineal structural remodel. He was having a tough time with the parking issue due to forcing people to sacrifice living space or yard space for a parking space. Commissioner Hoffmann also did not like multi-car residences feeling like they could park anywhere. Going one space to three spaces would be a huge burden. Maybe only adding one space or tying it to the number of bedrooms. Senior Planner Neal understood that tying it to only new square footage made a lot of sense. Commissioner Goyan said new windows, etc could tie into the 50% remodel and not square footage, so increased parking should not apply. Something designated as a bedroom would increase parking by one spot. Kitchen, bathroom remodel going over 50% should not require an increase in parking, but an increase in parking was needed for health and safety issues. Commissioner Ketcham advised 2+ and +1. Neal felt more comfortable with the variance and making it a public issue. Chair Meigs asked about an incentive separate from the green building ordinance. If residents did a certain percentage of green building, eliminate an existing parking space in the future.

ACTION: Senior Planner Neal advised she would work on a revision for the July 3 meeting. (8:50 pm)

5.2 Discuss proposed By-Laws for the Planning Commission as there were currently none.

Chair Meigs wanted to look at the By-Laws for the Planning Commission. She felt it would be simple and clear with By-Laws. It was suggested, if Commissioners missed a number of meetings (not workshops) in a row, excuse themselves from the Commission.

ACTION: Planning Director Welsh advised she would email everyone her direct number to make contacting Staff easier in the case of an absence.

Planning Director Welsh advised the rules did not need to be in the Code, but something that everyone agreed upon. Commissioner Ketcham felt it would be fair to email a week prior along with the agenda for the Commission to RSVP regrets only. Commissioner Ketcham suggested if it was just an internal operation, if a member of the Commission missed four meeting unexcused, they would excuse themselves from their position. Commissioner Goyan agreed for public meetings it made sense. (9 pm)

COMMISSIONER COMMENTS and REQUESTS

Planning Director Welsh provided an update on the design guidelines. She had talked to Consultant Kennings and he provided an estimate of \$4-5K to update the design guidelines. He had done the guidelines for Tam Valley and also asked for the Planning

Commission's ideas of what the Commission would like to see. Consultant Kennings said it would take approximately two months to put together. He could come up with a draft and the Commission could request revisions. Manager, Michael Rock said that there was money in the budget for an outside consultant.

Chair Meigs asked when the Council wanted the guidelines. Planning Director Welsh felt it would work well since they were going to hear the Mixed Use Zone Overlay at their June meeting. The timing should work since the Ordinances don't take effect until 30 or 60 days after they are adopted. Planning Director Welsh confirmed the Design Guidelines could come after the Mixed Use Zone Overlay. The Council members said they wanted to do a land use feasibility analysis for the Fair Anselm/Albertson's area. Planning Director Welsh asked Consultant Kennings to do the analysis in a visual way how to fit everything within the two parcels. For the initial study, she felt traffic would be the big issue. Cole would do it and the town attorney would review it. Planning Director Welsh sent Consultant Kennings the draft and she has not heard back due to him being out of town.

Commissioner LaMotte asked about the list being sent to Design Review Board off of the Mixed Use Zone Overlay and if Consultant Kennings would also review that list. Chair Meigs and Planning Director Welsh confirmed that he would take that list into consideration. Marin County sent their Design Guidelines and Commission members had a copy waiting for them.

Chair Meigs said the Council meeting from the night before had the two year Chair position passed and the Commission moving to action minutes. From the Council meeting prior to the Mixed Use Zone Overlay she said density and height were the big issues. The Council was asking for a better idea of what a third story meant. Commissioner Ketcham felt it was clear that they did not want to touch parking.

Chair Meigs requested as the next workshop was scheduled for the July 3rd that the workshop be postponed. Planning Director Welsh advised the GPAC issue would be presented at the June meeting and that would give the Commission time to review it. Chair Meigs asked about electing a vice chair and that it should be at a public meeting and placed on the agenda.

ACTION: Put the position of 2-year chair on the Agenda.

Commissioner Hoffmann advised that he and his family were planning to move to Ashland, Oregon in August 2008, but would be able to attend the beginning of August meeting. He would place a formal resignation for the end of August.

Planning Director Welsh had been approached by Marin Environmental Housing because they want to get involved in the Fair Anselm/Albertson's area to try to get different groups to support affordable housing in Fairfax. Marge Macrass used to be the Planning Commission Director for Marin County and was now the head of Sierra Club for Marin County and they wanted to generate community support for affordable housing and also

have a number of people that are environmental activists. They did have some money and they were trying to find two towns within the County to support. They could also have an intern to assist with HCD and use their influence to get Fairfax's Housing Element certified.

M/S LaMotte-Goyan motioned to adjourn the meeting at 10:13 pm.
AYES: All (5)

These are summary minutes. A recorded copy is available.

Respectfully submitted,

Amy Dunnigan, Minutes Clerk